

Editorial Notes**PRIOR PROVISIONS**

Provisions similar to those in this section were contained in section 756 of this title prior to the complete revision of former chapter 21 of this title by Pub. L. 96-322.

AMENDMENTS

2021—Pub. L. 116-283 substituted “an individual” for “a person” and “individual’s” for “person’s”.

2018—Pub. L. 115-282 renumbered section 706 of this title as this section.

§ 3707. Temporary members of the Reserve; disability or death benefits

(a) If a temporary member of the Reserve is physically injured, or dies as a result of physical injury, and the injury is incurred incident to service while performing active duty, or engaged in authorized travel to or from that duty, the law authorizing compensation for employees of the United States suffering injuries while in the performance of their duties, applies, subject to this section. That law shall be administered by the Secretary of Labor to the same extent as if the member was a civil employee of the United States and was injured in the performance of that duty. For benefit computation, regardless of pay or pay status, the member is considered to have had monthly pay of the monthly equivalent of the minimum rate of basic pay in effect for grade GS-9 of the General Schedule on the date the injury is incurred.

(b) This section does not apply if the workmen’s compensation law of a State, a territory, or another jurisdiction provides coverage because of a concurrent employment status of the temporary member. When the temporary member or a dependent is entitled to a benefit under this section and also to a concurrent benefit from the United States on account of the same disability or death, the temporary member or dependent, as appropriate, shall elect which benefit to receive.

(c) If a claim is filed under this section with the Secretary of Labor for benefits because of an alleged injury or death, the Secretary of Labor shall notify the Commandant who shall direct an investigation into the facts surrounding the alleged injury or death. The Commandant shall then certify to the Secretary of Labor whether or not the injured or deceased individual was a temporary member of the Reserve, the individual’s military status, and whether or not the injury or death was incurred incident to military service.

(d) A temporary member of the Reserve, who incurs a physical disability or contracts sickness or disease while performing a duty to which the member has been assigned by competent authority, is entitled to the same hospital treatment afforded a member of the Regular Coast Guard.

(e) In administering section 8133 of title 5, for an individual covered by this section—

(1) the percentages applicable to payments under that section are—

(A) 45 percent under subsection (a)(2) of that section, where the member died fully or currently insured under title II of the Social Security Act (42 U.S.C. 401 et seq.), with no

additional payments for a child or children so long as the widow or widower remains eligible for payments under that subsection;

(B) 20 percent under subsection (a)(3) of that section, for one child, and 10 percent additional for each additional child, not to exceed a total of 75 percent, where the member died fully or currently insured under title II of the Social Security Act; and

(C) 25 percent under subsection (a)(4) of that section, if one parent was wholly dependent for support upon the deceased member at the time of the member’s death and the other was not dependent to any extent; 16 percent to each if both were wholly dependent; and if one was, or both were, partly dependent, a proportionate amount in the discretion of the Secretary of Labor;

(2) payments may not be made under subsection (a)(5) of that section; and

(3) the Secretary of Labor shall inform the Commissioner of Social Security whenever a claim is filed and eligibility for compensation is established under subsection (a)(2) or (a)(3) of section 8133 of title 5. The Commissioner of Social Security shall then certify to the Secretary of Labor whether or not the member concerned was fully or currently insured under title II of the Social Security Act at the time of the member’s death.

(Added Pub. L. 96-322, §1, Aug. 4, 1980, 94 Stat. 1004, §707; amended Pub. L. 97-136, §8(a), Dec. 29, 1981, 95 Stat. 1706; Pub. L. 97-295, §2(21), Oct. 12, 1982, 96 Stat. 1303; Pub. L. 103-296, title I, §108(g), Aug. 15, 1994, 108 Stat. 1487; renumbered §3707, Pub. L. 115-282, title I, §118(b), Dec. 4, 2018, 132 Stat. 4233; Pub. L. 116-283, div. G, title LVXXXV [LXXXV], §8505(a)(51), Jan. 1, 2021, 134 Stat. 4750.)

Editorial Notes**REFERENCES IN TEXT**

The law authorizing compensation for employees of the United States, referred to in subsec. (a), appears in subchapter I (§8101 et seq.) of chapter 81 of Title 5, Government Organization and Employees.

The General Schedule, referred to in subsec. (a), is set out under section 5332 of Title 5.

The Social Security Act, referred to in subsec. (e)(1)(A), (B), (3), is act Aug. 14, 1935, ch. 531, 49 Stat. 620. Title II of the Social Security Act is classified generally to subchapter II (§401 et seq.) of chapter 7 of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see section 1305 of Title 42 and Tables.

PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 760 of this title prior to the complete revision of former chapter 21 of this title by Pub. L. 96-322.

AMENDMENTS

2021—Subsec. (c). Pub. L. 116-283, §8505(a)(51)(A), substituted “individual” for “person” and “individual’s” for “person’s”.

Subsec. (e). Pub. L. 116-283, §8505(a)(51)(B), substituted “an individual” for “a person” in introductory provisions.

2018—Pub. L. 115-282 renumbered section 707 of this title as this section.

1994—Subsec. (e)(3). Pub. L. 103-296 substituted “Commissioner of Social Security” for “Secretary of Health and Human Services” in two places.

1982—Subsec. (e)(1). Pub. L. 97-295, §2(21)(A), substituted “percent” for “per centum” wherever appearing.

Subsec. (e)(1)(A). Pub. L. 97-295, §2(21)(B), inserted “(42 U.S.C. 401 et seq.)” after “Social Security Act”.

1981—Subsec. (a). Pub. L. 97-136 substituted “monthly pay of the monthly equivalent of the minimum rate of basic pay in effect for grade GS-9 of the General Schedule on the date the injury is incurred” for “monthly pay of \$600”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1994 AMENDMENT

Amendment by Pub. L. 103-296 effective Mar. 31, 1995, see section 110(a) of Pub. L. 103-296, set out as a note under section 401 of Title 42, The Public Health and Welfare.

EFFECTIVE DATE OF 1981 AMENDMENT

Pub. L. 97-136, §8(b), Dec. 29, 1981, 95 Stat. 1706, provided that: “The amendment made by subsection (a) [amending this section] shall apply only with respect to payments for benefits under section 707(a) [now 3707(a)] of title 14, United States Code, for months beginning on or after the date of the enactment of this Act [Dec. 29, 1981].”

§ 3708. Temporary members of the Reserve; certificate of honorable service

In recognition of the service of temporary members of the Reserve, the Secretary may upon request issue an appropriate certificate of honorable service in lieu of a certificate of disenrollment issued to any individual following disenrollment under honorable conditions from service as a temporary member. Issuance of a certificate of honorable service to any individual under this section does not entitle that individual to any rights, privileges, or benefits under any law of the United States.

(Added Pub. L. 96-322, §1, Aug. 4, 1980, 94 Stat. 1005, §708; renumbered §3708, Pub. L. 115-282, title I, §118(b), Dec. 4, 2018, 132 Stat. 4233; amended Pub. L. 116-283, div. G, title LVXXXV [LXXXV], §8505(a)(52), Jan. 1, 2021, 134 Stat. 4750.)

Editorial Notes

PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 763 of this title prior to the complete revision of former chapter 21 of this title by Pub. L. 96-322.

AMENDMENTS

2021—Pub. L. 116-283 substituted “individual” for “person” wherever appearing.

2018—Pub. L. 115-282 renumbered section 708 of this title as this section.

§ 3709. Reserve student aviation pilots; Reserve aviation pilots; appointments in commissioned grade

(a) Under regulations prescribed by the Secretary an enlisted member of the Reserve may be designated as a student aviation pilot.

(b) A member who is not a qualified aviator may not be designated as a student aviation pilot unless the member agrees in writing to serve on active duty for a period of two years after successful completion of flight training,

unless sooner released. A student aviation pilot may be released from active duty or discharged at any time as provided for in the regulations prescribed by the Secretary.

(c) A student aviation pilot who is a qualified civilian aviator may be given a brief refresher course in flight training.

(d) A student aviation pilot undergoing flight training is entitled to have uniforms and equipment provided at Government expense.

(e) Under regulations prescribed by the Secretary, a student aviation pilot may be designated an aviation pilot upon the successful completion of flight training.

(f) In time of peace, an aviation pilot obligated under subsection (b) to serve on active duty for two years may serve for an additional period of not more than two years.

(g) An aviation pilot may be released from active duty or discharged at any time as provided for in the regulations prescribed by the Secretary.

(h) If qualified under regulations prescribed by the Secretary, an aviation pilot may be appointed as an ensign in the Reserve.

(Added Pub. L. 96-322, §1, Aug. 4, 1980, 94 Stat. 1005, §709; renumbered §3709, Pub. L. 115-282, title I, §118(b), Dec. 4, 2018, 132 Stat. 4233.)

Editorial Notes

PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 758a of this title prior to the complete revision of former chapter 21 of this title by Pub. L. 96-322.

AMENDMENTS

2018—Pub. L. 115-282 renumbered section 709 of this title as this section.

§ 3710. Reserve student pre-commissioning assistance program

(a) The Secretary may provide financial assistance to an eligible enlisted member of the Coast Guard Reserve, not on active duty, for expenses of the member while the member is pursuing on a full-time basis at an institution of higher education a program of education approved by the Secretary that leads to—

- (1) a baccalaureate degree in not more than 5 academic years; or
- (2) a post-baccalaureate degree.

(b)(1) To be eligible for financial assistance under this section, an enlisted member of the Coast Guard Reserve shall—

- (A) be enrolled on a full-time basis in a program of education referred to in subsection (a) at any institution of higher education; and
- (B) enter into a written agreement with the Coast Guard described in paragraph (2).

(2) A written agreement referred to in paragraph (1)(B) is an agreement between the member and the Secretary in which the member agrees—

- (A) to accept an appointment as a commissioned officer in the Coast Guard Reserve, if tendered;
- (B) to serve on active duty for up to five years; and