

CHAPTER 10—PAYMENTS TO MISSING PERSONS

<p>Sec. 551. Definitions. 552. Pay and allowances; continuance while in a missing status; limitations. 553. Allotments; continuance, suspension, initiation, resumption, or increase while in a missing status; limitations. 554. Travel and transportation; dependents; household and personal effects; trailers; additional movements; motor vehicles; sale of bulky items; claims for proceeds; appropriation chargeable. 555. Secretarial review. 556. Secretarial determinations. 557. Settlement of accounts. 558. Income tax deferment. 559. Benefits for members held as captives.</p>	
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AMENDMENTS

1990—Pub. L. 101-510, div. A, title XIV, §1484(f)(1), Nov. 5, 1990, 104 Stat. 1717, revised chapter heading so as to appear in all capital letters.
1986—Pub. L. 99-399, title VIII, §806(a)(2), Aug. 27, 1986, 100 Stat. 885, added item 559.
1972—Pub. L. 92-477, §1(1), Oct. 9, 1972, 86 Stat. 793, inserted “trailers; additional movements;” after “household and personal effects;” in item 554.
1966—Pub. L. 89-554, §5(b), Sept. 6, 1966, 80 Stat. 625, added chapter 10 and items 551 to 558.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in title 10 sections 1482, 1524; title 18 section 1923; title 38 section 107.

§ 551. Definitions

In this chapter:

- (1) The term “dependent”, with respect to a member of a uniformed service, means—
 - (A) his spouse;
 - (B) his unmarried child (including an unmarried dependent stepchild or adopted child) under 21 years of age;
 - (C) his dependent mother or father;
 - (D) a dependent designated in official records; and
 - (E) a person determined to be dependent by the Secretary concerned, or his designee.
- (2) The term “missing status” means the status of a member of a uniformed service who is officially carried or determined to be absent in a status of—
 - (A) missing;
 - (B) missing in action;
 - (C) interned in a foreign country;
 - (D) captured, beleaguered, or besieged by a hostile force; or
 - (E) detained in a foreign country against his will.
- (3) The term “pay and allowances” means—
 - (A) basic pay;
 - (B) special pay;
 - (C) incentive pay;
 - (D) basic allowance for quarters;
 - (E) basic allowance for subsistence; and
 - (F) station per diem allowances for not more than 90 days.

(Added Pub. L. 89-554, §5(b), Sept. 6, 1966, 80 Stat. 625; amended Pub. L. 99-145, title XIII, §1301(g), Nov. 8, 1985, 99 Stat. 737; Pub. L. 100-26, §8(e)(10), Apr. 21, 1987, 101 Stat. 287.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
551(1)	50 App. 1001.	Mar. 7, 1942, ch. 166, §1, 56 Stat. 143; July 1, 1944, ch. 371, §1, 58 Stat. 679; Aug. 14, 1964, Pub. L. 88-428, §1(1), (2), 78 Stat. 437.
551(2)	50 App. 1002(a) (22d through 66th words of 1st sentence, for definition purposes).	Mar. 7, 1942, ch. 166, §2(a) (22d through 66th and 96th through 120th words of 1st sentence, for definition purposes); added July 1, 1944, ch. 371, §2, 58 Stat. 679; Apr. 4, 1953, ch. 17, §1(a), 67 Stat. 21; Aug. 29, 1957, Pub. L. 85-217, §1(b) (1st par.), 71 Stat. 491; Aug. 14, 1964, Pub. L. 88-428, §1(3)(A), 78 Stat. 437.
551(3).	50 App. 1002(a) (96th through 120th words of 1st sentence, for definition purposes).	

Only that portion of the source law which is applicable to members of the uniformed services and their dependents is codified in this section.

The words “In this chapter” are substituted for “For the purpose of this Act”.

In clause (1), the words “with respect to a member of a uniformed service” are inserted for clarity. In clause (1)(A), the word “lawful” is omitted as unnecessary in view of the accepted recognition of the fact that the word “wife” means a lawful wife. In clause (1)(E), the words “Secretary concerned, or his designee” are substituted for “head of the department concerned, or subordinate designated by him” to conform to the definition in 37 U.S.C. 101(5). The definitions of “person”, “active service”, and “department”, respectively, in 50 App. U.S.C. 1001(a)(1), (b), and (d) are omitted as unnecessary in view of the definitions of “member”, “uniformed services”, “active service”, and “Secretary concerned”, in 37 U.S.C. 101(3), (5), (20), and (23).

The definitions in clauses (2) and (3), which do not appear in, but are based on, the source law are created for legislative convenience.

AMENDMENTS

1987—Pub. L. 100-26 substituted “In this chapter:” for “In this chapter—”, inserted “The term” at beginning of pars. (1) to (3), and substituted period for semicolon at end of par. (1) and period for “; and” at end of par. (2).

1985—Par. (1)(A). Pub. L. 99-145 substituted “spouse” for “wife”.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 501 of this title; title 10 sections 701, 1032, 1035, 1095a, 2181, 4342, 6954, 9342, 12301; title 26 section 112.

§ 552. Pay and allowances; continuance while in a missing status; limitations

(a) A member of a uniformed service who is on active duty or performing inactive-duty training, and who is in a missing status, is—

- (1) for the period he is in that status, entitled to receive or have credited to his account the same pay and allowances, as defined in this chapter, to which he was entitled at the beginning of that period or may thereafter become entitled; and
- (2) for the period, not to exceed one year, required for his hospitalization and rehabilitation after termination of that status, under regulations prescribed by the Secretaries concerned, with respect to incentive pay, considered to have satisfied the requirements of section 301 of this title so as to entitle him to a continuance of that pay.