

subsection for that commitment were paid to the member as a bonus.

(f) AMOUNT WITHHELD FOR TAXES.—The total amount payable for a member under subsection (e)(2) for a commitment by that member shall be withheld, credited, and otherwise treated in the same manner as amounts deducted and withheld from the basic pay of the member.

(g) REPAYMENT FOR FAILURE TO COMPLETE OBLIGATED SERVICE.—(1) If a person fails to complete the qualifying service for which the person is obligated under a commitment for which a benefit has been paid under this section, the person shall refund to the United States the amount that bears the same ratio to the total amount paid for the person (as computed under subsection (e)) for that particular commitment as the uncompleted part of the period of qualifying service bears to the total period of the qualifying service for which obligated.

(2) Subject to paragraph (3), an obligation to reimburse the United States imposed under paragraph (1) is for all purposes a debt owed to the United States.

(3) The Secretary concerned may waive, in whole or in part, a refund required under paragraph (1) if the Secretary concerned determines that recovery would be against equity and good conscience or would be contrary to the best interests of the United States.

(4) A discharge in bankruptcy under title 11 that is entered less than five years after the termination of an enlistment or other agreement under this section does not discharge the person signing such enlistment or other agreement from a debt arising under the enlistment or agreement, respectively, or this subsection.

(h) RELATIONSHIP TO OTHER SPECIAL PAYS.—The benefit authorized under this section is in addition to any other bonus or incentive or special pay that is paid or payable to a member under any other provision of this chapter for any portion of the same qualifying service.

(i) REGULATIONS.—This section shall be administered under regulations prescribed by the Secretary of Defense for the armed forces under his jurisdiction and by the Secretary of Homeland Security for the Coast Guard when the Coast Guard is not operating as a service in the Navy.

(Added Pub. L. 107-107, div. A, title VI, §622(a)(1), Dec. 28, 2001, 115 Stat. 1140; amended Pub. L. 107-296, title XVII, §1704(c), Nov. 25, 2002, 116 Stat. 2314.)

AMENDMENTS

2002—Subsec. (i). Pub. L. 107-296 substituted “of Homeland Security” for “of Transportation”.

EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-296 effective on the date of transfer of the Coast Guard to the Department of Homeland Security, see section 1704(g) of Pub. L. 107-296, set out as a note under section 101 of Title 10, Armed Forces.

EFFECTIVE DATE

Pub. L. 107-107, div. A, title VI, §622(b), Dec. 28, 2001, 115 Stat. 1142, provided that: “Section 325 of title 37, United States Code, as added by subsection (a), shall apply with respect to reenlistments and other agree-

ments for qualifying service, as described in that section, that are entered into on or after October 1, 2001.”

CHAPTER 7—ALLOWANCES

- Sec. 401. Definitions.
- 402. Basic allowance for subsistence.
- 402a. Supplemental subsistence allowance for low-income members with dependents.
- 403. Basic allowance for housing.
- [403a. Repealed.]
- 403b. Cost-of-living allowance in the continental United States.
- 404. Travel and transportation allowances: general.
- 404a. Travel and transportation allowances: temporary lodging expenses.
- 405. Travel and transportation allowances: per diem while on duty outside the United States or in Hawaii or Alaska.
- 405a. Travel and transportation allowances: departure allowances.
- 406. Travel and transportation allowances: dependents; baggage and household effects.
- 406a. Travel and transportation allowances: authorized for travel performed under orders that are canceled, revoked, or modified.
- 406b. Travel and transportation allowances: members of the uniformed services attached to a ship overhauling or inactivating.
- 406c. Travel and transportation allowances: members assigned to a vessel under construction.
- 407. Travel and transportation allowances: dislocation allowances.<sup>1</sup>
- 408. Travel and transportation allowances: travel within limits of duty station.
- 409. Travel and transportation allowances: house trailers and mobile homes.
- 410. Travel and transportation allowances: miscellaneous categories.
- 411. Travel and transportation allowances: administrative provisions.
- 411a. Travel and transportation allowances: travel performed in connection with convalescent leave.
- 411b. Travel and transportation allowances: travel performed in connection with leave between consecutive overseas tours.
- 411c. Travel and transportation allowances: travel performed in connection with rest and recuperative leave from certain stations in foreign countries.
- 411d. Travel and transportation allowances: transportation incident to personal emergencies for certain members and dependents.
- 411e. Travel and transportation allowances: transportation incident to certain emergencies for members performing temporary duty.
- 411f. Travel and transportation allowances: transportation for survivors of deceased member to attend the member's burial ceremonies.
- 411g. Travel and transportation allowances: transportation incident to voluntary extensions of overseas tours of duty.
- 411h. Travel and transportation allowances: transportation of family members incident to the serious illness or injury of members.
- 411i. Travel and transportation allowances: parking expenses.
- 412. Appropriations for travel: may not be used for attendance at certain meetings.
- 413. Chairman and Vice Chairman of the Joint Chiefs of Staff.
- 414. Personal money allowance.

<sup>1</sup> So in original. Does not conform to section catchline.

415. Uniform allowance: officers; initial allowance.
416. Uniform allowance: officers; additional allowances.
417. Uniform allowance: officers; general provisions.
418. Clothing allowance: enlisted members.
419. Civilian clothing allowance.
420. Allowances while participating in international sports.
421. Allowances: no increase while dependent is entitled to basic pay.
422. Cadets and midshipmen.
423. Validity of allowance payments based on purported marriages.
424. Band leaders.
425. United States Navy Band; United States Marine Band: allowances while on concert tour.<sup>1</sup>
- [426. Repealed.]
427. Family separation allowance.
428. Allowance for recruiting expenses.
429. Travel and transportation allowances: minor dependent schooling.
430. Travel and transportation: dependent children of members stationed overseas.
431. Benefits for certain members assigned to the Defense Intelligence Agency.
432. Travel and transportation: members escorting certain dependents.
433. Allowance for muster duty.
434. Subsistence reimbursement relating to escorts of foreign arms control inspection teams.
435. Funeral honors duty: allowance.
436. Per diem allowance for lengthy or numerous deployments.

## AMENDMENTS

2000—Pub. L. 106-398, §1 [[div. A], title X, §1087(c)(1)(B)], Oct. 30, 2000, 114 Stat. 1654, 1654A-292, made technical amendment to directory language of Pub. L. 106-65, §586(c)(2). See 1999 Amendment note below.

Pub. L. 106-398, §1 [[div. A], title X, §1087(c)(1)(A)(ii)], Oct. 30, 2000, 114 Stat. 1654, 1654A-292, made technical amendment to directory language of Pub. L. 106-65, §578(k)(4). See 1999 Amendment note below.

Pub. L. 106-398, §1 [[div. A], title VI, §§604(a)(2), 645(b), title X, §1087(b)(4)], Oct. 30, 2000, 114 Stat. 1654, 1654A-147, 1654A-162, 1654A-292, added items 402a and 411i and redesignated item 435 "Per diem allowance for lengthy or numerous deployments" as 436.

1999—Pub. L. 106-65, div. A, title V, §586(c)(2), Oct. 5, 1999, 113 Stat. 639, as amended by Pub. L. 106-398, §1 [[div. A], title X, §1087(c)(1)(B)], Oct. 30, 2000, 114 Stat. 1654, 1654A-292, added item 435 "Per diem allowance for lengthy or numerous deployments".

Pub. L. 106-65, div. A, title V, §578(k)(4), Oct. 5, 1999, 113 Stat. 631, as amended by Pub. L. 106-398, §1 [[div. A], title X, §1087(c)(1)(A)(ii)], Oct. 30, 2000, 114 Stat. 1654, 1654A-292, added item 435 "Funeral honors duty: allowance".

1998—Pub. L. 105-261, div. A, title VI, §633(b)(2), Oct. 17, 1998, 112 Stat. 2044, substituted "rest and recuperative leave from certain stations" for "leave from certain stations" in item 411c.

1997—Pub. L. 105-85, div. A, title VI, §603(c)(4), Nov. 18, 1997, 111 Stat. 1782, substituted "housing" for "quarters" in item 403 and struck out item 403a "Variable housing allowance".

1994—Pub. L. 103-337, div. A, title VI, §602(a)(2), Oct. 5, 1994, 108 Stat. 2781, added item 403b.

1992—Pub. L. 102-484, div. A, title VI, §623(a)(2), Oct. 23, 1992, 106 Stat. 2423, added item 434.

1990—Pub. L. 101-510, div. A, title V, §504(a)(1), title XIV, §1484(f)(1), Nov. 5, 1990, 104 Stat. 1559, 1717, revised chapter heading so as to appear in all capital letters

and renumbered Pub. L. 95-561, §1407(c)(1)(B). See 1978 Amendment note below.

1989—Pub. L. 101-189, div. A, title V, §502(b)(2), title VI, §624(a)(2), Nov. 29, 1989, 103 Stat. 1437, 1448, added items 406c and 433.

1987—Pub. L. 100-180, div. A, title VI, §§611(a)(2), 614(a)(2), (d)(3), 615(a)(2), title XIII, §1314(c)(2), Dec. 4, 1987, 101 Stat. 1093-1096, 1176, substituted "leave between consecutive overseas tours" for "certain leave" in item 411b, added items 411g and 411h, inserted "and Vice Chairman" in item 413, added item 419, and redesignated former items 419 and 420 as 420 and 421, respectively.

Pub. L. 100-26, §8(b)(1), Apr. 21, 1987, 101 Stat. 285, redesignated item 431 "Travel and transportation: members escorting certain dependents" as item 432.

1986—Pub. L. 99-661, div. A, title VI, §615(a)(2), Nov. 14, 1986, 100 Stat. 3880, added item 431 "Travel and transportation: members escorting certain dependents".

1985—Pub. L. 99-145, title VI, §§616(c)(2), 620(a)(2), title XIII, §§1302(b)(2), 1303(b)(7), Nov. 8, 1985, 99 Stat. 641, 643, 738, 740, substituted "allowances:" for "allowances;" in item 404 and "departure" for "evacuation" in item 405a, struck out "away from home port" after "inactivating" in item 406b, added item 411f, substituted "allowances" for "allowance" in item 425, and added item 431 "Benefits for certain members assigned to the Defense Intelligence Agency".

1984—Pub. L. 98-525, title VI, §§602(d)(2), 612(a)(2), Oct. 19, 1984, 98 Stat. 2536, 2539, struck out "; variable housing allowance" after "Basic allowance for quarters" in item 403, and added item 403a, and substituted "personal emergencies for certain members and dependents" for "certain emergencies for members performing temporary duty" in item 411d.

1983—Pub. L. 98-94, title IX, §§910(a)(2), 932(e)(2), Sept. 24, 1983, 97 Stat. 639, 650, struck out item 421 "Contract surgeons" and added item 430.

1981—Pub. L. 97-60, title I, §§122(a)(2), 126(b), Oct. 14, 1981, 95 Stat. 1003, 1005, added items 404a, 411c, 411d, and 411e.

Pub. L. 97-22, §11(b)(3)(B), July 10, 1981, 95 Stat. 138, substituted "uniformed services" for "Uniformed Services" in item 406b.

1980—Pub. L. 96-343, §4(a)(3), Sept. 8, 1980, 94 Stat. 1125, substituted "for quarters; variable housing allowance" for "for quarters" in item 403.

Pub. L. 96-342, title VIII, §808(a)(2), Sept. 8, 1980, 94 Stat. 1097, substituted "house trailers and mobile homes" for "trailers" in item 409.

1978—Pub. L. 95-561, title XIV, §1407(e)(1)(B), formerly §1407(c)(1)(B), Nov. 1, 1978, 92 Stat. 2367, renumbered §1407(d)(1)(B) by Pub. L. 101-510, div. A, title V, §504(a)(1), Nov. 5, 1990, 104 Stat. 1559, renumbered §1407(e)(1)(B) by Pub. L. 107-107, div. A, title III, §353(1), Dec. 28, 2001, 115 Stat. 1063, added item 429.

1973—Pub. L. 93-213, §1(2), Dec. 28, 1973, 87 Stat. 910, added item 411b.

Pub. L. 93-170, §1(2), Nov. 29, 1973, 87 Stat. 689, substituted "overhauling or inactivating" for "overhauling" in item 406b.

1971—Pub. L. 92-129, title II, §205(b), Sept. 28, 1971, 85 Stat. 359, added item 428.

1970—Pub. L. 91-210, §1(2), Mar. 13, 1970, 84 Stat. 53, added item 406b.

1968—Pub. L. 90-377, §9, July 5, 1968, 82 Stat. 288, struck out item 426 "Prisoners in naval confinement facilities".

1967—Pub. L. 90-207, §9(2), Dec. 16, 1967, 81 Stat. 655, inserted item 411a.

1965—Pub. L. 89-26, §1(2), May 22, 1965, 79 Stat. 117, inserted item 405a.

1964—Pub. L. 88-647, title II, §202(6), Oct. 13, 1964, 78 Stat. 1071, substituted "Cadets and midshipmen" for "Cadets, midshipmen, and naval officer candidates" in item 422.

1963—Pub. L. 88-238, §1(2), Dec. 23, 1963, 77 Stat. 476, inserted item 406a.