

- (A) to a member in a regular or reserve component who remains on active duty or in an active status;
- (B) to perform duty in a specified skill, with or without a specified qualification or credential;
- (C) to perform duty in a specified assignment, location or unit; or
- (D) to perform duty for a specified period of time.

(Added Pub. L. 110-181, div. A, title VI, §661(a)(2), Jan. 28, 2008, 122 Stat. 177; amended Pub. L. 110-417, [div. A], title VI, §651(c)(1), (2)(A), Oct. 14, 2008, 122 Stat. 4496, 4497.)

AMENDMENTS

2008—Pub. L. 110-417, §651(c)(2)(A), substituted “Repayment of unearned portion of bonus, incentive pay, or similar benefit, and termination of remaining payments, when conditions of payment not met” for “Repayment of unearned portion of bonus, incentive pay, or similar benefit when conditions of payment not met” in section catchline.

Subsec. (a). Pub. L. 110-417, §651(c)(1)(A), inserted “and Termination” after “Repayment” in heading and “, and the member may not receive any unpaid amounts of the bonus, incentive pay, or similar benefit after the member fails to satisfy such service or eligibility requirement” in text before period at end.

Subsec. (b). Pub. L. 110-417, §651(c)(1)(B), added subsec. (b) and struck out former subsec. (b). Prior to amendment, text read as follows: “The regulations prescribed to administer this section may specify procedures for determining the circumstances under which an exception to the required repayment may be granted.”

§ 374. Regulations

This subchapter and subchapter II shall be administered under regulations prescribed by—

- (1) the Secretary of Defense, with respect to the armed forces under the jurisdiction of the Secretary of Defense;
- (2) the Secretary of Homeland Security, with respect to the Coast Guard when it is not operating as a service in the Navy;
- (3) the Secretary of Health and Human Services, with respect to the commissioned corps of the Public Health Service; and
- (4) the Secretary of Commerce, with respect to the National Oceanic and Atmospheric Administration.

(Added Pub. L. 110-181, div. A, title VI, §661(a)(2), Jan. 28, 2008, 122 Stat. 178.)

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 Repealed.]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.
- 404b. Travel and transportation allowances: payment of lodging expenses at temporary duty location during authorized absence of member.

- Sec. 405. Travel and transportation allowances: per diem while on duty outside the continental United States.
- 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 allowance.
- 408. Travel and transportation allowances: travel within limits of duty station.
- 408a. Travel and transportation allowances: inactive duty training outside of normal commuting distances.
- 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 illness or injury of members.
- 411i. Travel and transportation allowances: parking expenses.
- 411j. Travel and transportation allowances: transportation of family members incident to the repatriation of members held captive.
- 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.
- 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.

- Sec.
424. Band leaders.
425. United States Navy Band; United States Marine Corps Band: allowances while on concert tour.
- [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.
433a. Allowance for participation in Ready Reserve screening.
434. Subsistence reimbursement relating to escorts of foreign arms control inspection teams.
435. Funeral honors duty: allowance.
436. High-deployment allowance: lengthy or numerous deployments; frequent mobilizations.
437. Allowance to cover monthly premium for Servicemembers' Group Life Insurance: members serving in Operation Enduring Freedom or Operation Iraqi Freedom.
438. Preventive health care allowance.¹

AMENDMENTS

2008—Pub. L. 110-417, [div. A], title VII, § 714(b), Oct. 14, 2008, 122 Stat. 4505, added item 438.

Pub. L. 110-181, div. A, title VI, §§ 631(a)(2), 633(a)(2), Jan. 28, 2008, 122 Stat. 154, 155, added items 408a and 433a.

2006—Pub. L. 109-364, div. A, title VI, § 606(c), title X, § 1071(c)(5), Oct. 17, 2006, 120 Stat. 2246, 2401, substituted “dislocation allowance” for “dislocation allowances” in item 407, inserted “Corps” after “United States Marine” in item 425, and struck out “portion of” before “monthly” in item 437.

Pub. L. 109-163, div. A, title VI, §§ 613(b), 651(b)(2), 653(b) Jan. 6, 2006, 119 Stat. 3292, 3311, 3313, added items 411j and 437 and substituted “Travel and transportation allowances: payment of lodging expenses at temporary duty location during authorized absence of member” for “Travel and transportation allowances: lodging expenses at temporary duty location for members on authorized leave” in item 404b.

2005—Pub. L. 109-13, div. A, title I, § 1026(b)(2), May 11, 2005, 119 Stat. 254, substituted “illness or injury of members” for “the serious illness or injury of members” in item 411h.

2004—Pub. L. 108-375, div. A, title VI, § 605(b)(3), Oct. 28, 2004, 118 Stat. 1945, substituted “continental United States” for “United States or in Hawaii or Alaska” in item 405.

2003—Pub. L. 108-136, div. A, title V, § 541(b)(5)(B), title VI, § 635(b), Nov. 24, 2003, 117 Stat. 1477, 1511, added item 404b and substituted “High-deployment allowance: lengthy or numerous deployments; frequent mobilizations” for “Per diem allowance for lengthy or numerous deployments” in item 436.

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.

¹ So in original. Does not conform to section catchline.