

erty at Government expense and for which the Secretary of the military department paid the owner in settlement of a claim.

(Added Pub. L. 105-261, div. A, title X, § 1010(a)(1), Oct. 17, 1998, 112 Stat. 2117.)

EFFECTIVE DATE

Pub. L. 105-261, div. A, title X, § 1010(b), Oct. 17, 1998, 112 Stat. 2117, provided that: “Section 2739 of title 10, United States Code, as added by subsection (a), applies with respect to amounts collected by a military department on or after the date of the enactment of this Act [Oct. 17, 1998].”

§ 2740. Property loss: reimbursement of members and civilian employees for full replacement value of household effects when contractor reimbursement not available

The Secretary of Defense and the Secretaries of the military departments, in paying a claim under section 3721 of title 31 arising from loss or damage to household goods stored or transported at the expense of the Department of Defense, may pay the claim on the basis of full replacement value in any of the following cases in which reimbursement for the full replacement value for the loss or damage is not available directly from a carrier under section 2636a of this title:

- (1) A case in which—
 - (A) the lost or damaged goods were stored or transported under a contract, tender, or solicitation in accordance with section 2636a of this title that requires the transportation service provider to settle claims on the basis of full replacement value; and
 - (B) the loss or damage occurred under circumstances that exclude the transportation service provider from liability.
- (2) A case in which—
 - (A) the loss or damage occurred while the lost or damaged goods were in the possession of an ocean carrier that was transporting, loading, or unloading the goods under a Department of Defense contract for ocean carriage; and
 - (B) the land-based portions of the transportation were under contracts, in accordance with section 2636a of this title, that require the land carriers to settle claims on the basis of full replacement value.
- (3) A case in which—
 - (A) the lost or damaged goods were transported or stored under a contract or solicitation that requires at least one of the transportation service providers or carriers that handled the shipment to settle claims on the basis of full replacement value pursuant to section 2636a of this title;
 - (B) the lost or damaged goods have been in the custody of more than one independent contractor or transportation service provider; and
 - (C) a claim submitted to the delivering transportation service provider or carrier is denied in whole or in part because the loss or damage occurred while the lost or damaged goods were in the custody of a prior transportation service provider or carrier or government entity.

(Added Pub. L. 111-383, div. A, title III, § 354(a)(1), Jan. 7, 2011, 124 Stat. 4194.)

EFFECTIVE DATE

Pub. L. 111-383, div. A, title III, § 354(b), Jan. 7, 2011, 124 Stat. 4195, provided that: “Section 2740 of title 10, United States Code, as added by subsection (a), shall apply with respect to losses incurred after the date of the enactment of this Act [Jan. 7, 2011].”

CHAPTER 165—ACCOUNTABILITY AND RESPONSIBILITY

- Sec. 2771. Final settlement of accounts: deceased members.
- 2772. Share of fines and forfeitures to benefit Armed Forces Retirement Home.
- 2773. Designation, powers, and accountability of deputy disbursing officials.
- 2773a. Departmental accountable officials.
- 2773b. Parking of funds: prohibition; penalties.
- 2774. Claims for overpayment of pay and allowances and of travel and transportation allowances.
- 2775. Liability of members assigned to military housing.
- 2776. Use of receipts of public money for current expenditures.
- 2777. Requisitions for advances and removal of charges outstanding in accounts of advances.
- [2778. Repealed.]
- 2779. Use of funds because of fluctuations in currency exchange rates of foreign countries.
- 2780. Debt collection.
- 2781. Availability of appropriations: exchange fees; losses in accounts.
- 2782. Damage to real property: disposition of amounts recovered.
- 2783. Nonappropriated fund instrumentalities: financial management and use of nonappropriated funds.
- 2784. Management of purchase cards.
- 2784a. Management of travel cards.
- 2785. Remittance addresses: regulation of alterations.
- 2786. Department of Defense payments by electronic transfers of funds: exercise of authority for waivers.
- 2787. Reports of survey.
- 2788. Property accountability: regulations.
- 2789. Individual equipment: unauthorized disposition.
- 2790. Recovery of improperly disposed of Department of Defense property.

AMENDMENTS

- 2011—Pub. L. 111-383, div. A, title III, § 355(b), Jan. 7, 2011, 124 Stat. 4197, added item 2790.
- 2008—Pub. L. 110-181, div. A, title III, § 375(b), Jan. 28, 2008, 122 Stat. 83, added items 2788 and 2789.
- 2006—Pub. L. 109-364, div. A, title X, § 1053(a)(2), Oct. 17, 2006, 120 Stat. 2396, added item 2773b.
- 2002—Pub. L. 107-314, div. A, title X, §§ 1005(b), 1006(a)(2), 1007(b)(2), 1008(b), Dec. 2, 2002, 116 Stat. 2632-2635, substituted “purchase” for “credit” in item 2784 and added items 2773a, 2784a, and 2787.
- 1999—Pub. L. 106-65, div. A, title IX, § 933(a)(2), title X, § 1008(a)(2), Oct. 5, 1999, 113 Stat. 730, 738, added items 2784 to 2786.
- 1996—Pub. L. 104-316, title I, § 105(d), Oct. 19, 1996, 110 Stat. 3830, struck out item 2778 “Accounts of the military departments”.
- Pub. L. 104-106, div. B, title XXVIII, § 2821(b), Feb. 10, 1996, 110 Stat. 556, added item 2782.
- 1993—Pub. L. 103-160, div. A, title XI, § 1182(a)(8)(C), Nov. 30, 1993, 107 Stat. 1771, added item 2783.
- 1990—Pub. L. 101-510, div. A, title XIV, § 1405(c)(2), title XV, § 1533(a)(4)(B), Nov. 5, 1990, 104 Stat. 1680, 1734,