

that the member is dead or has returned to the controllable jurisdiction of the department concerned.

(g) A member in a missing status who is continued in that status under section 555 of this title or under chapter 76 of title 10 is entitled to have the payments of allotments authorized by subsections (a)–(d) continued, increased, or initiated.

(h) When the Secretary concerned considers it essential for the well-being and protection of the dependents of a member on active duty (other than a member entitled to pay and allowances under section 552 of this title), he may, with or without the consent, and subject to termination at the request, of the member—

- (1) direct the payment of a new allotment from the pay of the member;
- (2) increase or decrease the amount of an allotment made by the member; and
- (3) continue payment of an allotment of the member which has expired.

(Added Pub. L. 89-554, §5(b), Sept. 6, 1966, 80 Stat. 626; amended Pub. L. 102-25, title VII, §702(b)(1), (c), Apr. 6, 1991, 105 Stat. 117; Pub. L. 104-106, div. A, title V, §569(c)(3), Feb. 10, 1996, 110 Stat. 351.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
553(a) .....	50 App. 1003 (1st sentence).	Mar. 7, 1942, ch. 166, §3, 56 Stat. 144; Dec. 24, 1942, ch. 828, §1 (1st par.), Stat. 1092; July 1, 1944, ch. 371, §3, 58 Stat. 680.
553(b) .....	50 App. 1003 (2d sentence, less provisos).	
553(c) .....	50 App. 1003 (1st proviso of 2d sentence).	
553(d) .....	50 App. 1003 (2d proviso of 2d sentence)	
553(e) .....	50 App. 1004.	Mar. 7, 1942, ch. 166, §4, 56 Stat. 144; Dec. 24, 1942, ch. 828, §1 (2d par.), 56 Stat. 1093; July 1, 1944, ch. 371, §4, 58 Stat. 680.
553(f) .....	50 App. 1006 (1st sentence).	Mar. 7, 1942, ch. 166, §6 (1st sentence and 2d sentence, as applicable to allotments); added Dec. 24, 1942, ch. 828, §1 (4th par.), 56 Stat. 1093; Apr. 4, 1953, ch. 17, §1(b), 67 Stat. 21; Aug. 14, 1964, Pub. L. 88-428, §1(5), 78 Stat. 437.
553(g) .....	50 App. 1014 (as applicable to §1006 (1st sentence)).	
553(h) .....	50 App. 1007.	Mar. 7, 1942, ch. 166, §7, 56 Stat. 145; Aug. 14, 1964, Pub. L. 88-428, §1(6), 78 Stat. 437.
		Mar. 7, 1942, ch. 166, §14 (as applicable to §6 (1st sentence)), 56 Stat. 147; Apr. 4, 1953, ch. 17, §1(e), 67 Stat. 21.

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

In subsection (a), the words “a member of a uniformed service . . . in a missing status . . . he . . . under section 552 of this title” are substituted for “any person . . . under section 2 of this Act . . . his absence”, for clarity and to conform to the definition in revised section 551(2) of this chapter. The words “except as otherwise herein provided” are omitted as unnecessary.

In subsection (b), the words “Secretary concerned, he, or his designee,” are substituted for “head of the department concerned . . . head of the department concerned, or such subordinate as he may designate” to conform to the definition in 37 U.S.C. 101(5). The word “member” is substituted for “person” to conform to the definition in 37 U.S.C. 101(23).

In subsection (c), the words “in effect” are omitted as unnecessary. The words “member in a missing status” are substituted for “absent person” to conform to the definition in revised section 551(2) of this chapter.

In subsection (d), the words “United States” are substituted for “Government” to conform to the style of title 37. The word “member” is substituted for “person” to conform to the definition in 37 U.S.C. 101(23).

In subsection (e), the words “Secretary concerned, or his designee,” are substituted for “head of the department concerned, or such subordinates as he may designate,” to conform to the definition in 37 U.S.C. 101(5). The words “United States” are substituted for “Government” to conform to the style of title 37. The words “when he considers it” are substituted for “When circumstances are deemed to justify such action”. The word “member” is substituted for “person”.

In subsection (f), the words “When the Secretary concerned officially reports that a member in a missing status” are substituted for “When it is officially reported by the head of the department concerned that a person missing under the conditions specified in section 2 of this Act”. The words “the payments of allotments authorized by subsections (a)–(d) of this section may, subject to section 552 of this title . . . until the date the Secretary concerned” are substituted for “the payments authorized by section 3 of this Act are, subject to the provisions of section 2 of this Act, authorized to be made for a period not to extend beyond the date of the receipt by the head of the department concerned”. The words “the member” are substituted for “the missing person”.

In subsection (g), the words “A member in a missing status” are substituted for “a person missing under the conditions specified in section 2 of this Act”.

In subsection (h), the words “Secretary concerned” are substituted for “head of the department concerned.” The words “a member on active duty” are substituted for “of persons in active service” to conform to the definitions in 37 U.S.C. 101(20) and (23). In clause (2), the words “heretofore or hereafter” are omitted as unnecessary.

AMENDMENTS

1996—Subsec. (f). Pub. L. 104-106, §569(c)(3)(A), substituted “the date on which, in a case covered by section 555 of this title, the Secretary concerned receives evidence, or, in a case covered by chapter 76 of title 10, the Secretary concerned determines pursuant to that chapter, that” for “the date the Secretary concerned receives evidence that”.

Subsec. (g). Pub. L. 104-106, §569(c)(3)(B), inserted “or under chapter 76 of title 10” after “section 555 of this title”.

1991—Subsecs. (e) to (g). Pub. L. 102-25 struck out “of this section” after “subsections (f) and (g)” in subsec. (e) and after “subsections (a)–(d)” in subsecs. (f) and (g).

[§ 554. Renumbered § 484]

§ 555. Secretarial review

(a) Except as provided in subsection (d), when a member of a uniformed service entitled to pay and allowances under section 552 of this title has been in a missing status, and the official report of his death or of the circumstances of his absence has not been received by the Secretary concerned, he shall, before the end of a 12-month period in that status, have the case fully reviewed. After that review and the end of the 12-month period in a missing status, or after a later review which shall be made when warranted by information received or other circumstances, the Secretary concerned, or his designee, may—