

VI, §631(f)(4)(B), Dec. 31, 2011, 125 Stat. 1465; Pub. L. 112-239, div. A, title X, §1076(a)(9), Jan. 2, 2013, 126 Stat. 1948, provided that: “Notwithstanding the amendments made by subsection (a) [amending this section], a member who on September 30, 1986, was assigned to a permanent station to which the movement of his dependents was authorized at the expense of the United States under section 476 of title 37, United States Code, and who elected to serve a tour of duty at that station unaccompanied by his dependents, shall, until he departs that station as a result of a change of permanent station, be entitled to receive the allowance authorized by section 427(b) of such title without regard to paragraph (3) [now (4)] of such section, as added by subsection (a).”

#### RATES OF PAY FOR FISCAL YEAR 2004

Rates of pay authorized under subsec. (a)(1) of this section from Oct. 1, 2003, through Sept. 30, 2004, to be \$250, see section 1104 of Pub. L. 108-106, set out as a note under section 310 of this title.

#### TEMPORARY INCREASE IN FAMILY SEPARATION ALLOWANCE; PERSIAN GULF CONFLICT

Pub. L. 102-25, title III, §302, Apr. 6, 1991, 105 Stat. 80, provided that:

“(a) INCREASED RATE.—In lieu of the family separation allowance specified in section 427(b)(1) of title 37, United States Code, the family separation allowance payable under that section shall be \$75 for each month during the period described in subsection (b).

“(b) PERIOD OF APPLICABILITY.—Subsection (a) shall apply during the period beginning on January 15, 1991, and ending on the first day of the first month beginning on or after the date 180 days after the end of the Persian Gulf conflict.”

#### FAMILY SEPARATION ALLOWANCE FOR MEMBERS IN MISSING STATUS DURING THE VIETNAM CONFLICT

Pub. L. 91-534, Dec. 7, 1970, 84 Stat. 1392, provided: “That, under regulations to be prescribed by the Secretary of Defense, a member of a uniformed service with dependents who is in a missing status (as defined in section 551(2) of title 37 United States Code) during the Vietnam conflict and is not entitled to an allowance under section 427(b) of title 37 may be paid a monthly allowance equal to \$30. For the purposes of this Act, the Vietnam conflict ends on the date designated by the President by Executive order as the date of the termination of combat activities in Vietnam.

“SEC. 2. This Act takes effect on the first day of the first month which begins after the date of enactment of this Act [Dec. 7, 1970].”

**[§ 428. Renumbered § 488]**

**[§ 429. Renumbered § 489]**

**[§ 430. Renumbered § 490]**

**[§ 431. Transferred]**

#### CODIFICATION

Section 431, which related to benefits for certain members assigned to the Defense Intelligence Agency, was transferred to chapter 8 of this title by Pub. L. 112-81, div. A, title VI, §631(d)(2), Dec. 31, 2011, 125 Stat. 1460, and renumbered section 491 of this title by Pub. L. 112-239, div. A, title X, §1076(h)(2), Jan. 2, 2013, 126 Stat. 1955.

**[§ 432. Renumbered § 492]**

#### § 433. Allowance for muster duty

(a) Under uniform regulations prescribed by the Secretaries concerned, a member of the Ready Reserve who is not a member of the Na-

tional Guard or of the Selected Reserve is entitled to an allowance for muster duty performed pursuant to section 12319 of title 10 if the member is engaged in that duty for at least two hours.

(b) The amount of the allowance under this section shall be 125 percent of the amount of the average per diem rate for the United States (other than Alaska and Hawaii) under section 474(d)(2)(A) of this title as in effect on September 30 of the year preceding the year in which the muster duty is performed.

(c) The allowance authorized by this section may not be disbursed in kind. The allowance may be paid to the member before, on, or after the date on which the muster duty is performed, but not later than 30 days after that date. The allowance shall constitute the single, flat-rate monetary allowance authorized for the performance of muster duty and shall constitute payment in full to the member, regardless of grade or rank in which serving, as commutation for travel to the immediate vicinity of the designated muster duty location, transportation, subsistence, and the special or extraordinary costs of enforced absence from home and civilian pursuits, including such absence on weekends and holidays.

(d) A member who performs muster duty is not entitled to compensation for inactive-duty training under section 206(a) of this title for the same period.

(Added Pub. L. 101-189, div. A, title V, §502(b)(1), Nov. 29, 1989, 103 Stat. 1436; amended Pub. L. 101-510, div. A, title XIV, §1484(h)(5), Nov. 5, 1990, 104 Stat. 1718; Pub. L. 104-106, div. A, title XV, §1501(d)(4)(B), Feb. 10, 1996, 110 Stat. 501; Pub. L. 105-85, div. A, title VI, §627, Nov. 18, 1997, 111 Stat. 1795; Pub. L. 112-81, div. A, title VI, §631(f)(4)(A), Dec. 31, 2011, 125 Stat. 1465; Pub. L. 112-239, div. A, title X, §1076(a)(9), Jan. 2, 2013, 126 Stat. 1948.)

#### AMENDMENTS

2013—Subsec. (b). Pub. L. 112-239, §1076(a)(9), made technical amendment to directory language of Pub. L. 112-81, §631(f)(4)(A). See 2011 Amendment note below.

2011—Subsec. (b). Pub. L. 112-81, §631(f)(4)(A), as amended by Pub. L. 112-239, §1076(a)(9), substituted “474” for “404”.

1997—Subsec. (c). Pub. L. 105-85 struck out “and shall be paid to the member on or before the date on which the muster duty is performed” after “disbursed in kind” in first sentence and inserted “The allowance may be paid to the member before, on, or after the date on which the muster duty is performed, but not later than 30 days after that date.” after first sentence.

1996—Subsec. (a). Pub. L. 104-106 substituted “section 12319 of title 10” for “section 687 of title 10”.

1990—Subsec. (a). Pub. L. 101-510 substituted “section 687 of title 10” for “section 691 of title 10”.

#### EFFECTIVE DATE OF 2013 AMENDMENT

Pub. L. 112-239, div. A, title X, §1076(a), Jan. 2, 2013, 126 Stat. 1947, provided that the amendment made by section 1076(a)(9) is effective Dec. 31, 2011, and as if included in Pub. L. 112-81 as enacted.

#### EFFECTIVE DATE OF 1996 AMENDMENT

Amendment by Pub. L. 104-106 effective as if included in the Reserve Officer Personnel Management Act, title XVI of Pub. L. 103-337, as enacted on Oct. 5, 1994, see