

(d) Under regulations prescribed by the Secretary of Defense, a member of the Army, Navy, Air Force, or Marine Corps and a contract surgeon of the Army, Navy, or Air Force may make allotments from the pay of the member or surgeon for the purpose of supporting relatives or for any other purpose that the Secretary considers proper. Such allotments may include a maximum of six allotments considered to be discretionary under such regulations. For a member or former member entitled to retired or retainer pay, a maximum of six discretionary allotments authorized during active military service may be continued into retired status, and new discretionary allotments may be authorized so long as the total number of discretionary allotments does not exceed six.

(e) If an allotment made under subsection (d) is paid to the allottee before the disbursing officer receives a notice of discontinuance from the officer required by regulation to furnish the notice, the amount of the allotment shall be credited to the disbursing officer. If an allotment is erroneously paid because the officer required by regulation to so report failed to report the death of the allotter or any other fact that makes the allotment not payable, the amount of the payment not recovered from the allottee shall, if practicable, be collected by the Secretary concerned from the officer who failed to make the report.

(Pub. L. 87-649, Sept. 7, 1962, 76 Stat. 484; Pub. L. 89-718, §67, Nov. 2, 1966, 80 Stat. 1123; Pub. L. 99-145, title VI, §683(a)(1), (2), Nov. 8, 1985, 99 Stat. 665; Pub. L. 102-25, title VII, §702(b)(1), (c), Apr. 6, 1991, 105 Stat. 117; Pub. L. 104-201, div. A, title VI, §651(a), Sept. 23, 1996, 110 Stat. 2582.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
701(a)	10:3689(a). 10:8689(a).	[None.] [None.]
701(b)	10:3689(b). 10:8689(b).	[None.] [None.]
701(c)	10:3689(c). 10:8689(c).	[None.] [None.]
701(d)	10:3689(d). 10:8689(d).	[None.] [None.]

AMENDMENTS

1996—Subsecs. (d), (e). Pub. L. 104-201 added subsecs. (d) and (e) and struck out former subsec. (d) which read as follows: “The Secretary of the military department concerned, may allow a—

“(1) member of the Army, Navy, Air Force, or Marine Corps; or

“(2) contract surgeon of the Army, Navy, or Air Force;

to make allotments from his pay for the support of his relatives, or for any other purpose that the Secretary concerned considers proper. If an allotment made under this subsection is paid to the allottee before the disbursing officer receives a notice of discontinuance from the officer required by regulation to furnish the notice, the amount of the allotment shall be credited to the disbursing officer. If an allotment is erroneously paid because the officer required by regulation to so report failed to report the death of the allotter or any other fact that makes the allotment not payable, the amount of the payment not recovered from the allottee shall, if practicable, be collected by the Secretary concerned, from the officer who failed to make the report.”

1991—Subsec. (b). Pub. L. 102-25 struck out “of this section” after “subsection (a)”.

1985—Pub. L. 99-145, §683(a)(2), inserted reference to Navy and Marine Corps in section catchline.

Subsec. (a). Pub. L. 99-145, §683(a)(1)(A), (C), substituted “Secretary of the military department concerned” for “Secretary of the Army or the Secretary of the Air Force, as the case may be” and “commissioned officer of the Army, Navy, Air Force, or Marine Corps” for “commissioned officer of the Army or the Air Force”.

Subsec. (b). Pub. L. 99-145, §683(a)(1)(B), inserted reference to Navy.

Subsec. (c). Pub. L. 99-145, §683(a)(1)(A), inserted reference to Navy and Marine Corps.

Subsec. (d). Pub. L. 99-145, §683(a)(1)(C), substituted “Secretary of the military department concerned” for “Secretary of the Army or the Secretary of the Air Force, as the case may be”.

Subsec. (d)(1). Pub. L. 99-145, §683(a)(1)(A), inserted reference to Navy and Marine Corps.

Subsec. (d)(2). Pub. L. 99-145, §683(a)(1)(B), inserted reference to Navy.

1966—Subsec. (d). Pub. L. 89-718 substituted “Secretary concerned” for “Chief of Finance (in cases involving the Army) or by the Secretary of the Air Force” in provision for collection erroneously paid allotments.

REGULATIONS

Pub. L. 104-201, div. A, title VI, §651(b), Sept. 23, 1996, 110 Stat. 2582, provided that: “The Secretaries of the military departments shall prescribe regulations under subsection (d) of section 701 of title 37, United States Code, as added by subsection (a), not later than October 1, 1997.”

§ 702. Repealed. Pub. L. 99-145, title VI, § 683(b)(1), Nov. 8, 1985, 99 Stat. 665]

Section, Pub. L. 87-649, Sept. 7, 1962, 76 Stat. 484, authorized allotments by officers of Navy and Marine Corps for support of family or relatives, for personal savings, and for other purposes. See section 701 of this title.

§ 703. Allotments: members of Coast Guard

Members of the Coast Guard may, under regulations prescribed by the Secretary of Homeland Security, make allotments from their pay and allowances.

(Pub. L. 87-649, Sept. 7, 1962, 76 Stat. 484; Pub. L. 90-623, §3(1), Oct. 22, 1968, 82 Stat. 1314; Pub. L. 107-296, title XVII, §1704(c), Nov. 25, 2002, 116 Stat. 2314.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
703	14:464.	[None.]

The words “members of the Coast Guard” are substituted for the words “officers and enlisted men”, since together they compose the entire membership.

AMENDMENTS

2002—Pub. L. 107-296 substituted “Secretary of Homeland Security” for “Secretary of Transportation”.

1968—Pub. L. 90-623 substituted “Secretary of Transportation” for “Secretary of the Treasury”.

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.