

(Pub. L. 87-649, Sept. 7, 1962, 76 Stat. 476, §412; renumbered §455, Pub. L. 112-81, div. A, title VI, §631(d)(1), Dec. 31, 2011, 125 Stat. 1460.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
412	5:174a.	Aug. 1, 1953, ch. 305, §605, 67 Stat. 349.

The words “may not . . . be used” are substituted for the words “shall not be available”. The words “on and after August 1, 1953” are omitted as executed. The words “Secretary concerned” are substituted for the words “Secretary of the department concerned” to conform to other sections of this revised title and to the definition in section 101(5) of this revised title. So much of the source statute as relates to civilian employees is omitted as superseded by the Act of July 7, 1958, Pub. L. 85-507, 72 Stat. 327.

PRIOR PROVISIONS

Act Aug. 1, 1953, cited as the source of this section in the Historical and Revision Notes above, is known as the Department of Defense Appropriation Act, 1954. Similar provisions were contained in the following prior appropriation acts:

July 10, 1952, ch. 630, title VI, §606, 66 Stat. 531.
 Oct. 18, 1951, ch. 512, title VI, §606, 65 Stat. 445.
 Sept. 6, 1950, ch. 896, ch. X, title VI, §607, 64 Stat. 752.
 Oct. 29, 1949, ch. 787, title VI, §607, 63 Stat. 1018.
 June 24, 1948, ch. 632, 62 Stat. 652.
 July 30, 1947, ch. 357, title I, 61 Stat. 554.
 July 16, 1946, ch. 583, 60 Stat. 545.
 July 3, 1945, ch. 265, 59 Stat. 388.
 June 28, 1944, ch. 303, 58 Stat. 577.

AMENDMENTS

2011—Pub. L. 112-81 renumbered section 412 of this title as this section.

SUBCHAPTER II—ADMINISTRATIVE PROVISIONS

§ 461. Relationship to other travel and transportation authorities

An authorized traveler may not be paid travel and transportation allowances or receive travel-in-kind and transportation-in-kind, or a combination thereof, under both subchapter I and subchapter III for official travel performed under a single or related travel and transportation order or authorization by the administering Secretary.

(Added Pub. L. 112-81, div. A, title VI, §631(b), Dec. 31, 2011, 125 Stat. 1459.)

§ 462. Travel and transportation allowances paid to members that are unauthorized or in excess of authorized amounts: requirement for repayment

(a) REPAYMENT REQUIRED.—Except as provided in subsection (b), a member of the uniformed services or other person who is paid travel and transportation allowances under subchapter I shall repay to the United States any amount of such payment that is determined to be unauthorized or in excess of the applicable authorized amount.

(b) EXCEPTION.—The regulations prescribed under section 464 of this title shall specify procedures for determining the circumstances

under which an exception to repayment otherwise required by subsection (a) may be granted.

(c) EFFECT OF BANKRUPTCY.—An obligation to repay the United States under this section is, for all purposes, a debt owed the United States. A discharge in bankruptcy under title 11 does not discharge a person from such debt if the discharge order is entered less than five years after the date on which the debt was incurred.

(Added Pub. L. 112-81, div. A, title VI, §631(b), Dec. 31, 2011, 125 Stat. 1459.)

§ 463. Programs of compliance; electronic processing of travel claims

(a) PROGRAMS OF COMPLIANCE.—The administering Secretaries shall provide for compliance with the requirements of this chapter through programs of compliance established and maintained for that purpose.

(b) ELEMENTS.—The programs of compliance under subsection (a) shall—

(1) minimize the provision of benefits under this chapter based on inaccurate claims, unauthorized claims, overstated or inflated claims, and multiple claims for the same benefits through the electronic verification of travel claims on a near-time basis and such other means as the administering Secretaries may establish for purposes of the programs of compliance; and

(2) ensure that benefits provided under this chapter do not exceed reasonable or actual and necessary expenses of travel claimed or reasonable allowances based on commercial travel rates.

(c) ELECTRONIC PROCESSING OF TRAVEL CLAIMS.—(1) By not later than the date that is five years after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2012, any travel claim under this chapter shall be processed electronically.

(2) The administering Secretary, or the Secretary’s designee, may waive the requirement in paragraph (1) with respect to a particular claim in the interests of the department concerned.

(3) The electronic processing of claims under this subsection shall be subject to the regulations prescribed by the Secretary of Defense under section 464 of this title which shall apply uniformly to all members of the uniformed services and, to the extent practicable, to all other authorized travelers.

(Added Pub. L. 112-81, div. A, title VI, §631(b), Dec. 31, 2011, 125 Stat. 1459.)

REFERENCES IN TEXT

The date of the enactment of the National Defense Authorization Act for Fiscal Year 2012, referred to in subsec. (c)(1), is the date of enactment of Pub. L. 112-81, which was approved Dec. 31, 2011.

§ 464. Regulations

This subchapter and subchapter I shall be administered under terms, rates, conditions, and regulations prescribed by the Secretary of Defense in consultation with the other administering Secretaries for members of the uniformed services. Such regulations shall be uniform for

the Department of Defense and shall apply as uniformly as practicable to the uniformed services under the jurisdiction of the other administering Secretaries.

(Added Pub. L. 112-81, div. A, title VI, § 631(b), Dec. 31, 2011, 125 Stat. 1460.)

SUBCHAPTER III—TRAVEL AND TRANSPORTATION AUTHORITIES—OLD LAW

§ 471. Travel authorities transition expiration date

In this subchapter, the term “travel authorities transition expiration date” means the last day of the 10-year period beginning on the first day of the first month beginning after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2012.

(Added Pub. L. 112-81, div. A, title VI, § 631(b), Dec. 31, 2011, 125 Stat. 1460.)

REFERENCES IN TEXT

The date of the enactment of the National Defense Authorization Act for Fiscal Year 2012, referred to in text, is the date of enactment of Pub. L. 112-81, which was approved Dec. 31, 2011.

§ 472. Definitions and other incorporated provisions of chapter 7

(a) DEFINITIONS.—The provisions of section 401 of this title apply to this subchapter.

(b) OTHER PROVISIONS.—The provisions of sections 421 and 423 of this title apply to this subchapter.

(Added Pub. L. 112-81, div. A, title VI, § 631(b), Dec. 31, 2011, 125 Stat. 1460.)

§ 474. Travel and transportation allowances: general

(a) Except as provided in subsection (f) and under regulations prescribed by the Secretaries concerned, a member of a uniformed service is entitled to travel and transportation allowances for travel performed or to be performed under orders, without regard to the comparative costs of the various modes of transportation—

(1) upon a change of permanent station, or otherwise, or when away from his designated post of duty regardless of the length of time he is away from that post;

(2) upon appointment, call to active duty, enlistment, or induction, from his home or from the place from which called or ordered to active duty to his first station;

(3) upon separation from the service, placement on the temporary disability retired list, release from active duty, or retirement, from his last duty station to his home or the place from which he was called or ordered to active duty, whether or not he is or will be a member of a uniformed service at the time the travel is or will be performed;

(4) when away from home to perform duty, including duty by a member of the Army National Guard of the United States or the Air National Guard of the United States, as the case may be, in his status as a member of the National Guard, for which he is entitled to, or has waived, pay under this title;

(5) when not on active duty, if assigned to a Reserve school, and attending a reserve training meeting for the purpose of performing duties as an instructor at such meeting, if such meeting is 100 or more miles from the site at which the member would attend paid drills of the Reserve school to which he is assigned; and

(6) upon filling a vacancy in a Selected Reserve unit at a duty station that is more than 150 miles from the member’s residence if—

(A) during the preceding three years the member was involuntarily separated under other than adverse conditions (as characterized by the Secretary concerned) while assigned to a unit of the Selected Reserve certified by the Secretary concerned as having been adversely affected by force structure reductions during the period beginning on October 1, 2012, and ending on December 31, 2018;

(B) the involuntary separation occurred during the period beginning on October 1, 2012, and ending on December 31, 2018; and

(C) the member is—

(i) qualified in a skill designated as critically short by the Secretary concerned; or

(ii) filling a vacancy in a Selected Reserve unit with a critical manpower shortage, or in a pay grade with a critical manpower shortage in such unit.

(b)(1) The Secretaries concerned may prescribe—

(A) the conditions under which travel and transportation allowances are authorized, including advance payments thereof; and

(B) the allowances for the kinds of travel, but not more than the amounts authorized in this section.

(2) In prescribing such conditions and allowances, the Secretaries concerned shall provide that a member who is performing travel under orders away from his designated post of duty and who is authorized a per diem under clause (2) of subsection (d) shall be paid for the meals portion of that per diem in a cash amount at a rate that is not less than the rate established under section 1011(a) of this title for meals sold to members. The preceding sentence shall not apply with respect to a member on field duty or sea duty (as defined in regulations prescribed under section 403(f)(3) of this title) or a member of a unit with respect to which the Secretary concerned has determined that unit messing is essential to the accomplishment of the unit’s training and readiness.

(c)(1) Under uniform regulations prescribed by the Secretaries concerned and as provided in paragraph (2), a member who—

(A) is retired, or is placed on the temporary disability retired list, under chapter 61 of title 10;

(B) is retired with pay under any other law, or, immediately following at least eight years of continuous active duty with no single break therein or more than 90 days, is discharged with separation pay or severance pay or is involuntarily released from active duty with separation pay or readjustment pay; or