

(2) In addition to transportation under paragraph (1), the Secretary concerned may provide a per diem allowance or reimbursement for the actual and necessary expenses of the travel, or a combination thereof, but not to exceed the rates established under section 474(d) of this title.

(3) The transportation authorized by paragraph (1) may be provided by any of the following means:

(A) Transportation in-kind.

(B) A monetary allowance in place of transportation in-kind at a rate to be prescribed by the Secretaries concerned.

(C) Reimbursement for the commercial cost of transportation.

(4) An allowance payable under this subsection may be paid in advance.

(5) Reimbursement payable under this subsection may not exceed the cost of Government-procured commercial round-trip air travel.

(d) **YELLOW RIBBON REINTEGRATION PROGRAM EVENT DEFINED.**—In this section, the term “Yellow Ribbon Reintegration Program event” means an event authorized under section 582 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 10 U.S.C. 10101 note).

(e) **TERMINATION.**—No transportation, allowance, reimbursement, or per diem may be provided under this section for travel that begins after the travel authorities transition expiration date.

(Added Pub. L. 111-383, div. A, title VI, §622(a)(1), Jan. 7, 2011, 124 Stat. 4238, §411; renumbered §481 and amended Pub. L. 112-81, div. A, title VI, §631(d)(2), (e)(25), (f)(4)(A), Dec. 31, 2011, 125 Stat. 1460, 1464, 1465; Pub. L. 112-239, div. A, title X, §1076(a)(9), Jan. 2, 2013, 126 Stat. 1948.)

#### AMENDMENTS

2013—Subsec. (c)(2). 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—Pub. L. 112-81, §631(d)(2), renumbered section 411 of this title as this section.

Subsec. (c)(2). Pub. L. 112-81, §631(f)(4)(A), as amended by Pub. L. 112-239, §1076(a)(9), substituted “474” for “404”.

Subsec. (e). Pub. L. 112-81, §631(e)(25), added subsec. (e).

#### 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

Pub. L. 111-383, div. A, title VI, §622(b), Jan. 7, 2011, 124 Stat. 4239, as amended by Pub. L. 112-81, div. A, title 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: “No reimbursement may be provided under section 481 of title 37, United States Code, as added by subsection (a), for travel and transportation costs incurred before September 30, 2010.”

#### § 484. Travel and transportation; dependents; household and personal effects; trailers; additional movements; motor vehicles; sale of bulky items; claims for proceeds; appropriation chargeable

(a) In this section, “household and personal effects” and “household effects” may include, in addition to other authorized weight allowances, two privately owned motor vehicles which may be shipped at United States expense. Under regulations prescribed by the Secretaries concerned, and in place of the transportation of household and personal effects, a dependent, who would otherwise be entitled to transportation of household and personal effects under this section, may transport a house trailer or mobile dwelling within and between the areas specified in section 479 of this title for use as a residence by one of the following means—

(1) transport it and be reimbursed by the United States;

(2) deliver it to an agent of the United States for transportation by the United States or by commercial means; or

(3) have it transported by commercial means, and be reimbursed by the United States.

If a trailer or dwelling is transported under clause (2) or (3), that transportation may include two privately owned motor vehicles which may be shipped at United States expense. Transportation, and incidental costs, authorized by this section shall be at United States expense without any cost limitation, and any payment authorized may be made in advance of the transportation concerned.

(b) Transportation (including packing, crating, drayage, temporary storage, and unpacking of household and personal effects) may be provided for the dependents and household and personal effects of a member of a uniformed service on active duty (without regard to pay grade) who is officially reported as dead, injured, ill, or absent for a period of more than 29 days in a missing status—

(1) to the member’s official residence of record;

(2) to the residence of his dependent, next of kin, or other person entitled to custody of the effects, under regulations prescribed by the Secretary concerned; or

(3) on request of the member (if injured or ill), or his dependent, next of kin, or other person described in clause (2), to another location determined in advance or later approved by the Secretary concerned, or his designee.

When he considers it necessary, the Secretary concerned may, with respect to the household and personal effects of a member who is officially reported as absent for a period of more than 29 days in a missing status, authorize the nontemporary storage of those effects for a period of one year, or longer when justified. In addition, he may authorize additional movements of, and prescribe transportation for, the dependents and household and personal effects, or the dependents and house trailer or mobile dwelling, of a member who is officially reported as absent

for a period of more than one year in a missing status.

(c) When a member described in subsection (b) is in an injured or ill status, transportation of dependents and household and personal effects authorized by this section may be provided only when prolonged hospitalization or treatment is anticipated.

(d) Transportation requested by a dependent may be authorized under this section only if there is a reasonable relationship between the circumstances of the dependent and the requested destination.

(e) In place of the transportation for dependents authorized by this section, and after the travel is completed, the Secretary concerned may authorize—

(1) reimbursement for the commercial cost of the transportation; or

(2) a monetary allowance at the prescribed rate for all, or that part, of the travel for which transportation in kind is not furnished.

(f) The Secretary concerned may store the household and personal effects of a member described in subsection (b) until proper disposition can be made. The cost of the storage and transportation (including packing, crating, drayage, temporary storage, and unpacking) of household and personal effects shall be charged against appropriations currently available.

(g) The Secretary concerned may, when he determines that there is an emergency and a sale would be in the best interests of the United States, provide for the public or private sale of motor vehicles and other bulky items of household and personal effects of a member described in subsection (b). Before a sale, and if practicable, a reasonable effort shall be made to determine the desires of the interested persons. The net proceeds received from the sale shall, under regulations prescribed by the Secretary concerned, be sent to the owner or other persons. If there are no such persons, or if they or their addresses are not known within one year from the date of sale, the net proceeds may be covered into the Treasury as miscellaneous receipts.

(h) Claims for net proceeds that are covered into the Treasury under subsection (g) may be filed with the Secretary of Defense by the rightful owners, their heirs or next of kin, or their legal representatives at any time before the end of a 5-year period from the date the proceeds are covered into the Treasury. When a claim is filed, the Secretary of Defense shall allow or disallow it. A claim that is allowed shall be paid from the appropriation for refunding money erroneously received and covered. If a claim is not filed before the end of the 5-year period from the date the proceeds are covered into the Treasury, it is barred from being acted on by the courts or the Secretary of Defense.

(i) If a motor vehicle of a member (or a dependent of the member) that is transported at the expense of the United States under this section does not arrive at the authorized destination of the vehicle by the designated delivery date, the Secretary concerned shall reimburse the dependent for expenses incurred after that

date to rent a motor vehicle for the dependent's use. The amount reimbursed may not exceed \$30 per day, and the rental period for which reimbursement may be provided expires after 7 days or on the date on which the delayed vehicle arrives at the authorized destination (whichever occurs first). In a case in which two motor vehicles of a member (or the dependent or dependents of a member) are transported at the expense of the United States, no reimbursement is payable under this subsection unless both motor vehicles do not arrive at the authorized destination of the vehicles by the designated delivery date.

(j) This section does not amend or repeal—

(1) section 2575, 2733, 4712, 6522, or 9712 of title 10;

(2) section 507<sup>1</sup> of title 14; or

(3) chapter 171 of title 28.

(k) No transportation, allowance, or reimbursement may be provided under this section for a move that begins after the travel authorities transition expiration date.

(Added Pub. L. 89-554, §5(b), Sept. 6, 1966, 80 Stat. 627, §554; amended Pub. L. 90-83, §5(2), Sept. 11, 1967, 81 Stat. 221; Pub. L. 90-236, Jan. 2, 1968, 81 Stat. 764; Pub. L. 90-623, §3(7), Oct. 22, 1968, 82 Stat. 1315; Pub. L. 92-477, §1, Oct. 9, 1972, 86 Stat. 793; Pub. L. 93-548, §3, Dec. 26, 1974, 88 Stat. 1743; Pub. L. 102-25, title VII, §702(b)(1), (2), (c), Apr. 6, 1991, 105 Stat. 117; Pub. L. 102-190, div. A, title X, §1063(a), Dec. 5, 1991, 105 Stat. 1476; Pub. L. 104-316, title II, §202(s), Oct. 19, 1996, 110 Stat. 3845; Pub. L. 105-261, div. A, title VI, §653(d), Oct. 17, 1998, 112 Stat. 2052; Pub. L. 107-314, div. A, title VI, §622(a), (b), Dec. 2, 2002, 116 Stat. 2571; renumbered §484 and amended Pub. L. 112-81, div. A, title VI, §631(d)(3), (e)(26), (f)(4)(A), Dec. 31, 2011, 125 Stat. 1461, 1464, 1465; Pub. L. 112-239, div. A, title X, §1076(a)(9), Jan. 2, 2013, 126 Stat. 1948.)

#### HISTORICAL AND REVISION NOTES

| <i>Revised section</i> | <i>Source (U.S. Code)</i>                             | <i>Source (Statutes at Large)</i>  |
|------------------------|---|--|
| 554(a) .....           | 50 App. 1012 (14th sentence).                         | Mar. 7, 1942, ch. 166, §12, 56 Stat. 146; Feb. 12, 1946, ch. 6, §1(a), 60 Stat. 5; Aug. 29, 1951, ch. 356, §1, 65 Stat. 207; Apr. 4, 1953, ch. 17, §1(d), 67 Stat. 21; Aug. 29, 1957, Pub. L. 85-217, §1(d), 71 Stat. 492; Aug. 14, 1964, Pub. L. 88-428, §1(8), 78 Stat. 437. |
| 554(b) .....           | 50 App. 1012 (1st sentence).                          | Mar. 7, 1942, ch. 166, §14 (as applicable to §12 (1st sentence)), 56 Stat. 147; Apr. 4, 1953, ch. 17, §1(e), 67 Stat. 21.  |
|                        | 50 App. 1014 (as applicable to §1012 (1st sentence)). |  |
| 554(c) .....           | 50 App. 1012 (12th sentence).                         |  |
| 554(d) .....           | 50 App. 1012 (13th sentence).                         |  |
| 554(e) .....           | 50 App. 1012 (11th sentence).                         |  |
| 554(f) .....           | 50 App. 1012 (9th and 10th sentences).                |  |
| 554(g) .....           | 50 App. 1012 (2d-4th sentences).                      |  |
| 554(h) .....           | 50 App. 1012 (5th-7th sentences).                     |  |
| 554(i) .....           | 50 App. 1012 (8th sentence).                          |  |

<sup>1</sup> See References in Text note below.

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 “Beginning June 25, 1950, and” are omitted as executed. The words “In this section” are substituted for “for the purposes of this section only, the terms”. The words “not to exceed” are omitted as unnecessary. The words “outside the United States, or in Alaska or Hawaii” are substituted for “outside the continental limits of the United States or in Alaska” to conform to the definition in 37 U.S.C. 101(1).

In subsection (b), the words “Transportation . . . may be provided” are substituted for “may be moved”. The words “a member of a uniformed service on active duty . . . or absent for a period of more than 29 days in a missing status” are substituted for “any person in active service . . . absent for a period of thirty days or more in any status listed in section 2 of this Act”, for clarity and to conform to the definitions in 37 U.S.C. 101(20) and (23) and revised section 551(2) of this chapter. In clause (1), the words “the member’s” are substituted for “for any such person”. In clause (2), the words “under . . . prescribed . . . Secretary concerned” are substituted for “in accordance with . . . issued . . . head of the department concerned”. In clause (3), the words “on request of the member” are substituted for “upon the person’s application”. The words “other person described in clause (2)” are substituted for “such . . . other person”. The words “Secretary concerned, or his designee” are substituted for “head of the department concerned or by such person as he may designate”.

In subsection (c), the words “a member described in subsection (b) of this section” are substituted for “the person”. The words “transportation . . . authorized by this section” are substituted for “the movement . . . provided for herein”. The words “provided . . . when” are substituted for “authorized . . . in cases where”.

In subsection (d), the words “requested by a dependent may be authorized under . . . only” are substituted for “No . . . shall be authorized pursuant to . . . upon application by dependents unless”. The words “condition and” are omitted as unnecessary.

In subsection (e), the words “In place . . . the Secretary concerned” are substituted for “In lieu . . . the head of the department concerned”. In clause (1), the words “reimbursement for” are substituted for “the payment in money of amounts equal to”. The words “in lieu of transportation”, the second time they appear, are omitted as unnecessary. In clause (2), the words “at the prescribed rate” are substituted for “as authorized by law”.

In subsection (f), the words “Secretary concerned” are substituted for “head of the department concerned”. The words “a member described in subsection (b) of this section” are substituted for “the person”. The words “such time as” are omitted as unnecessary.

In subsection (g), the words “Secretary concerned” are substituted for “head of the department concerned”, in 50 App. U.S.C. 1012 (2nd and 4th sentences). The words “United States” are substituted for “Government”; and the words “a member described in subsection (b) of this section” are substituted for “the person”, in 50 App. U.S.C. 1012 (2d sentence). The words “under . . . prescribed” are substituted for “in accordance with . . . issued”, and the word “known” is substituted for “ascertainable”, in 50 App. U.S.C. 1012 (4th sentence).

In subsection (h), the words “under subsection (g) of this section” are substituted for “under the authority of this section”, in 50 App. U.S.C. 1012 (5th sentence).

In subsection (i), the words “the provisions of” are omitted as unnecessary. Clause (3) is substituted for “the Federal Tort Claims Act (60 Stat. 842-847), as amended,” to reflect the correct citation of that Act.

#### REFERENCES IN TEXT

Section 507 of title 14, referred to in subsec. (j)(2), was redesignated section 2710 of title 14 by Pub. L. 115-282,

title I, §116(b), Dec. 4, 2018, 132 Stat. 4226, and references to section 507 of title 14 deemed to refer to such redesignated section, see section 123(b)(1) of Pub. L. 115-282, set out as a References to Sections of Title 14 as Redesignated by Pub. L. 115-282 note preceding section 101 of Title 14, Coast Guard.

#### AMENDMENTS

2013—Subsec. (a). 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—Pub. L. 112-81, §631(d)(2), renumbered section 554 of this title as this section.

Subsec. (a). Pub. L. 112-81, §631(f)(4)(A), as amended by Pub. L. 112-239, §1076(a)(9), substituted “479” for “409” in introductory provisions.

Subsec. (k). Pub. L. 112-81, §631(e)(26), added subsec. (k).

2002—Subsec. (a). Pub. L. 107-314, §622(a), substituted “two privately owned motor vehicles” for “one privately owned motor vehicle” in introductory and concluding provisions.

Subsec. (i). Pub. L. 107-314, §622(b), inserted at end “In a case in which two motor vehicles of a member (or the dependent or dependents of a member) are transported at the expense of the United States, no reimbursement is payable under this subsection unless both motor vehicles do not arrive at the authorized destination of the vehicles by the designated delivery date.”

1998—Subsecs. (i), (j). Pub. L. 105-261 added subsec. (i) and redesignated former subsec. (i) as (j).

1996—Subsec. (h). Pub. L. 104-316 substituted “Secretary of Defense” for “General Accounting Office” wherever appearing.

1991—Subsec. (a). Pub. L. 102-25, §702(b)(2), struck out “of this subsection” after “clause (2) or (3)”.

Subsecs. (c), (f) to (h). Pub. L. 102-25, §702(b)(1), struck out “of this section” after “subsection (b)” in subsecs. (c), (f), (g), and (h) and after “subsection (g)” in subsec. (h).

Subsec. (i)(1). Pub. L. 102-190 substituted “6522, or 9712” for “4713, 6522, 9712, or 9713”.

1974—Subsec. (b). Pub. L. 93-548, §3(1)(A), inserted “ill,” after “injured.”

Subsec. (b)(3). Pub. L. 93-548, §3(1)(B), inserted “or ill” after “injured”.

Subsec. (c). Pub. L. 93-548, §3(2), inserted “or ill” before “status”.

1972—Pub. L. 92-477, §1(1), inserted “trailers; additional movements;” after “household and personal effects;” in section catchline.

Subsec. (a). Pub. L. 92-477, §1(2), authorized at Government expense without cost limitation and under prescribed regulations the transportation of house trailers or mobile dwellings, including a privately owned motor vehicle, in place of household and personal effects of members in a missing status.

Subsec. (b). Pub. L. 92-477, §1(3), authorized additional movements of and transportation for dependents and household and personal effects, or dependents and house trailer or mobile dwelling of members in a missing status for more than one year.

1968—Subsec. (b). Pub. L. 90-623 substituted “29” for “twenty-nine”.

Pub. L. 90-236 inserted provision authorizing non-temporary storage of household and personal effects of a member who is officially reported as absent for a period of more than 29 days in a missing status.

1967—Subsec. (a). Pub. L. 90-83 struck out “when it is located outside the United States, or in Alaska or Hawaii” after “shipped at United States expense”.

#### 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 2002 AMENDMENT

Pub. L. 107-314, div. A, title VI, §622(c), Dec. 2, 2002, 116 Stat. 2571, as amended by Pub. L. 112-81, div. A, title

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: “The amendments made by subsection (a) [amending this section] shall apply with respect to members whose eligibility for benefits under section 484 of title 37, United States Code, commences on or after the date of the enactment of this Act [Dec. 2, 2002].”

#### EFFECTIVE DATE OF 1998 AMENDMENT

For provisions relating to the applicability of amendment by Pub. L. 105-261, see section 653(e) of Pub. L. 105-261, set out as a note under section 475a of this title.

#### EFFECTIVE DATE OF 1974 AMENDMENT

Pub. L. 93-548, § 4, Dec. 26, 1974, 88 Stat. 1743, provided that: “The amendments made by section 3 of this Act [amending this section] shall apply with respect to members of the uniformed services incapacitated by illness on or after January 1, 1974.”

#### EFFECTIVE DATE OF 1968 AMENDMENT

Amendment by Pub. L. 90-623 intended to restate without substantive change the law in effect on Oct. 22, 1968, see section 6 of Pub. L. 90-623, set out as a note under section 5334 of Title 5, Government Organization and Employees.

### § 488. Allowance for recruiting expenses

(a) **AUTHORITY.**—In addition to other pay or allowances authorized by law, and under uniform regulations prescribed by the Secretaries concerned, a member who is assigned to recruiting duties for his armed force may be reimbursed for actual and necessary expenses incurred in connection with those duties.

(b) **TERMINATION.**—No reimbursement may be provided under this section for expenses incurred after the travel authorities transition expiration date.

(Added Pub. L. 92-129, title II, §205(a), Sept. 28, 1971, 85 Stat. 359, §428; renumbered §488 and amended Pub. L. 112-81, div. A, title VI, §631(d)(2), (e)(27), Dec. 31, 2011, 125 Stat. 1460, 1464.)

#### AMENDMENTS

2011—Pub. L. 112-81, §631(e)(27), designated existing provisions as subsec. (a), inserted heading, and added subsec. (b).

Pub. L. 112-81, §631(d)(2), renumbered section 428 of this title as this section.

#### EFFECTIVE DATE

Section effective Oct. 1, 1971, see section 209 of Pub. L. 92-129, set out as a note under section 302a of this title.

#### PAY CONTINUATION

Enactment of this section not to reduce the pay to which any member of the uniformed services was entitled on June 30, 1971, see section 210 of Pub. L. 92-129, set out as a note under section 203 of this title.

### § 489. Travel and transportation allowances: minor dependent schooling

(a) **AUTHORITY.**—Under regulations to be prescribed by the Secretary of Defense, a member of a uniformed service whose permanent station is outside the United States may be allowed transportation in kind for any minor dependent (or reimbursement therefor), or a monetary al-

lowance in place of such transportation in kind, to a school operated by the Department of Defense under the Defense Dependents' Education Act of 1978 (20 U.S.C. 921 et seq.) for dependents in an overseas area which is operated, and which such dependent attends, on a 5-day-a-week dormitory basis or on a 7-day-a-week dormitory basis. In the case of a dependent attending a school on a 5-day-a-week dormitory basis, the transportation in kind or allowance authorized by this section shall be for weekly trips to and from such school, and in the case of a dependent attending a school on a 7-day-a-week dormitory basis, such transportation in kind or allowances shall be for not less than three trips to and from such school during the school year.

(b) **TERMINATION.**—No transportation or allowance may be provided under this section for travel that begins after the travel authorities transition expiration date.

(Added Pub. L. 95-561, title XIV, §1407(e)(1)(A), formerly §1407(c)(1)(A), Nov. 1, 1978, 92 Stat. 2367, renumbered §1407(d)(1)(A), Pub. L. 101-510, div. A, title V, §504(a)(1), Nov. 5, 1990, 104 Stat. 1559, renumbered §1407(e)(1)(A), Pub. L. 107-107, div. A, title III, §353(1), Dec. 28, 2001, 115 Stat. 1063, §429; amended Pub. L. 99-145, title XIII, §1303(b)(10), Nov. 8, 1985, 99 Stat. 741; renumbered §489 and amended Pub. L. 112-81, div. A, title VI, §631(d)(2), (e)(28), Dec. 31, 2011, 125 Stat. 1460, 1464; Pub. L. 112-239, div. A, title X, §1076(a)(6), Jan. 2, 2013, 126 Stat. 1948.)

#### REFERENCES IN TEXT

The Defense Dependents' Education Act of 1978, referred to in subsec. (a), is Pub. L. 95-561, title XIV, Nov. 1, 1978, 92 Stat. 2365, which is classified principally to chapter 25A (§921 et seq.) of Title 20, Education. For complete classification of this Act to the Code, see Short Title note set out under section 921 of Title 20 and Tables.

#### AMENDMENTS

2013—Pub. L. 112-239, §1076(a)(6), made technical amendment to directory language of Pub. L. 112-81, §631(e)(28). See 2011 Amendment note below.

2011—Pub. L. 112-81, §631(e)(28), as amended by Pub. L. 112-239, §1076(a)(6), inserted subsec. (a) designation and heading before “Under regulations” and added subsec. (b).

Pub. L. 112-81, §631(d)(2), renumbered section 429 of this title as this section.

1985—Pub. L. 99-145 inserted “(20 U.S.C. 921 et seq.)”.

#### 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)(6) is effective Dec. 31, 2011, and as if included in Pub. L. 112-81 as enacted.

#### EFFECTIVE DATE

Section effective Oct. 1, 1978, and no provision to be construed in impair or to prevent the taking of effect of any other Act providing for the transfer of the described functions to an executive department having responsibility for education, see section 1415 of Pub. L. 95-561, set out as a note under section 921 of Title 20, Education.

#### TRANSFER OF FUNCTIONS

All functions of the Secretary of Defense and the Department of Defense under this section, with the exception of functions relating to operation of overseas insti-