

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
704	42:210(b) (1st sentence).	July 1, 1944, ch. 373, § 209(c) (1st sentence), 58 Stat. 686; redesignated as section 208, Feb. 28, 1948, ch. 83, § 5(a), 62 Stat. 40; redesignated as subsection (b), Oct. 12, 1949, ch. 681, § 521(b) (as applicable to section 208(b) (1st sentence) of the Act of July 1, 1944), 63 Stat. 834; restated Aug. 9, 1950, ch. 654, § 1, 64 Stat. 426; Apr. 8, 1960, Pub. L. 86-415, § 5(b) (1st sentence), 74 Stat. 34.

Executive Documents

DELEGATION OF FUNCTIONS

Functions of President under this section delegated to Secretary of Health, Education, and Welfare, see section 3 of Ex. Ord. No. 11140, Jan. 30, 1964 29 F.R. 1637, set out as a note under section 202 of Title 42, The Public Health and Welfare. Secretary of Health, Education, and Welfare redesignated Secretary of Health and Human Services by section 3508(b) of Title 20, Education.

[§ 705. Repealed.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. 485, related to assignments of pay due enlisted members of naval service. See section 701 of this title.

§ 706. Allotments: commissioned officers of the National Oceanic and Atmospheric Administration

Under regulations prescribed by the Secretary of Commerce, commissioned officers of the National Oceanic and Atmospheric Administration may make allotments or assignments of their pay.

(Pub. L. 87-649, Sept. 7, 1962, 76 Stat. 485; Pub. L. 89-718, § 49(a)(1), Nov. 2, 1966, 80 Stat. 1121; Pub. L. 96-513, title V, § 516(18)(A), (B), Dec. 12, 1980, 94 Stat. 2939.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
706	33:862.	Mar. 4, 1907, ch. 2918, § 1 (10th par. under "Coast and Geodetic Survey"); restated June 21, 1955, ch. 172, § 1; restated Sept. 26, 1961, Pub. L. 87-304, 75 Stat. 665.

Editorial Notes

AMENDMENTS

1980—Pub. L. 96-513 substituted "Allotments: commissioned officers of the National Oceanic and Atmospheric Administration" for "Commissioned officers of Environmental Science Services Administration" in section catchline and "National Oceanic and Atmospheric Administration" for "Environmental Science Services Administration" in text.

1966—Pub. L. 89-718 substituted "Environmental Science Services Administration" for "Coast and Geodetic Survey" in section catchline and text.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96-513 effective Dec. 12, 1980, see section 701(b)(3) of Pub. L. 96-513, set out as a note under section 101 of Title 10, Armed Forces.

§ 707. Allotments: members of the National Guard

(a) The Secretary of the Army or the Secretary of the Air Force, as the case may be, may allow a member of the National Guard who is not on active duty to make allotments from his pay under sections 204 and 206 of this title for the payment of premiums under a group life insurance program sponsored by the military department of the State in which such member holds his National Guard membership or by the National Guard association of such State if the State or association concerned has agreed in writing to reimburse the United States for all costs incurred by the United States in providing for such allotments. The amount of such costs and procedures for reimbursements shall be determined by the Secretary of Defense and his determination shall be conclusive. All amounts of reimbursements for such costs received by the United States from a State or an association shall be credited to the appropriations or funds against which charges have been made for such costs.

(b) The United States is not liable for loss or damage suffered by a person as a result of an error made by an officer or employee of the United States in carrying out the allotment program under subsection (a).

(Added Pub. L. 93-289, § 11(a), May 24, 1974, 88 Stat. 172; amended Pub. L. 96-513, title V, § 516(19), Dec. 12, 1980, 94 Stat. 2939; Pub. L. 97-295, § 3(5), Oct. 12, 1982, 96 Stat. 1304; Pub. L. 102-25, title VII, § 702(b)(1), (c), Apr. 6, 1991, 105 Stat. 117.)

HISTORICAL AND REVISION NOTES
1982 ACT

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
707(b)	37:707 (note).	May 24, 1974, Pub. L. 93-289, § 11(b), 88 Stat. 173.

In subsection (b), the words "is not" are substituted for "shall not be" for consistency.

Editorial Notes

AMENDMENTS

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

1982—Pub. L. 97-295 designated existing provisions as subsec. (a) and added subsec. (b).

1980—Pub. L. 96-513 struck out "(a)" before "The Secretary".

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96-513 effective Dec. 12, 1980, see section 701(b)(3) of Pub. L. 96-513, set out as a note under section 101 of Title 10, Armed Forces.

LIABILITY OF UNITED STATES FOR LOSSES OR DAMAGES

Pub. L. 93-289, § 11(b), May 24, 1974, 88 Stat. 173, which provided that the United States shall not be liable for

any losses or damages suffered by any person as the result of any error made by any officer or employee of the United States in administering the allotment program authorized under subsec. (a) of this section, was repealed and reenacted as subsec. (b) of this section by Pub. L. 97-295, §§3(5), 6(b), Oct. 12, 1982, 96 Stat. 1304, 1314.

CHAPTER 15—PROHIBITIONS AND PENALTIES

Sec.	
[801.	Repealed.]
802.	Forfeiture of pay during absence from duty due to disease from intemperate use of alcohol or drugs.
803.	Commissioned officers of the Army, Air Force, or Space Force: forfeiture of pay when dropped from rolls.
[804, 805.	Repealed.]

Editorial Notes

AMENDMENTS

2021—Pub. L. 116-283, div. A, title IX, §925(i)(2)(C), Jan. 1, 2021, 134 Stat. 3829, substituted “Commissioned officers of the Army, Air Force, or Space Force: forfeiture of pay when dropped from rolls” for “Commissioned officers of Army or Air Force: forfeiture of pay when dropped from rolls” in item 803.

1996—Pub. L. 104-106, div. A, title XI, §1122(c)(2), Feb. 10, 1996, 110 Stat. 463, struck out item 804 “Enlisted members of Army or Air Force: pay and allowances not to accrue during suspended sentence of dishonorable discharge”.

1994—Pub. L. 103-355, title VI, §6001(a)(2), Oct. 13, 1994, 108 Stat. 3362, struck out item 801 “Restriction on payment to certain officers”.

1990—Pub. L. 101-510, div. A, title XIV, §1484(f)(1), Nov. 5, 1990, 104 Stat. 1717, revised chapter heading so as to appear in all capital letters.

1985—Pub. L. 99-145, title VI, §683(b)(3), Nov. 8, 1985, 99 Stat. 666, struck out item 805 “Sale of pay by members of naval service to be discouraged by commanding officer”.

[§ 801. Repealed. Pub. L. 103-355, title VI, § 6001(a)(1), Oct. 13, 1994, 108 Stat. 3362]

Section, Pub. L. 87-649, Sept. 7, 1962, 76 Stat. 485; Pub. L. 89-718, §§49(a)(1), 68, Nov. 2, 1966, 80 Stat. 1121, 1123; Pub. L. 96-513, title V, §516(20), Dec. 12, 1980, 94 Stat. 2939; Pub. L. 101-194, title V, §505(a), Nov. 30, 1989, 103 Stat. 1756; Pub. L. 101-510, div. A, title XIV, §1484(c)(2), Nov. 5, 1990, 104 Stat. 1716, prohibited payment from any appropriation to officer, for period of three years after name of officer was placed on retired list of Regular Army, Regular Navy, Regular Air Force, Regular Marine Corps, Regular Coast Guard, National Oceanic and Atmospheric Administration, or Public Health Service, who was engaged for himself or others in selling, or contracting or negotiating to sell, supplies or war materials to agency of Department of Defense, Coast Guard, National Oceanic and Atmospheric Administration, or Public Health Service.

§ 802. Forfeiture of pay during absence from duty due to disease from intemperate use of alcohol or drugs

A member of the Army, Navy, Air Force, Marine Corps, or Space Force, on active duty who is absent from the member’s regular duties for a continuous period of more than one day because of disease that is directly caused by and immediately follows the member’s intemperate use of alcoholic liquor or habit-forming drugs is not entitled to pay for the period of that absence.

However, a member whose pay is forfeited for more than one month is entitled to \$5 for personal expenses for each full month that the member’s pay is forfeited. Determinations of periods and causes of absence under this section shall be made as prescribed by the Secretary concerned, and are final.

(Pub. L. 87-649, Sept. 7, 1962, 76 Stat. 485; Pub. L. 116-283, div. A, title IX, §925(i)(1), Jan. 1, 2021, 134 Stat. 3828.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
802	10:3632. 10:6111. 10:8632.	[None.] [None.] [None.]

The words “Navy . . . or Marine Corps” are substituted for the words “naval service”, in section 6111 of title 10, to conform to the definition of that term in section 5001(a)(3) of title 10. The words “and conclusive” are omitted as surplusage.

Editorial Notes

AMENDMENTS

2021—Pub. L. 116-283 substituted “Marine Corps, or Space Force” for “or Marine Corps” and substituted “the member’s” for “his” wherever appearing.

§ 803. Commissioned officers of the Army, Air Force, or Space Force: forfeiture of pay when dropped from rolls

A commissioned officer of the Army, the Air Force, or the Space Force who is dropped from the rolls under section 1161(b) of title 10 for absence without authority for three months forfeits all pay due or to become due.

(Pub. L. 87-649, Sept. 7, 1962, 76 Stat. 486; Pub. L. 116-283, div. A, title IX, §925(i)(2)(A), (B), Jan. 1, 2021, 134 Stat. 3828.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
803	10:3633. 10:8633.	[None.] [None.]

Editorial Notes

AMENDMENTS

2021—Pub. L. 116-283 substituted “Commissioned officers of the Army, Air Force, or Space Force: forfeiture of pay when dropped from rolls” for “Commissioned officers of Army or Air Force: forfeiture of pay when dropped from rolls” in section catchline and “, the Air Force, or the Space Force” for “or the Air Force” in text.

[§ 804. Repealed. Pub. L. 104-106, div. A, title XI, § 1122(c)(1), Feb. 10, 1996, 110 Stat. 463]

Section, Pub. L. 87-649, Sept. 7, 1962, 76 Stat. 486, provided that pay and allowances do not accrue to enlisted member of Army or Air Force who is in confinement under sentence of dishonorable discharge, while execution of sentence to discharge is suspended.

[§ 805. 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. 486, required commanding officer to discourage the sale of