

and Marine Corps in item 701, and struck out item 702 “Allotments: officers of Navy or Marine Corps” and item 705 “Assignments: enlisted members of naval service”.

1980—Pub. L. 96-513, title V, §516(18)(C), Dec. 12, 1980, 94 Stat. 2939, substituted “Allotments: commissioned officers of the National Oceanic and Atmospheric Administration” for “Commissioned officers of Environmental Science Services Administration” in item 706.

1974—Pub. L. 93-289, §11(c), May 24, 1974, 88 Stat. 173, added item 707.

1966—Pub. L. 89-718, §49(a)(3), Nov. 2, 1966, 80 Stat. 1121, substituted “Environmental Science Services Administration” for “Coast and Geodetic Survey” in item 706.

§ 701. Members of the Army, Navy, Air Force, Marine Corps, and Space Force; contract surgeons

(a) Under regulations prescribed by the Secretary of the military department concerned, a commissioned officer of the Army, Navy, Air Force, Marine Corps, or Space Force may transfer or assign the officer’s pay account, when due and payable.

(b) A contract surgeon, or contract dental surgeon, of the Army, Navy, or Air Force, on duty in Alaska, Hawaii, the Philippine Islands, or Puerto Rico, may transfer or assign the person’s pay account, when due and payable, under the regulations prescribed under subsection (a).

(c) An enlisted member of the Army, Navy, Air Force, Marine Corps, or Space Force may not assign the member’s pay, and if the member does so, the assignment is void.

(d) Under regulations prescribed by the Secretary of Defense, a member of the Army, Navy, Air Force, Marine Corps, or Space Force 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; Pub. L. 116-283, div. A, title IX, §925(h)(1)-(3), Jan. 1, 2021, 134 Stat. 3828.)

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.]

Editorial Notes

AMENDMENTS

2021—Subsec. (a). Pub. L. 116-283, §925(h)(1), (2)(A), substituted “Marine Corps, or Space Force” for “or Marine Corps” and “the officer’s” for “his”.

Subsec. (b). Pub. L. 116-283, §925(h)(2)(B), substituted “the person’s” for “his”.

Subsec. (c). Pub. L. 116-283, §925(h)(1), (2)(C), substituted “Marine Corps, or Space Force” for “or Marine Corps” and “the member’s pay, and if the member does so” for “his pay, and if he does so”.

Subsec. (d). Pub. L. 116-283, §925(h)(1), substituted “Marine Corps, or Space Force” for “or Marine Corps”.

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.

Statutory Notes and Related Subsidiaries

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

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
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.

Editorial Notes

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”.

Statutory Notes and Related Subsidiaries

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.

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 an Effective Date of 1968 Amendment note under section 5334 of Title 5, Government Organization and Employees.

§ 704. Allotments: officers of Public Health Service

Commissioned officers of the Public Health Service who are on active duty may, under regulations prescribed by the President, make allotments from their pay.

(Pub. L. 87-649, Sept. 7, 1962, 76 Stat. 485.)

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.