

Section 489, 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, related to transportation for a minor dependent attending an overseas school on a dormitory basis.

Section 490, added Pub. L. 98-94, title IX, §910(a)(1), Sept. 24, 1983, 97 Stat. 638, §430; amended Pub. L. 101-189, div. A, title VI, §625(a), Nov. 29, 1989, 103 Stat. 1448; Pub. L. 101-510, div. A, title XIV, §1484(e)(1), Nov. 5, 1990, 104 Stat. 1717; Pub. L. 102-25, title VII, §702(b)(1), (2), (c), Apr. 6, 1991, 105 Stat. 117; Pub. L. 105-261, div. A, title VI, §634, Oct. 17, 1998, 112 Stat. 2044; Pub. L. 106-398, §1 [[div. A], title VI, §646], Oct. 30, 2000, 114 Stat. 1654, 1654A-162; Pub. L. 107-107, div. A, title VI, §639(a)-(c), title IX, §931(c), Dec. 28, 2001, 115 Stat. 1148, 1200; Pub. L. 107-314, div. A, title VI, §654(b)(6), Dec. 2, 2002, 116 Stat. 2582; Pub. L. 108-136, div. A, title VI, §633, Nov. 24, 2003, 117 Stat. 1509; Pub. L. 108-375, div. A, title VI, §633, Oct. 28, 2004, 118 Stat. 1957; renumbered §490 and amended Pub. L. 112-81, div. A, title VI, §631(d)(2), (e)(29), Dec. 31, 2011, 125 Stat. 1460, 1464, related to transportation for eligible dependent children of one annual trip between certain schools and the member's duty station outside the continental United States.

Section 491, added Pub. L. 99-145, title XIII, §1302(b)(1), Nov. 8, 1985, 99 Stat. 738, §431; amended Pub. L. 102-25, title VII, §702(b)(1), (c), Apr. 6, 1991, 105 Stat. 117; Pub. L. 104-93, title V, §502(b), Jan. 6, 1996, 109 Stat. 973; Pub. L. 106-65, div. A, title X, §1067(2), Oct. 5, 1999, 113 Stat. 774; Pub. L. 112-81, div. A, title VI, §631(d)(2), Dec. 31, 2011, 125 Stat. 1460; renumbered §491, Pub. L. 112-239, div. A, title X, §1076(h)(2), Jan. 2, 2013, 126 Stat. 1955, related to benefits for certain members assigned to the Defense Intelligence Agency.

Section 492, added Pub. L. 99-661, div. A, title VI, §615(a)(1), Nov. 14, 1986, 100 Stat. 3879, §431; renumbered §432, Pub. L. 100-26, §8(b)(1), Apr. 21, 1987, 101 Stat. 285; amended Pub. L. 107-107, div. A, title IX, §931(c), Dec. 28, 2001, 115 Stat. 1200; renumbered §492 and amended Pub. L. 112-81, div. A, title VI, §631(d)(2), (e)(30), Dec. 31, 2011, 125 Stat. 1460, 1464, related to travel of a member under competent orders as an escort for the member's dependent who is incapable of traveling alone because of age, mental or physical incapacity, or other extraordinary circumstances.

Section 494, added Pub. L. 102-484, div. A, title VI, §623(a)(1), Oct. 23, 1992, 106 Stat. 2422, §434; renumbered §494 and amended Pub. L. 112-81, div. A, title VI, §631(d)(2), (e)(31), Dec. 31, 2011, 125 Stat. 1460, 1464, related to cost of subsistence incurred by the member while performing duties as an escort or member of an arms control inspection team of a foreign country while engaged in activities related to the implementation of an arms control treaty or agreement.

Editorial Notes

PRIOR PROVISIONS

Act Aug. 1, 1953, cited as the source of subsec. (j) of section 476 in the Historical and Revision Notes, 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, §605, 66 Stat. 531.
Oct. 18, 1951, ch. 512, title VI, §605, 65 Stat. 445.
Sept. 6, 1950, ch. 896, ch. X, title VI, §605, 64 Stat. 752.
Oct. 29, 1949, ch. 787, title VI, §605, 63 Stat. 1017.
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.
July 1, 1943, ch. 185, 57 Stat. 351.
July 2, 1942, ch. 477, 56 Stat. 614.
June 30, 1941, ch. 262, 55 Stat. 371.
June 13, 1940, ch. 343, 54 Stat. 356.
Apr. 26, 1939, ch. 88, 53 Stat. 598.
June 11, 1938, ch. 347, 52 Stat. 647.
July 1, 1937, ch. 423, 50 Stat. 448.

Provisions similar to section 491 were contained in section 192 of Title 10, Armed Forces, prior to enactment of section 491 by Pub. L. 99-145.

[§ 495. Renumbered § 435]

CHAPTER 9—LEAVE

Sec.	
501.	Payments for unused accrued leave.
502.	Absences due to sickness, wounds, and certain other causes.
503.	Absence without leave or over leave.
504.	Cadets and midshipmen: chapter does not apply to.

Editorial Notes

AMENDMENTS

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.

§ 501. Payments for unused accrued leave

(a) In this section, the term “discharge” means—

(1) in the case of an enlisted member, separation or release from active duty under honorable conditions, termination of an enlistment in conjunction with the commencement of a successive enlistment (without regard to the date of the expiration of the term of the enlistment being terminated), or appointment as an officer;

(2) in the case of an officer, separation or release from active duty under honorable conditions;

(3) in the case of either an officer or an enlisted member, death while on active duty unless the decedent was put to death as lawful punishment for a crime or a military offense;

(4) in the case of an officer or an enlisted member of a reserve component who is not serving on active duty, separation or release from the reserve component under honorable conditions, or death; and

(5) in the case of an enlisted member of a reserve component who is not serving on active duty, termination of enlistment in conjunction with the commencement of a successive enlistment, or appointment as an officer.

(b)(1) A member of the Army, Navy, Air Force, Marine Corps, Space Force, Coast Guard, or National Oceanic and Atmospheric Administration, who has accrued leave to the member's credit at the time of the member's discharge, is entitled to be paid in cash or by a check on the Treasurer of the United States for such leave on the basis of the basic pay to which the member was entitled on the date of discharge.

(2) Payment may not be made under this subsection to a member who is discharged for the purpose of accepting an appointment or a warrant in any uniformed service.