

chapter 3 of this revised title.) The last sentence is substituted for section 214 (words following semicolon) of title 14.

In subsection (e), the words “as a temporary officer” are inserted for clarity. The words “5596 or” are substituted for section 302(f) of the Act of August 7, 1947, cited above.

AMENDMENTS

2000—Subsec. (a). Pub. L. 106-398 substituted “\$400” for “\$200” in introductory provisions.

1991—Subsecs. (a), (b). Pub. L. 102-25 struck out “of this section”.

1981—Subsec. (a). Pub. L. 97-22 substituted “subsection (b) of this section” for “subsections (b) and (c) of this section”.

Subsec. (a)(4). Pub. L. 97-60 added par. (4).

1980—Subsec. (a). Pub. L. 96-513, §412(1), (2), substituted “an officer of an armed force is entitled” for “a reserve officer of an armed force, an officer of the Army or the Air Force without specification of component, or a regular officer of an armed force appointed under section 2106 or 2107 of title 10 is entitled”.

Subsecs. (c), (d). Pub. L. 96-513, §412(3), (4), redesignated subsec. (d) as (c). Former subsec. (c), relating to limitations on qualifications for initial allowances by certain officers, was struck out.

Subsec. (e). Pub. L. 96-513, §412(3), struck out subsec. (e) relating to uniform allowances for temporary officers or warrant officers.

1979—Subsec. (d). Pub. L. 96-76 in cl. (1) inserted provisions for applicability to officers on inactive duty training status, and struck out cl. (3) setting forth applicability to officers entitled to basic pay of pay grade O-1, O-2, or O-3.

1970—Subsec. (e). Pub. L. 91-278 provided for entitlement to uniform allowance of enlisted member appointed a warrant officer under section 213 of title 14.

1967—Subsec. (d)(3). Pub. L. 90-83 substituted “entitled to the basic pay” for “is entitled to the basic pay”.

1966—Subsec. (a). Pub. L. 89-718 struck out “, United States Code,” after “title 10”.

Subsec. (e). Pub. L. 89-444 substituted “section 214 of title 14” for “section 435 of title 14”.

1964—Subsec. (a). Pub. L. 88-647 included a regular officer of an armed force appointed under section 2106 or 2107 of title 10.

EFFECTIVE DATE OF 2000 AMENDMENT

Pub. L. 106-398, §1 [[div. A], title VI, §610(c)], Oct. 30, 2000, 114 Stat. 1654, 1654A-150, provided that: “The amendments made by this section [amending this section and section 416 of this title] shall take effect on October 1, 2000.”

EFFECTIVE DATE OF 1981 AMENDMENT

Section 10(c) of Pub. L. 97-22 provided that the amendment made by that section is effective Sept. 15, 1981.

EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96-513 effective Sept. 15, 1981, but the authority to prescribe regulations under the amendment by section 412 of Pub. L. 96-513 effective on Dec. 12, 1980, see section 701 of Pub. L. 96-513, set out as a note under section 101 of Title 10, Armed Forces.

EFFECTIVE DATE OF 1979 AMENDMENT

Amendment by Pub. L. 96-76 effective Oct. 1, 1979, see section 314 of Pub. L. 96-76, set out as a note under section 206 of Title 42, The Public Health and Welfare.

TRANSFER OF FUNCTIONS

Functions of Public Health Service, Surgeon General of Public Health Service, and all other officers and employees of Public Health Service, and all functions of all agencies of or in Public Health Service transferred

to Secretary of Health, Education, and Welfare by Reorg. Plan No. 3 of 1966, eff. June 25, 1966, 31 F.R. 8855, 80 Stat. 1610, set out in the Appendix to Title 5, Government Organization and Employees. Secretary of Health, Education, and Welfare redesignated Secretary of Health and Human Services by section 3508(b) of Title 20, Education.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 416, 417, 907 of this title.

§ 416. Uniform allowance: officers; additional allowances

(a) In addition to the allowance provided by section 415 of this title, a reserve officer of an armed force, an officer of the Army or the Air Force without specification of component, or a regular officer of an armed force appointed under section 2106 or 2107 of title 10 is entitled to not more than \$200 as reimbursement for additional uniforms and equipment required on that duty, for each time that the officer enters on active duty for a period of more than 90 days.

(b) Subsection (a) does not apply to a tour of active duty if—

(1) the officer, during that tour or within a period of two years before entering on that tour, received, under any law, an initial uniform reimbursement or allowance of more than \$200; or

(2) the officer enters on that tour within two years after completing a period of active duty of more than 90 days’ duration.

(Pub. L. 87-649, Sept. 7, 1962, 76 Stat. 477; Pub. L. 88-624, §1, Oct. 3, 1964, 78 Stat. 1002; Pub. L. 88-647, title II, §202(3), Oct. 13, 1964, 78 Stat. 1070; Pub. L. 89-718, §63, Nov. 2, 1966, 80 Stat. 1123; Pub. L. 96-513, title V, §516(13), Dec. 12, 1980, 94 Stat. 2938; Pub. L. 101-189, div. A, title VI, §663(a), Nov. 29, 1989, 103 Stat. 1465; Pub. L. 106-398, §1 [[div. A], title VI, §610(b)], Oct. 30, 2000, 114 Stat. 1654, 1654A-150.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
416(a) .....	37:255(b).	Oct. 12, 1949, ch. 681, §305(b), (c); added Aug. 10, 1956, ch. 1041, §20(d) (2d and 3d pars.), 70A Stat. 628; Sept. 2, 1958, Pub. L. 85-861, §33(f), 72 Stat. 1568.
416(b) .....	37:255(c).	

In subsection (a), the words “In addition to the initial uniform allowance authorized by section 431 (a)-(d) of this title” are substituted for the word “additional”. Section 255(b) (last proviso of 1st sentence) of existing title 37 is omitted as executed. The words “may not be included” are substituted for the words “shall be excluded”. Section 255(b) (last sentence) of existing title 37 is omitted, since the categories named therein are excluded by the words “a reserve officer”. (See revision note for section 415(a) of this revised title.)

In subsection (b), the introductory clause is substituted for the word “further”. The words “of an armed force” and “of the Army, or the Air Force, without specification of component” are inserted for the reasons stated in the revision note for section 415(a) of this revised title. Clauses (1) and (2) are substituted for section 255(c) (provisos) of existing title 37.

AMENDMENTS

2000—Subsec. (a). Pub. L. 106-398 substituted “\$200” for “\$100”.

1989—Subsec. (a). Pub. L. 101-189 redesignated first sentence of subsec. (b) as (a), substituted “section 415 of this title” for “section 415(a)-(c) of this title and subsection (a) of this section” and “the officer” for “he”, and struck out former subsec. (a) which read as follows: “In addition to the initial uniform allowance authorized by section 415(a)-(c) of this title, a reserve officer of an armed force who has not become entitled to a uniform reimbursement or allowance as an officer during the preceding four years, is entitled to not more than \$50 as reimbursement for the purchase of required uniforms and equipment, upon completion of each period, after July 9, 1952, of four years of service, as prescribed by section 1332(a)(2) of title 10, in an active status in one or more reserve components, including at least 28 days of active duty. However, periods of active duty of more than 90 days may not be included in computing that four years of service.”

Subsec. (b). Pub. L. 101-189 redesignated first sentence of subsec. (b) as (a) and in remaining provisions of subsec. (b) substituted “Subsection (a) does not apply” for “However, this subsection does not apply”.

1980—Pub. L. 96-513 substituted “additional allowances” for “additional allowance” in section catchline.

1966—Subsec. (b). Pub. L. 89-718 struck out “, United States Code,” after “title 10”.

1964—Subsec. (a). Pub. L. 88-624 substituted “in one or more reserve components” for “in a reserve component” and “section 1332(a)(2)” for “section 1332”.

Subsec. (b). Pub. L. 88-647 included a regular officer of an armed force appointed under section 2106 or 2107 of title 10.

#### EFFECTIVE DATE OF 2000 AMENDMENT

Amendment by Pub. L. 106-398 effective Oct. 1, 2000, see section 1 [[div. A], title VI, §610(c)] of Pub. L. 106-398, set out as a note under section 415 of this title.

#### 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.

#### SAVE PAY PROVISION

Section 663(b) of Pub. L. 101-189 provided that: “An officer of an armed force who, but for the amendments made by subsection (a) [amending this section], would have become entitled to a uniform reimbursement under section 416(a) of title 37, United States Code, before the end of the one-year period beginning on the date of the enactment of this Act [Nov. 29, 1989] shall be entitled (during such one-year period) to receive such reimbursement under such section as in effect on the day before the date of the enactment of this Act.”

#### ALLOWANCE FOR SERVICE PRIOR TO OCTOBER 3, 1964

Section 2 of Pub. L. 88-624 provided that: “The amendments made by this Act [amending this section] do not entitle an officer to an allowance for any 4-year period of service completed prior to the effective date of this Act [Oct. 3, 1964].”

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 417 of this title.

### § 417. Uniform allowance: officers; general provisions

(a) Subject to standards, policies, and procedures prescribed by the Secretary of Defense, the Secretary of each military department may prescribe regulations that he considers necessary to carry out sections 415(a)-(c) and 416 of this title within his department. The Secretary of Transportation, with the concurrence of the Secretary of the Navy, may prescribe regulations that he considers necessary to carry out

those sections for the Coast Guard when it is not operating as a service in the Navy. As far as practicable, regulations for all reserve components shall be uniform.

(b) Under regulations approved by the Secretary of Defense, or by the Secretary of Transportation with respect to the Coast Guard when it is not operating as a service in the Navy, and subject to section 415(a)-(c) or 416 of this title, a reserve officer of an armed force who has received a uniform and equipment allowance under section 415(a)-(c) or 416 of this title, may if a different uniform is required, be paid a uniform and equipment reimbursement upon transfer to, or appointment in, another reserve component.

(c) For the purposes of sections 415(a)-(c) and 416 of this title and subsections (a) and (b), an officer may count only that duty for which he is required to wear a uniform.

(d)(1) For purposes of sections 415 and 416 of this title, a period for which an officer of an armed force, while employed as a National Guard technician, is required to wear a uniform under section 709(b) of title 32 shall be treated as a period of active duty (other than for training).

(2) A uniform allowance may not be paid, and uniforms may not be furnished, to an officer under section 1593 of title 10 or section 5901 of title 5 for a period of employment referred to in paragraph (1) for which an officer is paid a uniform allowance under section 415 or 416 of this title.

(Pub. L. 87-649, Sept. 7, 1962, 76 Stat. 478; Pub. L. 90-623, §3(1), Oct. 22, 1968, 82 Stat. 1314; Pub. L. 102-25, title VII, §702(b)(1), (c), Apr. 6, 1991, 105 Stat. 117; Pub. L. 104-106, div. A, title X, §1038(b), Feb. 10, 1996, 110 Stat. 432.)

#### HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
417(a) .....	37:255(e).	Oct. 12, 1949, ch. 681, § 305 (1st proviso of (a)), (d), (e); added Aug. 10, 1956, ch. 1041, §20(d) (1st proviso of 1st par., 4th par., and 5th par.), 70A Stat. 629.
417(b) .....	37:255(d).	
417(c) .....	37:255(a) (1st proviso).	

In subsection (a), the words “within that department” are inserted for clarity. The words “may prescribe” are substituted for the words “shall prescribe”, since the words “that he considers necessary” indicate that the prescribing of regulations is not mandatory.

Subsection (b) is substituted for section 255(d) (less last sentence) of existing title 37. Section 255(d) last sentence) of existing title 37 is omitted, since the categories named therein are excluded by the words “a reserve officer”. (See revision note for section 415(a) of this revised title.)

#### AMENDMENTS

1996—Subsec. (d). Pub. L. 104-106 added subsec. (d).

1991—Subsec. (c). Pub. L. 102-25 struck out “of this section” after “subsections (a) and (b)”.

1968—Subsecs. (a), (b). Pub. L. 90-623 substituted “Secretary of Transportation” for “Secretary of the Treasury”.

#### 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