TITLE 10 - ARMED FORCES  
Subtitle C - Navy and Marine Corps  
PART IV - GENERAL ADMINISTRATION  
CHAPTER 649 - QUARTERS, UTILITIES, AND SERVICES  

§ 7572. Quarters: accommodations in place for members on sea duty or assigned to duty in connection with commissioning or fitting out of a ship  

(a) If public quarters are not available, the Secretary of the Navy may provide lodging accommodations for any—  

(1) member of the naval service;  

(2) member of the Coast Guard when it is operating as a service in the Navy; or  

(3) member of the National Oceanic and Atmospheric Administration serving with the Navy;  

on sea duty or assigned to duty in connection with commissioning or fitting out of a ship who is deprived of his quarters on board ship because of repairs, because the ship is under construction and is not yet habitable, or because of other conditions that make his quarters uninhabitable. Lodging accommodations so provided may not be occupied by the member’s dependents.  


(c) The Secretary, to the extent he considers proper, may delegate the authority conferred by subsection (a) to any person in the Department of the Navy, with or without the authority to make successive redelegations.  

(d) (1) A member of the naval service on sea duty who is deprived of quarters on board ship because of repairs or because of other conditions that make the member’s quarters uninhabitable may be reimbursed for expenses incurred in obtaining housing if it is impracticable to furnish the member with accommodations under subsection (a).  

(2) The total amount that a member may be reimbursed under this subsection may not exceed an amount equal to the basic allowance for housing of a member of that member’s grade.  

(3) This subsection shall not apply to a member who is entitled to basic allowance for housing.  

(4) The Secretary may prescribe regulations to carry out this subsection.  

(e) (1) The Secretary may reimburse a member of the naval service assigned to duty in connection with commissioning or fitting out of a ship in Pascagoula, Mississippi, or Bath, Maine, who is deprived of quarters on board a ship because the ship is under construction and is not yet habitable, or because of other conditions that make the member’s quarters uninhabitable, for expenses incurred in obtaining housing, but only when the Navy is unable to furnish the member with lodging accommodations under subsection (a).  

(2) The total amount that a member may be reimbursed under this subsection may not exceed an amount equal to the basic allowance for housing of a member without dependents of that member’s grade.  

(3) A member without dependents, or a member who resides with dependents while assigned to duty in connection with commissioning or fitting out of a ship at one of the locations specified in paragraph (1), may not be reimbursed under this subsection.  

(4) The Secretary may prescribe regulations to carry out this subsection.

Historical and Revision Notes

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<td>7572(a)</td>
<td>34 U.S.C. 911a (as applicable to members on sea duty).</td>
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In subsection (a) the word “public” is substituted for the words “possessed by the United States” and the subsection is phrased in terms of availability, as it is so interpreted. The itemization of personnel categories for whom quarters may be furnished is inserted to execute the definition of “naval personnel”, made applicable to this section by 5 U.S.C. 421g. The requirement in that definition that personnel be on active duty is omitted since this subsection applies only to personnel on sea duty.

In subsection (b) the words “and who is not entitled to basic allowance for quarters” are inserted to make it clear that the entitlement under this subsection, as interpreted, is not in addition to basic allowance for quarters. The words “in obtaining quarters” are inserted for clarity. The words “basic allowance for quarters of an officer of his grade” are substituted for the words “his quarters allowance” because, under the Career Compensation Act of 1949, members without dependents are not entitled to a quarters allowance when on sea duty, and the limitation must be based upon the allowance of an officer of the same grade who is entitled thereto.

In subsection (c) the words “except the authority to prescribe regulations” are omitted, since subsection (a) does not contain such authority.

Amendments

2011—Pub. L. 112–81, § 602(d)(1), amended section catchline generally. Prior to amendment, catchline read as follows: “Quarters: accommodations in place of for members on sea duty”.

Subsec. (a). Pub. L. 112–81, § 602(a)(2), which directed amendment by inserting “, because the ship is under construction and is not yet habitable,” after “because of repairs,”, was executed by making the insertion after “because of repairs” in concluding provisions, to reflect the probable intent of Congress.

Pub. L. 112–81, § 602(a)(1), inserted “or assigned to duty in connection with commissioning or fitting out of a ship” after “sea duty” in concluding provisions.

Subsec. (d)(1). Pub. L. 112–81, § 602(b)(1), substituted “A member” for “After the expiration of the authority provided in subsection (b), an officer”, “member’s quarters” for “officer’s quarters”, “obtaining housing” for “obtaining quarters”, and “the member” for “the officer”.

Subsec. (d)(2). Pub. L. 112–81, § 602(b)(2), substituted “a member” for “an officer” in two places, “housing” for “quarters”, and “member’s grade” for “officer’s grade”.

Subsec. (d)(3). Pub. L. 112–81, § 602(b)(3), substituted “a member” for “an officer” and “housing” for “quarters”.

Subsec. (e). Pub. L. 112–81, § 602(c), added subsec. (e).

1998—Subsec. (b). Pub. L. 105–261 struck out subsec. (b) which authorized reimbursements to members of a uniformed service on sea duty who are deprived of quarters on board because of repairs or because of other conditions, and provided that such authority expire on Sept. 30, 1992.
1997—Subsec. (b)(1). Pub. L. 105–85, § 603(d)(2)(D)(i), substituted “the basic allowance for housing payable under section 403 of title 37 to a member of the same pay grade without dependents for the period during which the member is deprived of quarters on board ship.” for “the total of—

“(A) the basic allowance for quarters payable to a member of the same pay grade without dependents for the period during which the member is deprived of quarters on board ship; and

“(B) the variable housing allowance that could be paid to a member of the same pay grade under section 403a of title 37 at the location where the member is deprived of quarters on board ship for the period during which the member is deprived of quarters on board ship.”

Subsec. (b)(2). Pub. L. 105–85, § 603(d)(2)(D)(ii), substituted “basic allowance for housing” for “basic allowance for quarters”.


1986—Subsec. (b)(3). Pub. L. 99–661 substituted “$1,421,000 for fiscal year 1986 and $1,657,000 for each of the fiscal years 1987 through 1991” for “$9,000,000 for fiscal year 1981, $6,300,000 for fiscal year 1982, $1,700,000 for fiscal year 1983, $1,300,000 for fiscal year 1984, $1,421,000 for fiscal year 1985, and $1,421,000 for fiscal year 1986”.


Pub. L. 98–525, § 602(d)(3), substituted “section 403a” for “section 403”.


1983—Subsec. (b)(3). Pub. L. 98–952, § 603(a), added limit of $1,421,000 for fiscal year 1985 and $1,300,000 for fiscal years 1983 and 1984, respectively.

1981—Subsec. (b). Pub. L. 97–60 amended subsec. (b) generally, dividing existing provisions into numbered paragraphs (1), (2), and (3), inserting in par. (1), provisions relating to the variable housing allowance that could be paid to a member of the same pay grade under section 403 of title 37 at the location where the member is deprived of quarters onboard ship for the period during which the member is deprived of quarters on board ship and, in par. (3), inserting provision setting a limit of $6,300,000 on the total amount of reimbursement for fiscal year 1982.


Subsec. (b). Pub. L. 96–357 substituted reimbursement provision when conditions make uninhabitable quarters aboard ship for member of uniformed services on sea duty limited to basic allowance for quarters of member of same grade without dependents for prior such provision for officer of naval service on sea duty so deprived of quarters and not entitled to basic allowance for quarters and limited to basic allowance for quarters of an officer of his grade, made the member able to reside with dependents ineligible for reimbursement, and limited reimbursements for fiscal year 1981 to $9,000,000.


Effective Date of 1997 Amendment


Effective Date of 1991 Amendment

Section 607(c) of Pub. L. 102–190 provided that: “The amendment made by subsection (a) [amending this section] shall apply with respect to members of the uniformed services who perform sea duty on or after October 1, 1991.”

Effective Date of 1986 Amendment

Section 603(a) of Pub. L. 99–661 provided that the amendment made by that section is effective Oct. 1, 1986.

Effective Date of 1985 Amendment

by section 606 of the Department of Defense Authorization Act, 1986 [Pub. L. 99–145], shall apply to reimbursement of expenses incurred on or after October 1, 1985, by a member of a uniformed service on sea duty.”

**Effective Date of 1984 Amendment**

Amendment by section 602(d)(3) of Pub. L. 98–525 effective Jan. 1, 1985, with exceptions, see section 602(f) of Pub. L. 98–525, set out as a note under section 403 of Title 37, Pay and Allowances of the Uniformed Services.

**Effective Date of 1981 Amendment**

Section 207(c) of Pub. L. 97–60 provided that: “The amendments made by this section [amending this section] shall take effect as of October 1, 1981.”

**Effective Date of 1980 Amendment**


**Effective and Termination Date of 1980 Amendment**


**Repeals**

The directory language of, but not the amendment made by, Pub. L. 89–718, § 8(a), Nov. 2, 1966, 80 Stat. 1117, cited as a credit to this section, was repealed by Pub. L. 97–295, § 6(b), Oct. 12, 1982, 96 Stat. 1314.

**Transfer of Functions**

For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468 (b), 551 (d), 552 (d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.