

Subsec. (b). Pub. L. 102-25, §702(b)(1), struck out “of this section” after “subsection (a)”.

1990—Subsec. (b). Pub. L. 101-510 inserted “(20 U.S.C. 921 et seq.)” after “Education Act of 1978”.

1989—Subsec. (a). Pub. L. 101-189, §625(a)(1), inserted “continental” before “United States” in pars. (1) and (3) and struck out “oversea” before “duty station” in par. (2).

Subsec. (b). Pub. L. 101-189, §625(a)(2), inserted “continental” before “United States” in two places and substituted “outside the continental United States” for “in the oversea area”.

Subsecs. (d) to (f). Pub. L. 101-189, §625(a)(3), added subsecs. (d) to (f).

EFFECTIVE DATE OF 2001 AMENDMENT

Pub. L. 107-107, div. A, title VI, §639(d), Dec. 28, 2001, 115 Stat. 1149, as amended by Pub. L. 112-81, div. A, title VI, §631(f)(4)(B), Dec. 31, 2011, 125 Stat. 1465; Pub. L. 112-239, div. A, title X, §1076(a)(9), Jan. 2, 2013, 126 Stat. 1948, provided that: “The amendments made by this section [amending this section] shall apply with respect to travel described in subsection (b) of section 490 of title 37, United States Code, as amended by this section, that commences on or after the date of the enactment of this Act [Dec. 28, 2001].”

EFFECTIVE DATE OF 1989 AMENDMENT

Pub. L. 101-189, div. A, title VI, §625(b), Nov. 29, 1989, 103 Stat. 1449, provided that: “The amendments made by subsection (a) [amending this section] shall apply with respect to travel and transportation commenced after the date of the enactment of this Act [Nov. 29, 1989].”

EFFECTIVE DATE

Pub. L. 98-94, title IX, §910(b), Sept. 24, 1983, 97 Stat. 639, as amended by Pub. L. 112-81, div. A, title VI, §631(f)(4)(B), Dec. 31, 2011, 125 Stat. 1465; Pub. L. 112-239, div. A, title X, §1076(a)(9), Jan. 2, 2013, 126 Stat. 1948, provided that: “Section 490 of title 37, United States Code, as added by subsection (a), shall apply only with respect to travel begun after September 30, 1983.”

DEPENDENT STUDENT TRAVEL WITHIN UNITED STATES

For availability of Department of Defense funds for travel and transportation of dependent students of members of the Armed Forces stationed overseas for transportation allowances for travel within or between the contiguous States, see section 808 of Pub. L. 99-145, set out as a note under section 133 of Title 10, Armed Forces.

Pub. L. 98-212, title VII, §799B, Dec. 8, 1983, 97 Stat. 1456, as amended by Pub. L. 98-396, title I, Aug. 22, 1984, 98 Stat. 1378, provided in part that: “After August 31, 1984, none of the funds appropriated to the Department of Defense for the travel and transportation of dependent students of military personnel stationed overseas shall be obligated for a transportation allowance for travel within or between the contiguous United States.”

§ 491. Benefits for certain members assigned to the Defense Intelligence Agency

(a) The Secretary of Defense may provide to members of the armed forces described in subsection (e) allowances and benefits comparable to those provided by the Secretary of State to officers and employees of the Foreign Service under paragraphs (2), (3), (4), (6), (7), (8), and (13) of section 901 and sections 705 and 903 of the Foreign Service Act of 1980 (22 U.S.C. 4081(2), (3), (4), (6), (7), (8), and (13), 4025, 4083) and under section 5924(4) of title 5.

(b) The authority of the Secretary of Defense to make payments under subsection (a) is effective

for any fiscal year only to the extent that appropriated funds are available for such purpose.

(c) Members of the armed forces may not receive benefits under both subsection (a) and any other provision of this title for the same purpose. The Secretary of Defense shall prescribe such regulations as may be necessary to carry out this subsection.

(d) Regulations prescribed under subsection (a) may not take effect until the Secretary of Defense has submitted such regulations to—

(1) the Committee on Armed Services and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives.

(e) Subsection (a) applies to members of the armed forces who—

(1) are assigned—

(A) to Defense Attaché Offices or Defense Intelligence Agency Liaison Offices outside the United States; or

(B) to the Defense Intelligence Agency and engaged in intelligence-related duties outside the United States; and

(2) are designated by the Secretary of Defense for the purposes of subsection (a).

(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.)

PRIOR PROVISIONS

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

AMENDMENTS

2013—Pub. L. 112-239 renumbered section 431 of this title as this section.

2011—Pub. L. 112-81 transferred this section to this chapter.

1999—Subsec. (d)(2). Pub. L. 106-65 substituted “Committee on Armed Services” for “Committee on National Security”.

1996—Subsec. (a). Pub. L. 104-93, §502(b)(1), substituted “described in subsection (e)” for “who are assigned to Defense Attaché Offices and Defense Intelligence Agency Liaison Offices outside the United States and who are designated by the Secretary of Defense for the purposes of this subsection”.

Subsecs. (d), (e). Pub. L. 104-93, §502(b)(2), (3), added subsecs. (d) and (e) and struck out former subsec. (d) which read as follows: “Regulations prescribed pursuant to subsection (a) shall be submitted to the Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives and the Committee on Armed Services and the Select Committee on Intelligence of the Senate before such regulations take effect.”

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

DELEGATION OF AUTHORITY OF SECRETARY OF DEFENSE

Section 1302(b)(3) of Pub. L. 99-145, as amended by Pub. L. 100-180, div. A, title XIII, §1314(d)(4), Dec. 4,

1987, 101 Stat. 1176, provided that: “The authority of the Secretary of Defense under section 431 of title 37, United States Code, as added by paragraph (1), may be delegated in accordance with section 113(d) of title 10, United States Code.”

[Amendment to section 1302(b)(3) of Pub. L. 99-145 by Pub. L. 100-180 effective Oct. 1, 1986, see section 1314(e)(2) of Pub. L. 100-180, set out as a note under section 413 of this title.]

§ 492. Travel and transportation: members escorting certain dependents

(a) Under regulations prescribed by the Secretary concerned, a member of a uniformed service may be provided round trip transportation and travel allowances for travel performed or to be performed under competent orders as an escort for the member's dependent when travel by the dependent is authorized by competent authority and the dependent is incapable of traveling alone because of age, mental or physical incapacity, or other extraordinary circumstances.

(b) Whenever possible, the Air Mobility Command or Military Sealift Command shall be used, on a space-required basis, for the travel authorized by this section.

(c) No transportation or allowance may be provided under this section for travel that begins after the travel authorities transition expiration date.

(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.)

AMENDMENTS

2011—Pub. L. 112-81, §631(d)(2), renumbered section 432 of this title as this section.

Subsec. (c). Pub. L. 112-81, §631(e)(30), added subsec. (c).

2001—Subsec. (b). Pub. L. 107-107 substituted “Air Mobility Command” for “Military Airlift Command”.

EFFECTIVE DATE

Pub. L. 99-661, div. A, title VI, §615(b), Nov. 14, 1986, 100 Stat. 3880, provided that: “Section 431 [now 492] of title 37, United States Code, as added by subsection (a), shall apply with respect to travel performed after September 30, 1986.”

§ 494. Subsistence reimbursement relating to escorts of foreign arms control inspection teams

(a) REIMBURSEMENT OF REASONABLE SUBSISTENCE COSTS.—Under uniform regulations prescribed by the Secretaries concerned, a member of the armed forces may be reimbursed for the reasonable cost of subsistence incurred by the member while performing duties as an escort of an arms control inspection team of a foreign country, or any member of such a team, while the team or the team member, as the case may be, is engaged in activities related to the implementation of an arms control treaty or agreement.

(b) PERIOD OF AUTHORITY.—The authority under subsection (a) applies to the period during

which the inspection team, pursuant to authority specifically provided in the applicable arms control treaty or agreement, is in the country where inspections and related activities are being conducted by the team pursuant to that treaty or agreement.

(c) EFFECT OF LOCATION OF MEMBER'S PERMANENT DUTY STATION.—The authority under subsection (a) applies to a member of the armed forces whether the duties referred to in that subsection are performed at, near, or away from the member's permanent duty station.

(d) TERMINATION.—No reimbursement may be provided under this section for expenses incurred after the travel authorities transition expiration date.

(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.)

AMENDMENTS

2011—Pub. L. 112-81, §631(d)(2), renumbered section 434 of this title as this section.

Subsec. (d). Pub. L. 112-81, §631(e)(31), added subsec. (d).

EFFECTIVE DATE

Pub. L. 102-484, div. A, title VI, §623(b), Oct. 23, 1992, 106 Stat. 2423, as amended by Pub. L. 112-81, div. A, title VI, §631(f)(4)(B), Dec. 31, 2011, 125 Stat. 1465; Pub. L. 112-239, div. A, title X, §1076(a)(9), Jan. 2, 2013, 126 Stat. 1948, provided that: “Section 494 of title 37, United States Code, as added by subsection (a), shall apply with respect to escort duty described in that section which is performed on or after the date of the enactment of this Act [Oct. 23, 1992].”

§ 495. Funeral honors duty: allowance

(a) ALLOWANCE AUTHORIZED.—(1) The Secretary concerned may authorize payment of an allowance to a member of the Ready Reserve for any day on which the member performs at least two hours of funeral honors duty pursuant to section 12503 of title 10 or section 115 of title 32.

(2) The Secretary concerned may also authorize payment of that allowance to a member of the armed forces in a retired status for any day on which the member serves in a funeral honors detail under section 1491 of title 10, if the time required for service in such detail (including time for preparation) is not less than two hours. The amount of an allowance paid to a member under this paragraph shall be in addition to any other compensation to which the member may be entitled under this title or title 10 or 38.

(b) AMOUNT.—The daily rate of an allowance under this section is \$50.

(c) TERMINATION.—No allowance may be paid under this section for any day after the travel authorities transition expiration date.

(Added Pub. L. 106-65, div. A, title V, §578(j), Oct. 5, 1999, 113 Stat. 630, §435; amended Pub. L. 106-398, §1 [[div. A], title V, §575(b), title X, §1087(c)(1)(A)(i)], Oct. 30, 2000, 114 Stat. 1654, 1654A-138, 1654A-292; Pub. L. 107-107, div. A, title V, §561(b), Dec. 28, 2001, 115 Stat. 1119; renumbered §495 and amended Pub. L. 112-81, div. A, title VI, §631(d)(2), (e)(32), Dec. 31, 2011, 125 Stat. 1460, 1464.)