

1994—Subsec. (a)(1). Pub. L. 103-337, § 624(a)(1), substituted “may contribute to” for “is necessary for”.

Subsec. (a)(2)(B). Pub. L. 103-337, § 624(a)(2), added subpar. (B) and struck out former subpar. (B) which read as follows: “is seriously ill or seriously injured; and”.

Subsec. (b)(3). Pub. L. 103-337, § 624(b), added par. (3).
1988—Subsec. (a)(2). Pub. L. 100-456 amended par. (2) generally, inserting “or is entitled to pay and allowances under section 204(g) of this title (or would be so entitled were it not for offsetting earned income described in that section)” in subpar. (A).

EFFECTIVE DATE OF 2013 AMENDMENT

Pub. L. 112-239, div. A, title X, § 1076(a), Jan. 2, 2013, 126 Stat. 1947, provided that the amendment made by section 1076(a)(9) is effective Dec. 31, 2011, and as if included in Pub. L. 112-81 as enacted.

EFFECTIVE DATE OF 2009 AMENDMENT

Pub. L. 111-84, div. A, title VI, § 632(i), Oct. 28, 2009, 123 Stat. 2362, 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: “No reimbursement may be provided under section 481h of title 37, United States Code, by reason of the amendments made by this section [amending this section and provisions set out as a note under section 1071 of Title 10, Armed Forces] for travel and transportation costs incurred before the date of the enactment of this Act [Oct. 28, 2009].”

EFFECTIVE DATE OF 2006 AMENDMENT

Pub. L. 109-163, div. A, title VI, § 655(c), Jan. 6, 2006, 119 Stat. 3314, provided that: “The amendments made by this section [amending this section and repealing provisions set out as notes under this section] shall take effect on the earlier of the following:

“(1) The date of the enactment of this Act [Jan. 6, 2006].

“(2) The date specified in section 106(3) of Public Law 109-77 (119 Stat. 2039) [Dec. 31, 2005].”

EFFECTIVE AND TERMINATION DATES OF 2005 AMENDMENTS

Pub. L. 109-77, § 115, Sept. 30, 2005, 119 Stat. 2040, provided that: “The provisions of, and amendments made by, sections 1011, 1012, 1013, 1023, and 1026 of Public Law 109-13 [amending this section, section 1478 of Title 10, Armed Forces, and sections 1967, 1969, 1970, and 1977 of Title 38, Veterans’ Benefits, and enacting provisions set out as notes under this section, section 1478 of Title 10, and section 1967 of Title 38] shall continue in effect, notwithstanding the fiscal year limitation in section 1011 [119 Stat. 244] and the provisions of sections 1012(i), 1013(e), 1023(c), and 1026(e) of that Public Law [enacting provisions set out as notes under this section, section 1478 of Title 10, and section 1967 of Title 38], through the earlier of: (1) the date specified in section 106(3) of this joint resolution [Dec. 31, 2005]; or (2) with respect to any such section of Public Law 109-13, the date of the enactment into law of legislation that supersedes the provisions of, or the amendments made by, that section.”

Pub. L. 109-13, div. A, title I, § 1026(e), May 11, 2005, 119 Stat. 255, which provided that the amendments made by section 1026 of Pub. L. 109-13 (amending this section) were to terminate Sept. 30, 2005, and that effective Oct. 1, 2005, the provisions of section 411h of title 37 as in effect on the date before the date of the enactment of this Act (May 11, 2005) were to be revived, was repealed by Pub. L. 109-163, div. A, title VI, § 655(a), Jan. 6, 2006, 119 Stat. 3314. See Effective Date of 2006 Amendment note and section 115 of Pub. L. 109-77 set out above.

EFFECTIVE DATE OF 2004 AMENDMENT

Pub. L. 108-375, div. A, title VI, § 632(c), Oct. 28, 2004, 118 Stat. 1956, 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 481h of title 37, United States Code, as amended by this section, shall apply to travel and transportation authorized under such section that is provided on or after October 1, 2004, to family members of a member of the Armed Forces who is ill or injured as described in such section.”

EFFECTIVE DATE OF 1988 AMENDMENT

Amendment by Pub. L. 100-456 effective Oct. 1, 1988, see section 632(c) of Pub. L. 100-456, set out as a note under section 481f of this title.

EFFECTIVE DATE

Pub. L. 100-180, div. A, title VI, § 615(b), Dec. 4, 1987, 101 Stat. 1096, 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 authority to provide transportation or to pay transportation expenses under section 481h of title 37, United States Code, as added by subsection (a), shall be effective only with respect to travel that occurs on or after the effective date of regulations prescribed under such section.”

REPORT ON TRAVEL IN EXCESS OF CERTAIN LIMIT

Pub. L. 109-13, div. A, title I, § 1026(d), May 11, 2005, 119 Stat. 255, which provided that if in any fiscal year the amount of travel provided in such fiscal year under this section by reason of the amendments made by section 1026 of Pub. L. 109-13 exceeded \$20,000,000, the Secretary of Defense was to submit to the congressional defense committees a report on that fact, was repealed by Pub. L. 109-163, div. A, title VI, § 655(a), Jan. 6, 2006, 119 Stat. 3314.

§ 481i. Travel and transportation allowances: parking expenses

(a) REIMBURSEMENT AUTHORITY.—Under regulations prescribed by the Secretary of Defense, the Secretary of a military department may reimburse eligible Department of Defense personnel for expenses incurred after October 1, 2001, for parking a privately owned vehicle at a place of duty described in subsection (b).

(b) ELIGIBILITY.—A member of the Army, Navy, Air Force, or Marine Corps or an employee of the Department of Defense may be reimbursed under subsection (a) for parking expenses while—

(1) assigned to duty as a recruiter for any of the armed forces;

(2) assigned to duty at a military entrance processing facility of the armed forces; or

(3) detailed for instructional and administrative duties at any institution where a unit of the Senior Reserve Officers’ Training Corps is maintained.

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

(Added Pub. L. 106-398, § 1 [[div. A], title VI, § 645(a)], Oct. 30, 2000, 114 Stat. 1654, 1654A-161, § 411i; renumbered § 481i and amended Pub. L. 112-81, div. A, title VI, § 631(d)(2), (e)(22), Dec. 31, 2011, 125 Stat. 1460, 1463.)

AMENDMENTS

2011—Pub. L. 112-81, § 631(d)(2), renumbered section 411i of this title as this section.

Subsec. (c). Pub. L. 112-81, §631(e)(22), added subsec. (c).

§ 481j. Travel and transportation allowances: transportation of family members incident to the repatriation of members held captive

(a) ALLOWANCE FOR FAMILY MEMBERS AND CERTAIN OTHERS.—(1) Under uniform regulations prescribed by the Secretaries concerned, travel and transportation described in subsection (d) may be provided for not more than three family members of a member described in subsection (b).

(2) In addition to the family members authorized to be provided travel and transportation under paragraph (1), the Secretary concerned may provide travel and transportation described in subsection (d) to an attendant to accompany a family member described in that paragraph if the Secretary determines that—

(A) the family member to be accompanied is unable to travel unattended because of age, physical condition, or other reason determined by the Secretary; and

(B) no other family member who is eligible for travel and transportation under paragraph (1) is able to serve as an attendant for the family member.

(3) If no family member of a member described in subsection (b) is able to travel to the repatriation site of the member, travel and transportation described in subsection (d) may be provided to not more than 2 persons related to and selected by the member.

(4) In circumstances determined to be appropriate by the Secretary concerned, the Secretary may waive the limitation on the number of family members of a member provided travel and transportation allowances under this section.

(b) COVERED MEMBERS.—A member described in this subsection is a member of the uniformed services who—

(1) is serving on active duty;

(2) was held captive, as determined by the Secretary concerned; and

(3) is repatriated to a site inside or outside the United States.

(c) ELIGIBLE FAMILY MEMBERS.—In this section, the term “family member” has the meaning given the term in section 481h(b) of this title.

(d) TRAVEL AND TRANSPORTATION AUTHORIZED.—(1) The transportation authorized by subsection (a) is round-trip transportation between the home of the family member (or home of the attendant or person provided transportation under paragraph (2) or (3) of subsection (a), as the case may be) and the location of the repatriation site at which the member is located.

(2) In addition to the transportation authorized by subsection (a), the Secretary concerned may provide a per diem allowance or reimbursement for the actual and necessary expenses of the travel, or a combination thereof, but not to exceed the rates established for such allowances and expenses under section 474(d) of this title.

(3) The transportation authorized by subsection (a) may be provided by any of the means described in section 481h(d)(1) of this title.

(4) An allowance under this subsection may be paid in advance.

(5) Reimbursement payable under this subsection may not exceed the cost of Government-procured round-trip air travel.

(e) TERMINATION.—No transportation, allowance, reimbursement, or per diem may be provided under this section for travel that begins after the travel authorities transition expiration date.

(Added Pub. L. 109-163, div. A, title VI, §653(a), Jan. 6, 2006, 119 Stat. 3312, §411j; renumbered §481j and amended Pub. L. 112-81, div. A, title VI, §631(d)(2), (e)(23), (f)(4)(A), Dec. 31, 2011, 125 Stat. 1460, 1463, 1465; Pub. L. 112-239, div. A, title X, §1076(a)(9), Jan. 2, 2013, 126 Stat. 1948.)

AMENDMENTS

2013—Pub. L. 112-239, §1076(a)(9), made technical amendment to directory language of Pub. L. 112-81, §631(f)(4)(A). See 2011 Amendment note below.

2011—Pub. L. 112-81, §631(f)(4)(A), as amended by Pub. L. 112-239, §1076(a)(9), substituted “481h” for “411h” in subssecs. (c) and (d)(3) and “474” for “404” in subsec. (d)(2).

Pub. L. 112-81, §631(d)(2), renumbered section 411j of this title as this section.

Subsec. (e). Pub. L. 112-81, §631(e)(23), added subsec. (e).

EFFECTIVE DATE OF 2013 AMENDMENT

Pub. L. 112-239, div. A, title X, §1076(a), Jan. 2, 2013, 126 Stat. 1947, provided that the amendment made by section 1076(a)(9) is effective Dec. 31, 2011, and as if included in Pub. L. 112-81 as enacted.

§ 481k. Travel and transportation allowances: non-medical attendants for members who are determined to be very seriously or seriously wounded, ill, or injured

(a) ALLOWANCE FOR NON-MEDICAL ATTENDANT.—Under uniform regulations prescribed by the Secretaries concerned, travel and transportation described in subsection (d) may be provided for a qualified non-medical attendant for a covered member of the uniformed services described in subsection (c) if the attending physician or surgeon and the commander or head of the military medical facility exercising control over the member determine that the presence of such an attendant may contribute to the member's health and welfare.

(b) QUALIFIED NON-MEDICAL ATTENDANT.—For purposes of this section, a qualified non-medical attendant, with respect to a covered member, is an individual who—

(1) is designated by the member to be a non-medical attendant for the member for purposes of this section; and

(2) is determined by the attending physician or surgeon and the commander or head of the military medical facility to be appropriate to serve as a non-medical attendant for the member and whose presence may contribute to the health and welfare of the member.

(c) COVERED MEMBERS.—A member of the uniformed services covered by this section is a member who—

(1) as a result of a wound, illness, or injury, has been determined by the attending physi-