

100-26, §8(e)(6), Apr. 21, 1987, 101 Stat. 286; Pub. L. 102-25, title VII, §702(b)(1), (2), (c), Apr. 6, 1991, 105 Stat. 117; Pub. L. 103-337, div. A, title VI, §623, Oct. 5, 1994, 108 Stat. 2784; Pub. L. 106-65, div. A, title VI, §633, Oct. 5, 1999, 113 Stat. 661; Pub. L. 107-314, div. A, title VI, §654(b)(5), Dec. 2, 2002, 116 Stat. 2582; renumbered §481d and amended Pub. L. 112-81, div. A, title VI, §631(d)(2), (e)(18), Dec. 31, 2011, 125 Stat. 1460, 1463.)

AMENDMENTS

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

Subsec. (d). Pub. L. 112-81, §631(e)(18), added subsec. (d).

2002—Subsec. (d). Pub. L. 107-314 struck out subsec. (d) which read as follows: “In this section, the term ‘continental United States’ means the 48 contiguous States and the District of Columbia.”

1999—Subsec. (b)(1). Pub. L. 106-65 struck out “or” at end of subpar. (A), added subpar. (B), and redesignated former subpar. (B) as (C).

1994—Subsec. (b)(1). Pub. L. 103-337, §623(1)(A), substituted “from the location of the member or dependents, at the time notification of the personal emergency is received, or” for “from the international airport nearest the location of the member and dependents at the time notification of the personal emergency is received or the international airport nearest” in introductory provisions.

Subsec. (b)(1)(A). Pub. L. 103-337, §623(1)(B), substituted “closest to the location” for “closest to the international airport”.

Subsec. (b)(4). Pub. L. 103-337, §623(2), substituted “to the location from which the member or dependent departed or the member’s duty station.” for “to the international airport from which the member or dependent departed or the international airport nearest the member’s duty station.”

1991—Subsecs. (a), (b)(3), (c). Pub. L. 102-25 struck out “of this section” in subsecs. (a) and (c) and “of this subsection” in two places in subsec. (b)(3).

1987—Subsec. (d). Pub. L. 100-26 inserted “the term” after “In this section.”.

1984—Pub. L. 98-525 substituted “personal emergencies for certain members and dependents” for “certain emergencies for members performing temporary duty” in section catchline.

Subsec. (a). Pub. L. 98-525 substituted “transportation in accordance with subsection (b) of this section may be provided for a member of a uniformed service and for dependents of that member authorized to reside at the member’s duty station (or authorized to reside at another location and receive a station allowance) incident to emergency leave granted for reasons of a personal emergency (or in the case of transportation provided only for a dependent, under circumstances involving a personal emergency similar to the circumstances for which emergency leave could be granted a member)” for “a member of a uniformed service who is performing temporary duty away from his permanent duty station (or who is assigned to a ship or unit operating away from its home port) may be provided the travel and transportation authorized by section 404 of this title for travel performed by the member from his place of temporary duty (or from his ship or unit) to his permanent duty station (or the home port of the ship or unit) or to any other location, and return (if applicable), if such travel has been approved incident to the serious illness or injury or the death of a dependent of the member”.

Subsec. (b). Pub. L. 98-525 added subsec. (b). Former subsec. (b) redesignated (c).

Subsec. (c). Pub. L. 98-525 redesignated subsec. (b) as (c), substituted “Transportation under this section may be authorized only upon a determination that,

considering the nature of the personal emergency involved, Government transportation is not reasonably available” for “Transportation under this section may be authorized only upon a determination that Government transportation is not reasonably available, considering the nature of the personal emergency involved”, and substituted “The cost of transportation authorized under this section for a member, or the dependents of a member, may not exceed the cost of Government-procured commercial air travel between the applicable locations described in subsection (b) of this section” for “The cost of transportation authorized under this section may not exceed the cost of Government-procured commercial air travel from the member’s place of temporary duty (or from his ship or unit) to the member’s permanent duty station (or the home port of the ship or unit), and return (if applicable)”.

Subsec. (d). Pub. L. 98-525 added subsec. (d).

EFFECTIVE DATE OF 1984 AMENDMENT

Pub. L. 98-525, title VI, §612(b), Oct. 19, 1984, 98 Stat. 2539, provided that: “The amendment made by subsection (a)(1) [amending this section] shall apply with respect to transportation begun after September 30, 1984.”

§481e. Travel and transportation allowances: transportation incident to certain emergencies for members performing temporary duty

(a) Under uniform regulations prescribed by the Secretaries concerned, a member of a uniformed service who is performing temporary duty away from his permanent duty station (or who is assigned to a ship or unit operating away from its home port) may be provided the travel and transportation authorized by section 474 of this title for travel performed by the member from his place of temporary duty (or from his ship or unit) to his permanent duty station (or the home port of the ship or unit) or to any other location, and return (if applicable), if such travel has been approved incident to a personal emergency of the member.

(b) Transportation under this section may be authorized only upon a determination that Government transportation is not reasonably available, considering the nature of the personal emergency involved. The cost of transportation authorized under this section may not exceed the cost of Government-procured commercial air travel from the member’s place of temporary duty (or from his ship or unit) to the member’s permanent duty station (or the home port of the ship or unit), and return (if applicable).

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

(Added Pub. L. 97-60, title I, §126(a), Oct. 14, 1981, 95 Stat. 1004, §411e; amended Pub. L. 100-456, div. A, title VI, §623(a), Sept. 29, 1988, 102 Stat. 1984; renumbered §481e and amended Pub. L. 112-81, div. A, title VI, §631(d)(2), (e)(19), (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—Subsec. (a). 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(d)(2), renumbered section 411e of this title as this section.

Subsec. (a). Pub. L. 112-81, §631(f)(4)(A), as amended by Pub. L. 112-239, §1076(a)(9), substituted “474” for “404”.

Subsec. (c). Pub. L. 112-81, §631(e)(19), added subsec. (c).

1988—Subsec. (a). Pub. L. 100-456 substituted “incident to a personal emergency of the member” for “incident to the serious illness or injury or the death of a dependent of the member”.

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 1988 AMENDMENT

Pub. L. 100-456, div. A, title VI, §623(b), Sept. 29, 1988, 102 Stat. 1984, provided that: “The amendment made by subsection (a) [amending this section] shall apply with respect to travel performed after September 30, 1988.”

§ 481f. Travel and transportation allowances: transportation for survivors of deceased member to attend member’s burial ceremonies; transportation for survivors of member dying overseas to attend transfer ceremonies

(a) ALLOWANCES AUTHORIZED.—(1) The Secretary concerned may provide round trip travel and transportation allowances to eligible relatives of a member of the uniformed services who dies while on active duty or inactive duty in order that the eligible relatives may attend the burial ceremony of the deceased member at the location determined under subsection (a)(8) of section 1482 of title 10 or attend a memorial service for the deceased member, under circumstances covered by subsection (d) of such section.

(2) The Secretary concerned may provide round trip travel and transportation allowances to eligible relatives of a member of the uniformed services who dies while on active duty in order that the eligible relatives may attend a memorial service for the deceased member that occurs at a location other than the location of the burial ceremony for which travel and transportation allowances are provided under paragraph (1). Travel and transportation allowances may be provided under this paragraph for travel of eligible relatives to only one memorial service for the deceased member concerned.

(3) The Secretary concerned may also provide round trip travel and transportation allowances to an attendant who accompanies an eligible relative provided travel and transportation allowances under paragraph (1) for travel to the burial ceremony if the Secretary concerned determines that—

(A) the accompanied eligible relative is unable to travel unattended because of age, physical condition, or other justifiable reason; and

(B) there is no other eligible relative of the deceased member traveling to the burial ceremony who is eligible for travel and transportation allowances under paragraph (1) and is qualified to serve as the attendant.

(b) LIMITATION ON AMOUNT.—Allowances for travel under subsection (a) may not exceed the

rates for two days and the time necessary for such travel.

(c) ELIGIBLE RELATIVES.—(1) The following members of the family of a deceased member of the uniformed services are eligible for the travel and transportation allowances under paragraphs (1) and (2) of subsection (a):

(A) The surviving spouse (including a remarried surviving spouse) of the deceased member.

(B) The child or children of the deceased member (including stepchildren, adopted children, and illegitimate children).

(C) The parent or parents of the deceased member (as defined in section 401(b)(2) of this title).

(D) The sibling or siblings of the deceased member.

(E) The person who directs the disposition of the remains of the deceased member under section 1482(c) of title 10 or, in the case of a deceased member whose remains are commingled and buried in a common grave in a national cemetery, the person who would have been designated under such section to direct the disposition of the remains if individual identification had been made.

(2) If no person described in subparagraphs (A) through (D) of paragraph (1) is provided travel and transportation allowances under paragraph (1) or (2) of subsection (a), the travel and transportation allowances may be provided to one or two other persons who are closely related to the deceased member and are selected by the person referred to in paragraph (1)(E). A person provided travel and transportation allowances under this paragraph is in addition to the person referred to in paragraph (1)(E).

(d) TRANSPORTATION TO TRANSFER CEREMONIES OF MEMBERS OF THE ARMED FORCES WHO DIE OVERSEAS.—(1) The Secretary of the military department concerned may provide round trip transportation to ceremonies for the transfer of a member of the armed forces who dies while located or serving overseas (including during a humanitarian relief operation) to the following:

(A) The primary next of kin of the member.

(B) Two family members (other than primary next of kin) of the member.

(C) One or more additional family members of the member, at the discretion of the Secretary.

(2)(A) For purposes of this subsection, the primary next of kin of a member of the armed forces shall be the eligible relatives of the member specified in subparagraphs (A) through (D) of subsection (c)(1).

(B) The Secretaries of the military departments shall prescribe in regulations the family members of a member of the armed forces who shall constitute family members for purposes of subparagraphs (B) and (C) of paragraph (1). The Secretary of Defense shall ensure that such regulations are uniform across the military departments.

(3) Transportation shall be provided under this subsection by means of Invitational Travel Authorizations.

(4) The Secretary of a military department may, upon the request of the primary next of