

(2) Upon the establishment by the Secretary of Veterans Affairs pursuant to subparagraph (C) of section 1720G(a)(3) of title 38 of the schedule of monthly personal caregiver stipends under the Department of Veterans Affairs program of comprehensive assistance for family caregivers under subparagraph (A)(ii)(V) of such section, the monthly personal caregiver stipend payable with respect to similarly circumstanced veterans under such schedule, rather than the amount specified in paragraph (1).

(d) DURATION.—The eligibility of a member to receive special monthly compensation under subsection (a) expires on the earlier of the following:

(1) The last day of the month during which a 90-day period ends that begins on the date of the separation or retirement of the member.

(2) The last day of the month during which the member dies.

(3) The last day of the month during which the member is determined to be no longer afflicted with the catastrophic injury or illness referred to in subsection (b)(1).

(4) The last day of the month preceding the month during which the member begins receiving compensation under section 1114(r)(2) of title 38.

(e) CONSTRUCTION WITH OTHER PAY AND ALLOWANCES.—Monthly special compensation payable to a member under this section is in addition to any other pay and allowances payable to the member by law.

(f) BENEFIT INFORMATION.—(1) The Secretary of Defense, in collaboration with the Secretary of Veterans Affairs, shall ensure that members of the uniformed services who may be eligible for compensation under this section are made aware of the availability of such compensation by including information about such compensation in written and online materials for such members and their families.

(2) The Secretary of Defense shall ensure that a member eligible to receive special monthly compensation under this section is aware that the member's eligibility for such compensation will expire pursuant to subsection (d)(1) after the end of the 90-day period that begins on the date of the separation or retirement of the member even though the member has not begun to receive compensation under section 1114(r)(2) of title 38 before the end of such period.

(g) CATASTROPHIC INJURY OR ILLNESS DEFINED.—In this section, the term “catastrophic injury or illness” means a permanent, severely disabling injury, disorder, or illness that the Secretary concerned determines compromises the ability of the afflicted person to carry out the activities of daily living to such a degree that the person requires—

(1) personal or mechanical assistance to leave home or bed; or

(2) constant supervision to avoid physical harm to self or others.

(h) REGULATIONS.—The Secretary of Defense (or the Secretary of Homeland Security, with respect to the Coast Guard) shall prescribe regulations to carry out this section.

(Added Pub. L. 111-84, div. A, title VI, §603(a), Oct. 28, 2009, 123 Stat. 2348; amended Pub. L. 111-383, div. A, title VI, §634, Jan. 7, 2011, 124 Stat. 4241.)

#### AMENDMENTS

2011—Subsec. (c). Pub. L. 111-383 amended subsec. (c) generally. Prior to amendment, subsec. (c) related to the amount of monthly special compensation payable to a member under subsec. (a).

### CHAPTER 8—TRAVEL AND TRANSPORTATION ALLOWANCES

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<sup>1</sup> So in original. Does not conform to section catchline.

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- 481i. Travel and transportation allowances: parking expenses.
- 481j. Travel and transportation allowances: transportation of family members incident to the repatriation of members held captive.
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SUBCHAPTER I—TRAVEL AND TRANSPORTATION AUTHORITIES—NEW LAW

§ 451. Definitions

(a) DEFINITIONS RELATING TO PERSONS.—In this subchapter and subchapter II:

(1) The term “administering Secretary” or “administering Secretaries” means the following:

- (A) The Secretary of Defense, with respect to the armed forces (including the Coast Guard when it is operating as a service in the Navy).
- (B) The Secretary of Homeland Security, with respect to the Coast Guard when it is not operating as a service in the Navy.

(C) The Secretary of Commerce, with respect to the National Oceanic and Atmospheric Administration.

(D) The Secretary of Health and Human Services, with respect to the Public Health Service.

(2) The term “authorized traveler” means a person who is authorized travel and transportation allowances when performing official travel ordered or authorized by the administering Secretary. Such term includes the following:

- (A) A member of the uniformed services.
- (B) A family member of a member of the uniformed services.

(C) A person acting as an escort or attendant for a member or family member who is traveling on official travel or is traveling with the remains of a deceased member or as an escort or attendant for dependents of a member for necessary travel performed not later than one year after the member is unable to accompany the dependents who are incapable of traveling alone.

(D) A person who participates in a military funeral honors detail.

(E) A Senior Reserve Officers' Training Corps cadet or midshipman.

(F) An applicant or rejected applicant for enlistment.

(G) Any person whose employment or service is considered directly related to a Government official activity or function under regulations prescribed under section 464 of this title.

(H) Any other person not covered by subparagraphs (A) through (G) who is determined by the administering Secretary pursuant to regulations prescribed under section 464 of this title as warranting the provision of travel benefits for purposes of the following:

(i) Transportation of survivors to attend burial services or transfer of deceased members after death overseas as provided in section 481f of this title.

(ii) Transportation of designated individuals incident to the hospitalization of members as provided in section 481h of this title.

(iii) Transportation of designated individuals incident to the repatriation of members as provided in section 481j of this title.

(iv) Transportation of non-medical attendants as provided in section 481k of this title.

(v) Transportation of designated individuals to attend Yellow Ribbon Reintegration Program events as provided in section 481l of this title.

(vi) Transportation of a person with regard to a single event when the administering Secretary determines that the travel is necessary to ensure fairness and equity, respond to emergency or humanitarian circumstances, or serve the best interests of the Government.

(3) The term “family member”, with respect to a member of the uniformed services, means the following: