

(Added Pub. L. 105–261, div. A, title III, §362(c), Oct. 17, 1998, 112 Stat. 1985, §1063a; amended Pub. L. 107–314, div. A, title III, §322(a), (b)(1), Dec. 2, 2002, 116 Stat. 2510; renumbered §1064 and amended Pub. L. 108–136, div. A, title VI, §651(b)(2), (3), Nov. 24, 2003, 117 Stat. 1521.)

PRIOR PROVISIONS

A prior section 1064, added Pub. L. 101–510, div. A, title III, §321(b), Nov. 5, 1990, 104 Stat. 1528; amended Pub. L. 104–106, div. A, title XV, §1501(c)(8), Feb. 10, 1996, 110 Stat. 499; Pub. L. 105–261, div. A, title III, §362(b), (d)(2), Oct. 17, 1998, 112 Stat. 1984, 1985, related to use of commissary stores by persons qualified for retired pay but under age 60, prior to repeal by Pub. L. 108–136, div. A, title VI, §651(b)(1), Nov. 24, 2003, 117 Stat. 1521.

AMENDMENTS

2003—Pub. L. 108–136, §651(b)(3), renumbered section 1063a of this title as this section.

Subsec. (c)(2). Pub. L. 108–136, §651(b)(2), substituted “section 1063(e)” for “section 1065(e)”.

2002—Pub. L. 107–314, §322(b)(1), inserted “or national emergency” after “disaster” in section catchline.

Subsec. (a). Pub. L. 107–314, §322(a)(1), inserted “or national emergency” after “disaster”.

Subsec. (c)(3). Pub. L. 107–314, §322(a)(2), added par. (3).

§ 1065. Use of commissary stores and MWR facilities: certain veterans and caregivers for veterans

(a) **ELIGIBILITY OF VETERANS AWARDED THE PURPLE HEART.**—A veteran who was awarded the Purple Heart shall be permitted to use commissary stores and MWR facilities on the same basis as a member of the armed forces entitled to retired or retainer pay.

(b) **ELIGIBILITY OF VETERANS WHO ARE MEDAL OF HONOR RECIPIENTS.**—A veteran who is a Medal of Honor recipient shall be permitted to use commissary stores and MWR facilities on the same basis as a member of the armed forces entitled to retired or retainer pay.

(c) **ELIGIBILITY OF VETERANS WHO ARE FORMER PRISONERS OF WAR.**—A veteran who is a former prisoner of war shall be permitted to use commissary stores and MWR facilities on the same basis as a member of the armed forces entitled to retired or retainer pay.

(d) **ELIGIBILITY OF VETERANS WITH SERVICE-CONNECTED DISABILITIES.**—A veteran with a service-connected disability shall be permitted to use commissary stores and MWR facilities on the same basis as a member of the armed forces entitled to retired or retainer pay.

(e) **ELIGIBILITY OF CAREGIVERS FOR VETERANS.**—A caregiver or family caregiver shall be permitted to use commissary stores and MWR facilities on the same basis as a member of the armed forces entitled to retired or retainer pay.

(f) **USER FEE AUTHORITY.**—(1) The Secretary of Defense shall prescribe regulations that impose a user fee on individuals who are eligible solely under this section to purchase merchandise at a commissary store or MWR retail facility.

(2) The Secretary shall set the user fee under this subsection at a rate that the Secretary determines will offset any increase in expenses arising from this section borne by the Department of the Treasury on behalf of commissary stores associated with the use of credit or debit

cards for customer purchases, including expenses related to card network use and related transaction processing fees.

(3) The Secretary shall deposit funds collected pursuant to a user fee under this subsection in the General Fund of the Treasury.

(4) Any fee under this subsection is in addition to the uniform surcharge under section 2484(d) of this title.

(g) **DEFINITIONS.**—In this section:

(1) The term “MWR facilities” includes—

(A) MWR retail facilities, as that term is defined in section 1063(e) of this title; and

(B) military lodging operated by the Department of Defense for the morale, welfare, and recreation of members of the armed forces.

(2) The term “Medal of Honor recipient” has the meaning given that term in section 1074h(c) of this title.

(3) The terms “veteran”, “former prisoner of war”, and “service-connected” have the meanings given those terms in section 101 of title 38.

(4) The terms “caregiver” and “family caregiver” have the meanings given those terms in section 1720G(d) of title 38.

(Added Pub. L. 115–232, div. A, title VI, §621(b)(1), Aug. 13, 2018, 132 Stat. 1798.)

PRIOR PROVISIONS

A prior section 1065 was renumbered section 1063 of this title.

EFFECTIVE DATE

Pub. L. 115–232, div. A, title VI, §621(b)(3), Aug. 13, 2018, 132 Stat. 1799, provided that: “Section 1065 of title 10, United States Code, as added by paragraph (1), shall take effect on January 1, 2020.”

CHAPTER 55—MEDICAL AND DENTAL CARE

Sec.

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AMENDMENTS

2018—Pub. L. 115-232, div. A, title X, §1081(a)(13), Aug. 13, 2018, 132 Stat. 1984, inserted period at end of item 1077a.

2017—Pub. L. 115-91, div. A, title VII, §703(a)(2), Dec. 12, 2017, 131 Stat. 1435, added item 1074o.