

(A) in a case involving circumstances described in paragraph (3)(A)(i) of that subsection, the commander is the commander of the installation where the decedent was found dead or died; or

(B) in a case involving circumstances described in paragraph (3)(A)(ii) of that subsection, the commander is the commander of the decedent's unit at a level in the chain of command designated for such purpose in the regulations prescribed by the Secretary of Defense.

(d) **LIMITATION IN CONCURRENT JURISDICTION CASES.**—(1) The exercise of authority under this section is subject to the exercise of primary jurisdiction for the investigation of a death—

(A) in the case of a death in a State, by the State or a local government of the State; or

(B) in the case of a death in a foreign country, by that foreign country under any applicable treaty, status of forces agreement, or other international agreement between the United States and that foreign country.

(2) Paragraph (1) does not limit the authority of the Armed Forces Medical Examiner to conduct a forensic pathology investigation of a death that is subject to the exercise of primary jurisdiction by another sovereign if the investigation by the other sovereign is concluded without a forensic pathology investigation that the Armed Forces Medical Examiner considers complete. For the purposes of the preceding sentence a forensic pathology investigation is incomplete if the investigation does not include an autopsy of the decedent.

(e) **PROCEDURES.**—For a forensic pathology investigation under this section, the Armed Forces Medical Examiner shall—

(1) designate one or more qualified pathologists to conduct the investigation;

(2) to the extent practicable and consistent with responsibilities under this section, give due regard to any applicable law protecting religious beliefs;

(3) as soon as practicable, notify the decedent's family, if known, that the forensic pathology investigation is being conducted;

(4) as soon as practicable after the completion of the investigation, authorize release of the decedent's remains to the family, if known; and

(5) promptly report the results of the forensic pathology investigation to the official responsible for the overall investigation of the death.

(f) **DEFINITION OF STATE.**—In this section, the term “State” includes the District of Columbia, the Commonwealth of Puerto Rico, and Guam.

(Added Pub. L. 106–65, div. A, title VII, §721(a), Oct. 5, 1999, 113 Stat. 692.)

#### SUBCHAPTER II—DEATH BENEFITS

Sec.	
1475.	Death gratuity: death of members on active duty or inactive duty training and of certain other persons.
1476.	Death gratuity: death after discharge or release from duty or training.
1477.	Death gratuity: eligible survivors.
1478.	Death gratuity: amount.

Sec. 1479.	Death gratuity: delegation of determinations, payments.
1480.	Death gratuity: miscellaneous provisions.
1481.	Recovery, care, and disposition of remains: decedents covered.
1482.	Expenses incident to death.
1482a.	Expenses incident to death: civilian employees serving with an armed force.
1483.	Prisoners of war and interned enemy aliens.
1484.	Pensioners, indigent patients, and persons who die on military reservations.
1485.	Dependents of members of armed forces.
1486.	Other citizens of United States.
1487.	Temporary interment.
1488.	Removal of remains.
1489.	Death gratuity: members and employees dying outside the United States while assigned to intelligence duties.
1490.	Transportation of remains: certain retired members and dependents who die in military medical facilities.
1491.	Funeral honors functions at funerals for veterans.
1492.	Authority to provide travel and transportation allowances in connection with transfer ceremonies of certain civilian employees who die overseas.

#### AMENDMENTS

2021—Pub. L. 116–283, div. A, title XI, §1104(a)(2), Jan. 1, 2021, 134 Stat. 3890, added item 1492.

2001—Pub. L. 107–107, div. A, title X, §1048(a)(14), Dec. 28, 2001, 115 Stat. 1223, transferred subchapter II heading so as to appear before the table of sections for that subchapter.

1999—Pub. L. 106–65, div. A, title VII, §721(c)(1), Oct. 5, 1999, 113 Stat. 694, inserted “SUBCHAPTER II—DEATH BENEFITS” before section 1475 of this title.

Pub. L. 106–65, div. A, title V, §578(k)(2)(A), Oct. 5, 1999, 113 Stat. 631, substituted “Funeral honors functions at funerals for veterans” for “Honor guard details at funerals of veterans” in item 1491.

1998—Pub. L. 105–261, div. A, title V, §567(b)(2), Oct. 17, 1998, 112 Stat. 2031, added item 1491.

1994—Pub. L. 103–337, div. A, title X, §1070(a)(8)(B), Oct. 5, 1994, 108 Stat. 2855, substituted “civilian” for “Civilian” in item 1482a.

1993—Pub. L. 103–160, div. A, title III, §368(b), Nov. 30, 1993, 107 Stat. 1634, added item 1482a.

1991—Pub. L. 102–190, div. A, title VI, §626(b)(2), Dec. 5, 1991, 105 Stat. 1380, substituted “Transportation of remains: certain retired members and dependents who die in military medical facilities” for “Transportation of remains of members entitled to retired or retainer pay who die in a military medical facility” in item 1490.

1983—Pub. L. 98–94, title X, §1032(a)(2), Sept. 24, 1983, 97 Stat. 672, added item 1490.

1980—Pub. L. 96–450, title IV, §403(b)(2), Oct. 14, 1980, 94 Stat. 1979, added item 1489.

1965—Pub. L. 89–150, §1(2), Aug. 28, 1965, 79 Stat. 585, struck out “; death while outside United States” from item 1485.

1958—Pub. L. 85–861, §1(32)(B), (C), Sept. 2, 1958, 72 Stat. 1455, struck out “CARE OF THE DEAD” from chapter heading, and added items 1475 to 1480.

#### MEETINGS OF OFFICIALS OF THE DEPARTMENT OF DEFENSE WITH REPRESENTATIVE GROUPS OF SURVIVORS OF DECEASED MEMBERS OF THE ARMED FORCES

Pub. L. 116–92, div. A, title V, §580B, Dec. 20, 2019, 133 Stat. 1408, provided that:

“(a) **CHIEFS OF THE ARMED FORCES.**—The Secretary of Defense shall direct the chiefs of the Armed Forces to meet periodically with representative groups of survivors of deceased members of the Armed Forces to receive feedback from those survivors regarding issues affecting such survivors. The Chief of the National Guard Bureau shall meet with representative groups of sur-