

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).

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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 transpor-

¹ So in original. Does not conform to section catchline.

tation 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:

- (A) A dependent, as defined in section 401(a) of this title.
- (B) A child, as defined in section 401(b)(1) of this title.
- (C) A parent, as defined in section 401(b)(2) of this title.

- (D) A sibling of the member.
- (E) A former spouse of the member.

(b) DEFINITIONS RELATING TO TRAVEL AND TRANSPORTATION ALLOWANCES.—In this subchapter and subchapter II:

(1) The term "official travel" means the following:

- (A) Military duty or official business performed by an authorized traveler away from a duty assignment location or other authorized location.
- (B) Travel performed by an authorized traveler ordered to relocate from a permanent duty station to another permanent duty station.
- (C) Travel performed by an authorized traveler ordered to the first permanent duty station, or separated or retired from uniformed service.
- (D) Local travel in or around the temporary duty or permanent duty station.
- (E) Other travel as authorized or ordered by the administering Secretary.

(2) The term "actual and necessary expenses" means expenses incurred in fact by an authorized traveler as a reasonable consequence of official travel.

(3) The term "travel allowances" means the daily lodging, meals, and other related expenses, including relocation expenses, incurred by an authorized traveler while on official travel.

(4) The term "transportation allowances" means the costs of temporarily or permanently moving an authorized traveler, the personal property of an authorized traveler, or a combination thereof.

(5) The term "transportation-, lodging-, or meals-in-kind" means transportation, lodging, or meals provided by the Government without cost to an authorized traveler.

(6) The term "miscellaneous expenses" means authorized expenses incurred in addition to authorized allowances during the performance of official travel by an authorized traveler.

(7) The term "personal property", with respect to transportation allowances, includes baggage, furniture, and other household items, clothing, privately owned vehicles, house trailers, mobile homes, and any other personal items that would not otherwise be prohibited by any other provision of law or regulation prescribed under section 464 of this title.

(8) The term "relocation allowances" means the costs associated with relocating a member of the uniformed services and the member's dependents between an old and new temporary or permanent duty assignment location or other authorized location.

(9) The term "dislocation allowances" means the costs associated with relocation of the household of a member of the uniformed services and the member's dependents in relation to a change in the member's permanent duty assignment location ordered for the convenience of the Government or incident to an evacuation.

(Added Pub. L. 112-81, div. A, title VI, §631(b), Dec. 31, 2011, 125 Stat. 1453; amended Pub. L.

113-66, div. A, title VI, §621(a)(1), Dec. 26, 2013, 127 Stat. 783.)

AMENDMENTS

2013—Subsec. (a)(2)(C). Pub. L. 113-66 inserted “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” before period at end.

PURPOSE OF CONSOLIDATION AND REFORM OF TRAVEL AND TRANSPORTATION AUTHORITIES OF THE UNIFORMED SERVICES

Pub. L. 112-81, div. A, title VI, §631(a), Dec. 31, 2011, 125 Stat. 1452, provided that: “This section [see Tables for classification] establishes general travel and transportation provisions for members of the uniformed services and other travelers authorized to travel under official conditions. Recognizing the complexities and the changing nature of travel, the amendments made by this section [see Tables for classification] provide the Secretary of Defense and the other administering Secretaries with the authority to prescribe and implement travel and transportation policy that is simple, clear, efficient, and flexible, and that meets mission and servicemember needs, while realizing cost savings that should come with a more efficient and less cumbersome system for travel and transportation.”

TRANSITION PROVISIONS

Pub. L. 112-81, div. A, title VI, §632, Dec. 31, 2011, 125 Stat. 1465, provided that:

“(a) IMPLEMENTATION PLAN.—The Secretary of Defense shall develop a plan to implement subchapters I and II of chapter 8 of title 37, United States Code (as added by section 631(b) of this Act), and to transition all of the travel and transportation programs for members of the uniformed services under chapter 7 of title 37, United States Code, solely to provisions of those subchapters by the end of the transition period.

“(b) AUTHORITY FOR MODIFICATIONS TO OLD-LAW AUTHORITIES DURING TRANSITION PERIOD.—During the transition period, the Secretary of Defense and the Secretaries concerned, in using the authorities under subchapter III of chapter 8 of title 37, United States Code (as so added), may apply those authorities subject to the terms of such provisions and such modifications as the Secretary of Defense may include in the implementation plan required under subsection (a) or in any subsequent modification to that implementation plan.

“(c) COORDINATION.—The Secretary of Defense shall prepare the implementation plan under subsection (a) and any modification to that plan under subsection (b) in coordination with—

“(1) the Secretary of Homeland Security, with respect to the Coast Guard;

“(2) the Secretary of Health and Human Services, with respect to the commissioned corps of the Public Health Service; and

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

“(d) PROGRAM OF COMPLIANCE.—The Secretary of Defense and the other administering Secretaries shall commence the operation of the programs of compliance required by section 463 of title 37, United States Code (as so added), by not later than one year after the date of the enactment of this Act [Dec. 31, 2011].

“(e) TRANSITION PERIOD.—In this section, the term ‘transition period’ means the 10-year period beginning on the first day of the first month beginning after the date of the enactment of this Act.”

§ 452. Allowable travel and transportation: general authorities

(a) IN GENERAL.—Except as otherwise prohibited by law, a member of the uniformed services

or other authorized traveler may be provided transportation-, lodging-, or meals-in-kind, or actual and necessary expenses of travel and transportation, for, or in connection with, official travel under circumstances as specified in regulations prescribed under section 464 of this title.

(b) SPECIFIC CIRCUMSTANCES.—The authority under subsection (a) includes travel under or in connection with, but not limited to, the following circumstances, to the extent specified in regulations prescribed under section 464 of this title:

(1) Temporary duty that requires travel between a permanent duty assignment location and another authorized temporary duty location, and travel in or around the temporary duty location.

(2) Permanent change of station that requires travel between an old and new temporary or permanent duty assignment location or other authorized location.

(3) Temporary duty or assignment relocation related to consecutive overseas tours or in-place-consecutive overseas tours.

(4) Recruiting duties for the armed forces.

(5) Assignment or detail to another Government department or agency.

(6) Rest and recuperative leave.

(7) Convalescent leave.

(8) Reenlistment leave.

(9) Reserve component inactive-duty training performed outside the normal commuting distance of the member's permanent residence.

(10) Ready Reserve muster duty.

(11) Unusual, extraordinary, hardship, or emergency circumstances.

(12) Presence of family members at a military medical facility incident to the illness or injury of members.

(13) Presence of family members at the repatriation of members held captive.

(14) Presence of non-medical attendants for very seriously or seriously wounded, ill, or injured members.

(15) Attendance at Yellow Ribbon Reintegration Program events.

(16) Missing status, as determined by the Secretary concerned under chapter 10 of this title.

(17) Attendance at or participation in international sports competitions described under section 717 of title 10.

(c) MATTERS INCLUDED.—Travel and transportation allowances which may be provided under subsection (a) include the following:

(1) Allowances for transportation, lodging, and meals.

(2) Dislocation or relocation allowances paid in connection with a change in a member's temporary or permanent duty assignment location.

(3) Other related miscellaneous expenses.

(d) MODE OF PROVIDING TRAVEL AND TRANSPORTATION ALLOWANCES.—Any authorized travel and transportation may be provided—

(1) as an actual expense;

(2) as an authorized allowance;

(3) in-kind; or