

109TH CONGRESS  
1ST SESSION

# S. 782

To amend title 37, United States Code, to authorize travel and transportation for family members of members of the Armed Forces hospitalized in the United States in connection with non-serious illnesses or injuries incurred or aggravated in a contingency operation, and for other purposes.

---

## IN THE SENATE OF THE UNITED STATES

APRIL 14, 2005

Mr. FEINGOLD introduced the following bill; which was read twice and referred to the Committee on Armed Services

---

## A BILL

To amend title 37, United States Code, to authorize travel and transportation for family members of members of the Armed Forces hospitalized in the United States in connection with non-serious illnesses or injuries incurred or aggravated in a contingency operation, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. TRAVEL AND TRANSPORTATION FOR FAMILY**  
2 **OF MEMBERS OF THE ARMED FORCES HOS-**  
3 **PITALIZED IN THE UNITED STATES IN CON-**  
4 **NECTION WITH NON-SERIOUS ILLNESSES OR**  
5 **INJURIES INCURRED OR AGGRAVATED IN A**  
6 **CONTINGENCY OPERATION.**

7 (a) **AUTHORITY.**—Subsection (a) of section 411h of  
8 title 37, United States Code, is amended—

9 (1) in paragraph (2)—

10 (A) by inserting “and” at the end of sub-  
11 paragraph (A); and

12 (B) by striking subparagraphs (B) and (C)  
13 and inserting the following new subparagraph:  
14 “(B) either—

15 “(i) is seriously ill, seriously injured, or in  
16 a situation of imminent death (whether or not  
17 electrical brain activity still exists or brain  
18 death is declared), and is hospitalized in a med-  
19 ical facility in or outside the United States; or

20 “(ii) is not described in clause (i), but has  
21 an illness or injury incurred or aggravated in a  
22 contingency operation and is hospitalized in a  
23 medical facility in the United States for treat-  
24 ment of that condition.”; and

25 (2) by adding at the end the following new  
26 paragraph:

1       “(3) Not more than one roundtrip may be provided  
2 to a family member under paragraph (1) on the basis of  
3 clause (ii) of paragraph (2)(B).”.

4       (b) CONFORMING AMENDMENTS.—

5           (1) HEADING FOR AMENDED SECTION.—The  
6 heading for section 411h of such title is amended to  
7 read as follows:

8       **“§ 411h. Travel and transportation allowances: trans-**  
9           **portation of family members incident to**  
10           **illness or injury of members”.**

11           (2) CLERICAL AMENDMENT.—The item relating  
12 to such section in the table of sections at the begin-  
13 ning of chapter 7 of such title is amended to read  
14 as follows:

“411h. Travel and transportation allowances: transportation of family members  
incident to illness or injury of members.”.

15           (c) FUNDING.—Funds for the provision of transpor-  
16 tation under section 411h of title 37, United States Code,  
17 by reason of the amendments made by this section may  
18 be derived by the Secretary as follows:

19           (1) In the case of transportation provided by  
20 the Department of the Army, from amounts author-  
21 ized for the Military Personnel, Army account.

22           (2) In the case of transportation provided by  
23 the Department of the Navy, from amounts author-

1       ized for the Operation and Maintenance, Navy ac-  
2       count.

3           (3) In the case of transportation provided by  
4       the Department of the Air Force, from amounts au-  
5       thorized for the Operation and Maintenance, Air  
6       Force account.

7           (d) REPORT ON TRANSPORTATION IN EXCESS OF  
8 CERTAIN LIMIT.—If in any fiscal year the amount of  
9 transportation provided in such fiscal year under section  
10 411h of title 37, United States Code, by reason of the  
11 amendments made by this section exceeds \$20,000,000,  
12 the Secretary of Defense shall submit to the congressional  
13 defense committees a report on that fact, including the  
14 total amount of transportation provided in such fiscal year  
15 under such section 411h by reason of the amendments  
16 made by this section.

○