

primary family caregiver of an eligible veteran under the Program of Comprehensive Assistance for Family Caregivers).

§ 225.3 Definitions.

Unless otherwise noted, these terms and their definitions are for the purpose of this part.

Caregiver. Defined in 38 U.S.C. 1720G(d)

Family Caregiver. Defined in 38 U.S.C. 1720G(d)

Former POW. Defined in 38 U.S.C. 101

Service-connected. Defined in 38 U.S.C. 101

Veteran. Defined in 38 U.S.C. 101

§ 225.4 Policy.

In accordance with 10 U.S.C. 1065, the following new patron groups are authorized access to DoD commissary, exchange, and morale, welfare, and recreation (MWR) revenue generating activities on the same basis as a member of the Military Services entitled to retired or retainer pay, effective January 1, 2020:

(a) Veterans who were awarded the Purple Heart.

(b) Veterans who are former prisoners of war (POWs).

(c) Veterans classified by the Department of Veterans Affairs (VA) as having a service-connected disability rating below 100 percent.

(d) Caregivers or family caregivers for veterans under the VA caregiver program. These caregivers are only eligible for these privileges during their period of active enrollment as the caregiver or family caregiver for a veteran.

§ 225.5 Responsibilities.

DIRECTOR, DeCA. Under the authority, direction, and control of the Under Secretary of Defense for Personnel and Readiness through the Assistant Secretary of Defense for Manpower and Reserve Affairs, the Director, DeCA:

(a) Establishes processes and updates systems necessary to collect and deposit with U.S. Treasury, user fees related to commercial debit/credit card use in commissaries in accordance with section 225.6 of this part.

(b) Implements commissary credit/debit card user fee requirements.

§ 225.6 Procedures.

(a) *Commissary Credit/Debit Card User Fee.* (1) Only patrons of groups newly authorized privileges by this part must pay a user fee when using a credit or debit card to pay for commissary purchases to offset additional costs charged to the U.S. Treasury associated with credit or debit card use.

(2) The user fee will be set as a transaction-based flat rate, calculated within a range of the average annual rates of credit and debit card transaction costs incurred by the Department of Treasury on behalf of DeCA and in compliance with applicable card network rules. One rate will be set for credit and signature debit card transactions, which are processed as credit cards. Another rate will be set for personal identification number debit card transactions. These rates will be reviewed annually and adjustments may be made as necessary to meet the requirements of 10 U.S.C. 1065.

(3) Purchases made with electronic benefit transfer cards (*e.g.*, Women, Infants, and Children or Supplemental Nutrition Assistance Program) and the MILITARY STAR card are not subject to this credit/debit card user fee.

(4) No user fee reimbursement will be made on customer return of merchandise.

(5) All credit/debit card user fee amounts collected in commissary stores will be deposited in the General Fund of the Treasury.

(b) [Reserved]

PART 226—SHELTER FOR THE HOMELESS

Sec.

226.1 Purpose.

226.2 Applicability.

226.3 [Reserved]

226.4 Procedures.

226.5 Responsibilities.

AUTHORITY: 10 U.S.C. 2546.

SOURCE: 52 FR 42638, Nov. 6, 1987, unless otherwise noted.

§ 226.1 Purpose.

This part implements 10 U.S.C. 2556 by establishing DoD policy, assigning

§ 226.2

32 CFR Ch. I (7-1-25 Edition)

responsibilities, and prescribing procedures for providing shelter for the homeless on military installations.

[78 FR 21257, Apr. 10, 2013]

§ 226.2 Applicability.

This part applies to the Office of the Secretary of Defense (OSD), the Military Departments (including their National Guard and Reserve components), the Unified and Specified Commands, the Defense Agencies, and Department of Defense Field Activities (hereafter referred to collectively as “Department of Defense Components”).

§ 226.3 [Reserved]

§ 226.4 Procedures.

It is DoD policy that:

(a) Shelters for the homeless may be established on military installations.

(b) The Secretary of a Military Department, or designee, may make military installations under his or her jurisdiction available for the furnishing of shelter to persons without adequate shelter in accordance with 10 U.S.C. 2556 and this part if he or she, or designee, determines that such shelter will not interfere with military preparedness or ongoing military functions.

(c) The Secretary of a Military Department, after determining that a shelter for the homeless may be established on a military installation, shall ensure that the plans for the shelter be developed in cooperation with appropriate State or local governmental entities and charitable organizations. The State or local government entity, either separately or in conjunction with the charitable organization, shall be responsible for operating and staffing any shelter established by this program. Shelter and incidental services provided under this part may be provided without reimbursement.

(d) Services that may be provided by a Military Department incident to the furnishing of shelter under 10 U.S.C. 2556 are the following:

- (1) Utilities.
- (2) Bedding.
- (3) Security.
- (4) Transportation.
- (5) Renovation of facilities.

(6) Minor repairs undertaken specifically to make suitable space available for shelter to be provided in accordance with 10 U.S.C. 2556.

(7) Property liability insurance.

(e) The Military Departments should be especially sensitive to establishing shelters in the following areas:

(1) Family housing areas,

(2) Troop billeting areas,

(3) Service facilities such as commissaries, exchanges, dining facilities, hospitals, clinics, recreation centers, etc.,

(4) Safety arcs formed by firing ranges and impact areas,

(5) Frequently used training areas.

(f) Shelters for the homeless shall normally be established in only those facilities where the homeless will have exclusive use at all times. Shelters for the homeless shall normally not be established in facilities “shared” with military functions.

(g) In addition to providing shelter and incidental services, Department of Defense Components may provide bedding for support of shelters for the homeless that are located on other than Department of Defense real property. Bedding may be provided without reimbursement, but may only be provided to the extent that the provision of such bedding will not interfere with military requirements.

(h) Individuals or entities interested in establishing shelters on military installations shall:

(1) Submit a request to the Installation Commander where the shelter is desired, and

(2) Provide, at a minimum, the following data: The name and address of the organization that will operate the shelter, the name and address of the affiliated state or local governmental entity, numbers of people to be served, type of program, hours of operation, special needs of the people to be served, incidental services required, estimated date when the services are requested, estimate of when services will no longer be necessary, and what security provisions are to be provided (physical security).

[52 FR 42638, Nov. 6, 1987. Redesignated and amended at 78 FR 21257, Apr. 10, 2013]

§ 226.5 Responsibilities.

(a) The Deputy Under Secretary of Defense (Installations and Environment) (DUSD(I&E)), under the authority, direction and control of the Under Secretary of Defense for Acquisition, Technology, and Logistics, shall administer the program and issue such supplemental guidance as is necessary.

(b) The Under Secretary of Defense (Comptroller) shall provide guidance on the use of Department of Defense funds to finance the items issued in support of the Shelter for the Homeless program.

(c) The Secretaries of the Military Departments shall:

(1) Implement the Shelter for the Homeless program.

(2) Appoint a senior manager to monitor the program within the Department and to provide any assistance that may be required to the Office of the Deputy Under Secretary of Defense (Installations and Environment) (ODUSD(I&E)). Such official, after consultation with the ODUSD(I&E), shall approve or disapprove all requests to establish a shelter in accordance with 10 U.S.C. 2556 and this part.

(3) Ensure that upon receipt of a formal request for assistance, as defined in §226.3(h) of this part, the Military Department concerned provides an appropriate response to the requester within 30 days.

(4) Ensure that each Installation Commander is informed about the Program and the types of assistance that they may provide as authorized by 10 U.S.C. 2556.

(d) Department of Defense Installation Commanders shall:

(1) Acknowledge all requests for assistance.

(2) Upon receipt of a request, initiate such action as is necessary to determine the availability of facilities at that installation for use as a shelter for the homeless.

(3) Forward each request, through the chain of command, to the Service Senior Manager with a copy to the DUSD(I&E). The Installation Commander's recommendation shall accompany each request.

[52 FR 42638, Nov. 6, 1987. Redesignated and amended at 78 FR 21257, Apr. 10, 2013]

PART 228—SECURITY PROTECTIVE FORCE

Sec.

228.1 Applicability.

228.2 Control of activities on protected property.

228.3 Restrictions on admission to protected property.

228.4 Control of vehicles on protected property.

228.5 Enforcement of parking regulations.

228.6 Security inspection.

228.7 Prohibition on weapons and explosives.

228.8 Prohibition on photographic or electronic recording or transmitting equipment.

228.9 Prohibition on narcotics and illegal substances.

228.10 Prohibition on alcohol.

228.11 Restrictions on the taking of photographs.

228.12 Physical protection of facilities.

228.13 Disturbances on protected property.

228.14 Prohibition on gambling.

228.15 Restriction regarding animals.

228.16 Soliciting, vending, and debt collection.

228.17 Distribution of unauthorized materials.

228.18 Penalties and the effect on other laws.

AUTHORITY: 40 U.S.C. 318–318c.

SOURCE: 59 FR 5948, Feb. 9, 1994, unless otherwise noted.

§ 228.1 Applicability.

This part applies to all property under the charge and control of the Director, NSA, and to all persons entering in or on such property (hereinafter referred to as “protected property”). Employees of the NSA and any other persons entering upon protected property shall be subject to these regulations.

§ 228.2 Control of activities on protected property.

Persons in and on protected property shall at all times comply with official signs of a prohibitory, regulatory, or directory nature and with the direction of Security Protective Officers and any other duly authorized personnel.