

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-296 effective on the date of transfer of the Coast Guard to the Department of Homeland Security, see section 1704(g) of Pub. L. 107-296, set out as a note under section 101 of this title.

EFFECTIVE DATE

Pub. L. 103-160, div. A, title III, §368(c), Nov. 30, 1993, 107 Stat. 1634, provided that: "The amendments made by this section [enacting this section] shall apply with respect to the payment of incidental expenses for civilian employees who die while serving in a contingency operation that occurs after the date of the enactment of this Act [Nov. 30, 1993]."

§ 1483. Prisoners of war and interned enemy aliens

The Secretary concerned may provide for the care and disposition of the remains of prisoners of war and interned enemy aliens who die while in his custody and, incident thereto, pay the necessary expenses of—

- (1) notification to the next of kin or other appropriate person;
- (2) preparation of the remains for burial, including cremation;
- (3) furnishing of clothing;
- (4) furnishing of a casket or urn, or both, with outside box;
- (5) transportation of the remains to the cemetery or other place selected by the Secretary; and
- (6) interment of the remains.

(Aug. 10, 1956, ch. 1041, 70A Stat. 113.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
1483	5:2155 (as applicable to armed forces).	July 15, 1954, ch. 507, §5 (as applicable to armed forces), 68 Stat. 479.

The list of payable expenses has been rearranged to produce a generally chronological result. The words "incurred for", and the words "articles of" in clause (3), are omitted as surplusage. In clause (5), the words "cemetery or other place" are substituted for the words "town, city, or cemetery".

§ 1484. Pensioners, indigent patients, and persons who die on military reservations

If proper disposition of the remains cannot otherwise be made, the Secretary concerned may provide for the care and disposition of the remains of pensioners and indigent patients who die in hospitals operated by his department and of persons who die on the military reservations of that department and, incident thereto, pay the necessary expenses of—

- (1) notification to the next of kin or other appropriate person;
- (2) preparation of the remains for burial, including cremation;
- (3) furnishing of clothing;
- (4) furnishing of a casket or urn, or both, with outside box;
- (5) transportation of the remains to a cemetery selected by the Secretary; and
- (6) interment of the remains.

(Aug. 10, 1956, ch. 1041, 70A Stat. 114.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
1484	5:2156 (as applicable to armed forces).	July 15, 1954, ch. 507, §6 (as applicable to armed forces), 68 Stat. 479.

The words "If proper disposition of the remains cannot otherwise be made" are substituted for 5:2156 (last sentence). The words "maintained and" and "incurred for", and the words "articles of" in clause (3), are omitted as surplusage. The words "of that department" are inserted for clarity.

§ 1485. Dependents of members of armed forces

(a) The Secretary concerned may, if a dependent of a member of an armed force dies while the member is on active duty (other than for training), provide for, and pay the necessary expenses of, transporting the remains of the deceased dependent to the home of the decedent or to any other place that the Secretary determines to be the appropriate place of interment.

(b) The Secretary may furnish mortuary services and supplies, on a reimbursable basis, for persons covered by subsection (a), if (1) that action is practicable, and (2) local commercial mortuary services and supplies are not available or the Secretary believes that their cost is prohibitive.

(c) Reimbursement for mortuary services and supplies furnished under this section shall be collected and credited to appropriations available, at the time of reimbursement, for those services and supplies.

(Aug. 10, 1956, ch. 1041, 70A Stat. 114; Pub. L. 89-150, §1(1), Aug. 28, 1965, 79 Stat. 585.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
1485(a)	5:2157 (1st sentence, as applicable to armed forces).	July 15, 1954, ch. 507, §7(a) (as applicable to armed forces), 68 Stat. 479.
1485(b)	5:2157 (2d sentence, as applicable to armed forces).	
1485(c)	5:2157 (less 1st and 2d sentences, as applicable to armed forces).	

In subsection (a), the words "a member of an armed force" are substituted for the words "military personnel". The words "the continental limits * * * or in Alaska" are omitted as covered by the definition of "United States" in section 101(1) of this title. The words "while traveling" are substituted for the words "while in transit".

In subsection (b), the word "services" is substituted for the word "facilities".

In subsection (c), the words "the authority of" and "the payments of" are omitted as surplusage. The words "at the time of reimbursement" are substituted for the word "current".

Editorial Notes

AMENDMENTS

1965—Pub. L. 89-150 struck out "; death while outside United States" in section catchline.

Subsec. (a). Pub. L. 89-150 substituted provision for payment of transportation expenses of remains of deceased dependent of a member of an armed force while the member is on active duty (other than for training), for former provision for payment of the expenses where the member of the armed force is on active duty at a

place outside the United States and the dependent dies while residing with that member or while traveling to or from that place.

§ 1486. Other citizens of United States

(a) If local commercial mortuary services and supplies are not available, or if he believes that their cost is prohibitive, the Secretary concerned may furnish those services and supplies on a reimbursable basis in the case of any of the following citizens of the United States who die outside the United States:

(1) Any employee of a humanitarian agency accredited to the armed forces, such as the American Red Cross and the United Services Organization.

(2) Any civilian performing a service directly for the Secretary because of employment by an agency under a contract with the Secretary.

(3) Any officer or member of a crew of a merchant vessel operated by or for the United States through the Secretary.

(4) Any person who is on duty with an armed force under the jurisdiction of the Secretary and who is paid from non-appropriated funds.

(5) Upon the specific request of the Department of State, any person not otherwise covered by this section.

(6) Any dependent of a person who is covered by this section, if the dependent is living outside the United States with that person at the time of death.

(b) The Secretary may furnish transportation of the remains of persons covered by this section, on a reimbursable basis, to a port of entry in the United States.

(c) Reimbursement for services, supplies, and transportation furnished under this section shall be collected and credited to appropriations available, at the time of reimbursement, for those services, supplies, and transportation.

(Aug. 10, 1956, ch. 1041, 70A Stat. 114.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
1486(a)	5:2158 (1st sentence as applicable to armed forces).	July 15, 1954, ch. 507, § 8 (as applicable to armed forces), 68 Stat. 480.
1486(b)	5:2158 (2d sentence, as applicable to armed forces).	
1486(c)	5:2158 (less 1st and 2d sentences, as applicable to armed forces).	

In subsection (a), the word "services" is substituted for the word "facilities". The words "the continental limits * * * or in Alaska" are omitted as covered by definition of "United States" in section 101(1) of this title. In clause (3), the word "masters" is omitted as covered by the word "officer". In clause (4), the words "under the jurisdiction of the Secretary" are inserted for clarity. In clause (5), the words "otherwise covered" are substituted for the words "specifically enumerated". In clause (6), the words "who is covered" are substituted for the words "within the classes enumerated". The words "outside the United States" are substituted for the word "abroad". The words "that person" are substituted for the words "the supporting citizen concerned".

In subsection (b), the word "Government" is omitted as surplusage.

In subsection (c), the words "the authority of" are omitted as surplusage. The words "at the time of reimbursement" are substituted for the word "current".

§ 1487. Temporary interment

Whenever necessary for the temporary interment of remains pending transportation under this chapter to a designated cemetery, the Secretary concerned may acquire, and provide for the maintenance of, grave sites in commercial cemeteries, or he may acquire the right to use such grave sites for burial purposes. If the death occurs outside the United States and a temporary commercial grave site is not available on a reasonable basis, the Secretary may acquire land, or the right to use land, necessary for the temporary interment of the remains under this chapter.

(Aug. 10, 1956, ch. 1041, 70A Stat. 115.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
1487	5:2159 (as applicable to armed forces).	July 15, 1954, ch. 507, § 9 (as applicable to armed forces), 68 Stat. 480.

The words "as authorized by this chapter, section 103a(c) of this Title, and section 224 of Title 42", "by purchase or otherwise", "care and", and "single or multiple" are omitted as surplusage. The word "continental" is omitted as covered by the definition of "United States" in section 101(1) of this title.

§ 1488. Removal of remains

(a) REMOVAL UPON DISCONTINUANCE OF INSTALLATION CEMETERY.—If a cemetery on a military reservation, including an installation cemetery, has been or is to be discontinued, the Secretary concerned may provide for the removal of remains from that cemetery to any other cemetery.

(b) REMOVAL FROM TEMPORARY INTERMENT OR ABANDONED GRAVE OR CEMETERY.—With respect to any deceased member of an armed force under the jurisdiction of the Secretary concerned whose last service terminated honorably by death or otherwise, the Secretary may also provide for the removal of the remains from a place of temporary interment, or from an abandoned grave or cemetery, to a national cemetery.

(c) REMOVAL OF REMAINS OF CERTAIN MEMBERS WITH NO KNOWN NEXT OF KIN.—(1) The Secretary of the Army may authorize the removal of the remains of a covered member of the armed forces who is buried in an Army National Military Cemetery from the Army National Military Cemetery for transfer to any other cemetery.

(2) The Secretary of the Army, with the concurrence of the Secretary of Veterans Affairs, may authorize the removal of the remains of a covered member of the armed forces who is buried in a cemetery of the National Cemetery System from that cemetery for transfer to any Army National Military Cemetery.

(3) A removal of remains may not be authorized under this subsection unless the individual seeking the removal of the remains—

(A) demonstrates to the satisfaction of the Secretary of the Army that the member of the armed forces concerned has no known next of kin or other person who is interested in maintaining the place of burial; and