



PER DIEM, TRAVEL AND TRANSPORTATION ALLOWANCE COMMITTEE
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PDTATAC/vap

7 November 2003

MEMORANDUM FOR PDTATAC EDITOR

SUBJECT: Editorial Changes to the JFTR
Military Editorial U03064

1. It is requested that the note before JFTR, par. U5246-A be added; title to par. U5246-D be revised and the note before par. U5246-F and par. U5246-F be added as shown:

U5246 TRANSPORTATION OF FAMILY MEMBERS OF A SERIOUSLY ILL OR INJURED MEMBER

**NOTE: See par. U5246-F regarding per diem beginning on 1 October 2003 through and including 30 September 2004.*

A. General. Not more than two family members of a member described in par. U5246-A1 or U5246-A2 may be provided round-trip transportation under this paragraph as determined by appropriate authority. See par. U1010-B1 for claims.

1. Active Duty Member Including a Member of the Reserve Components on Active Duty. Round-trip transportation is authorized to visit an active duty member who is seriously ill, seriously injured or in a situation of imminent death, whether or not electrical brain activity still exists or brain death is declared, and who is hospitalized in a medical facility in CONUS or OCONUS.
2. Member of the Reserve Components Entitled to Disability Pay and Allowances. Round-trip transportation is authorized to visit a reserve component member entitled to disability pay and allowances under 37 U.S.C. §204(g) (see DoDFMR, Volume 7A, paragraph 80254 and table 8-2-3 at <http://www.dtic.mil/comptroller/fmr/07a/index.html> or COMDTINST M7220.29 (series) par. 12-Q and figure 12-2 for Coast Guard personnel at <http://www.uscg.mil/hq/g-w/g-wp/gwpm/manuals.htm>, who is physically disabled as the result of an injury, illness, or disease incurred or aggravated, or in a situation of imminent death, whether or not electrical brain activity still exists or brain death is declared, and who is hospitalized in a medical facility in CONUS or OCONUS if that member became ill or injured or was diseased:
 - a. in line of duty while performing inactive-duty training (other than work or study in connection with a correspondence course of an armed force or attendance in an inactive status at an educational institution under the sponsorship of an armed force or the Public Health Service), and
 - b. while traveling directly to or from such training.

NOTE: The families of cadets/midshipmen are not eligible for this transportation.

B. Definition. "Family members" as used in this paragraph are the member's spouse, children (including step, adopted, and illegitimate children), siblings of the member and parents of the member (includes fathers and mothers through adoption and persons who have stood in loco parentis to the member for a period of not less than 1 year immediately before the member entered the Uniformed Service). However, only one father and one mother or their counterparts may be recognized in any one case.

C. Transportation. One, or a combination, of the following round-trip transportation services between the family member's home and the medical facility location in which the member is hospitalized may be provided if the attending physician or surgeon and the commander/head of the military medical facility exercising military control over the member determines in writing that the presence of the family member is necessary for the health and welfare of the member is concerned:

1. transportation-in-kind;
2. reimbursement for the cost of personally-procured commercial transportation;
3. automobile mileage rate (see par. U2600) for the official distance traveled by POC.

Government/Government-procured transportation must be used to the maximum extent practicable for transoceanic travel. Reimbursement provided in par. U5246-C2 is subject to par. U5203-A, first itemization, item 2 for land travel and par. U5207 for transoceanic travel. When land travel is by mixed modes, reimbursement is for actual travel up to the cost of personally-procured transportation between origin and destination (minus the cost of any Government-procured transportation used). When travel is by POC, only the POC operator is authorized the allowance prescribed in par. U5246-C3.

D. Limitations Per Diem. *Per diem is not payable for travel in connection with this paragraph except as indicated in par. U5246-F.*

E. Reimbursable Expenses. Reimbursement of expenses prescribed in pars. U4520-A (except item 5, taxes on lodging) and U4520-C is authorized in connection with travel under this paragraph.

Effective 1 October 2003 through and including 30 September 2004, (Section 1103 of the Emergency Supplemental Appropriations Act, dated 6 November 2003.)

*F. Per Diem. Per diem may be paid for family members traveling to and from visits (and while at the site during visits) with a member who is seriously ill or injured as a result of service on active duty in support of Operation Noble Eagle, Operation Enduring Freedom or Operation Iraqi Freedom. Only the same two family members who are transported under this paragraph may receive per diem. (See Appendix E for ITO issuance guidance.) The requirement in par. U5246-C, that a determination in writing is necessary from an attending physician or surgeon and the commander/head of the military medical facility exercising military control over the member that the presence of family member is necessary for the health and welfare of the member, is not applicable.

2. These changes are scheduled to appear in printed change number 205 of the JFTR dated 1 January 2004 and are effective 1 October 2003.

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S. W. Westbrook
Director

cc:
MAP Members

SYNOPSIS: This editorial change restores the authority to pay per diem for family members traveling to and from visits with a member who is seriously ill or injured effective 1 October 2003.