

109TH CONGRESS
1ST SESSION

H. R. 407

To amend title 10, United States Code, to authorize space-available transportation on Department of Defense aircraft for an individual who is a surviving spouse or dependent child of a member of the Armed Forces who died on active duty when that individual is traveling with a relative of the deceased member who is otherwise eligible for such space-available transportation.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 26, 2005

Mr. POMBO introduced the following bill; which was referred to the Committee on Armed Services

A BILL

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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. SHORT TITLE.**

2 This Act may be cited as the “Military Family Travel
3 Extension Act of 2005”.

4 **SEC. 2. TRANSPORTATION ON MILITARY AIRCRAFT ON A**
5 **SPACE-AVAILABLE BASIS FOR SURVIVING**
6 **SPOUSES AND CHILDREN OF MEMBERS**
7 **DYING ON ACTIVE DUTY.**

8 (a) AVAILABILITY OF TRANSPORTATION.—Chapter
9 157 of title 10, United States Code, is amended by insert-
10 ing after section 2641a the following new section:

11 **“§ 2641b. Space-available travel on Department of De-**
12 **fense aircraft: surviving spouses and chil-**
13 **dren of members who die on active duty**

14 “(a) REQUIREMENT.—The Secretary of Defense shall
15 provide transportation on Department of Defense aircraft
16 on a space-available basis for an individual who is the
17 unremarried surviving spouse or the child of a member
18 of the armed forces who died while on active duty in the
19 same manner, and subject to the same terms and condi-
20 tions, as apply to the spouse or a dependent child, respec-
21 tively, of a member of the armed forces entitled to retired
22 pay, except that for such purpose any requirement of the
23 Secretary of Defense that transportation of a spouse or
24 dependent child on a space-available basis be provided only
25 if the spouse or dependent child is accompanied by the
26 applicable sponsor shall be subject to subsection (b).

1 “(b) TRAVEL WITH SPONSOR.—For the purposes of
2 subsection (a), an individual who is the parent, sibling,
3 or child of a deceased member and who is otherwise eligi-
4 ble to be provided transportation by the Secretary of De-
5 fense on a space-available basis shall be treated, under
6 regulations of the Department of Defense, as the sponsor
7 of an individual covered by subsection (a).

8 “(c) DEPENDENT.—In this section, the term ‘depend-
9 ent child’ means an individual who, under regulations of
10 the Department of Defense, is eligible for transportation
11 from the Department of Defense on a space-available basis
12 as the child (as defined in such regulations) of a member
13 of the armed forces.”.

14 (b) CLERICAL AMENDMENT.—The table of sections
15 at the beginning of such chapter is amended by inserting
16 after the item relating to section 2641a the following new
17 item:

“2641b. Space-available travel on Department of Defense aircraft: surviving
spouses and dependent children of members who die on active
duty.”.

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