

112TH CONGRESS  
1ST SESSION

# S. 1768

To amend title 10, United States Code, to authorize space-available travel on military aircraft for members of the reserve components, a member or former member of a reserve component who is eligible for retired pay but for age, widows and widowers of retired members, and dependents.

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## IN THE SENATE OF THE UNITED STATES

OCTOBER 31, 2011

Mr. BEGICH (for himself, Mr. CASEY, Mr. GRAHAM, Mr. GRASSLEY, Ms. KLOBUCHAR, Mr. LEAHY, Ms. MURKOWSKI, Mr. PRYOR, Ms. SNOWE, and Mr. TESTER) introduced the following bill; which was read twice and referred to the Committee on Armed Services

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## A BILL

To amend title 10, United States Code, to authorize space-available travel on military aircraft for members of the reserve components, a member or former member of a reserve component who is eligible for retired pay but for age, widows and widowers of retired members, and dependents.

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 “National Guard, Re-  
3 serve, ‘Gray Area’ Retiree, and Surviving Spouses Space-  
4 available Travel Equity Act of 2011”.

5 **SEC. 2. ELIGIBILITY OF RESERVE MEMBERS, GRAY AREA**  
6 **RETIREES, WIDOWS AND WIDOWERS OF RE-**  
7 **TIRED MEMBERS, AND DEPENDENTS FOR**  
8 **SPACE-AVAILABLE TRAVEL ON MILITARY AIR-**  
9 **CRAFT.**

10 (a) ELIGIBILITY.—

11 (1) IN GENERAL.—Chapter 157 of title 10,  
12 United States Code, is amended by inserting after  
13 section 2641b the following new section:

14 **“§ 2641c. Space-available travel on Department of De-**  
15 **fense aircraft: reserve members, reserve**  
16 **members eligible for retired pay but for**  
17 **age; widows and widowers of retired**  
18 **members; and dependents**

19 “(a) RESERVE MEMBERS.—A member of a reserve  
20 component holding a valid Uniformed Services Identifica-  
21 tion and Privilege Card shall be provided transportation  
22 on Department of Defense aircraft, on a space-available  
23 basis.

24 “(b) RESERVE RETIREES UNDER APPLICABLE ELI-  
25 GIBILITY AGE.—A member or former member of a reserve  
26 component who, but for being under the eligibility age ap-

1 plicable to the member under section 12731 of this title,  
 2 otherwise would be eligible for retired pay under chapter  
 3 1223 of this title shall be provided transportation on De-  
 4 partment of Defense aircraft, on a space-available basis.

5 “(c) WIDOWS AND WIDOWERS OF RETIRED MEM-  
 6 BERS.—

7 “(1) IN GENERAL.—An unremarried widow or  
 8 widower of a member of the armed forces described  
 9 in paragraph (2) shall be provided transportation on  
 10 Department of Defense aircraft, on a space-available  
 11 basis.

12 “(2) MEMBERS COVERED.—A member of the  
 13 armed forces referred to in paragraph (1) is a mem-  
 14 ber who—

15 “(A) is entitled to retired pay;

16 “(B) is described in subsection (b);

17 “(C) dies in the line of duty while on active  
 18 duty and is not eligible for retired pay; or

19 “(D) in the case of a member of a reserve  
 20 component, dies as a result of a line of duty  
 21 condition and is not eligible for retired pay.

22 “(d) DEPENDENTS.—A dependent of a member or  
 23 former member described in subsection (a) or (b) or of  
 24 an unremarried widow or widower described in subsection  
 25 (c) holding a valid Uniformed Services Identification and

1 Privilege Card shall be provided transportation on Depart-  
 2 ment of Defense aircraft, on a space-available basis, if the  
 3 dependent is accompanying the member.

4 “(e) SCOPE.—Space-available travel required by this  
 5 section includes travel to and from locations within and  
 6 outside the continental United States.

7 “(f) DEFINITION OF DEPENDENT.—In this section,  
 8 the term ‘dependent’ has the meaning given that term in  
 9 section 1072 of this title.”.

10 (2) CLERICAL AMENDMENT.—The table of sec-  
 11 tions at the beginning of such chapter is amended  
 12 by inserting after the item relating to section 2641b  
 13 the following new item:

“2641c. Space-available travel on Department of Defense aircraft: reserve mem-  
 bers, reserve members eligible for retired pay but for age; wid-  
 ows and widowers of retired members; and dependents.”.

14 (b) REGULATIONS.—The Secretary of Defense shall  
 15 prescribe regulations to implement section 2641c of title  
 16 10, United States Code, as added by subsection (a).

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