

112TH CONGRESS
1ST SESSION

S. 542

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.

IN THE SENATE OF THE UNITED STATES

MARCH 10, 2011

Mr. BEGICH introduced the following bill; which was read twice and referred to the Committee on Armed Services

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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “National Guard, Re-
5 serve, “Gray Area” Retiree, and Surviving Spouses Space-
6 available Travel Equity Act of 2011”.

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

6 (a) **ELIGIBILITY.**—Chapter 157 of title 10, United
 7 States Code, is amended by inserting after section 2641b
 8 the following new section:

9 **“§ 2641c. Space-available travel on Department of De-**
 10 **fense aircraft: reserve members, reserve**
 11 **members eligible for retired pay but for**
 12 **age; widows and widowers of retired**
 13 **members and dependents**

14 **“(a) RESERVE MEMBERS.**—A member of a reserve
 15 component holding a valid Uniformed Services Identifica-
 16 tion and Privilege Card shall be provided transportation
 17 on Department of Defense aircraft, on a space-available
 18 basis, on the same basis as active duty members of the
 19 uniformed services under any other provision of law or De-
 20 partment of Defense regulation.

21 **“(b) RESERVE RETIREES UNDER APPLICABLE ELI-**
 22 **GIBILITY AGE.**—A member or former member of a reserve
 23 component who, but for being under the eligibility age ap-
 24 plicable to the member under section 12731 of this title,
 25 otherwise would be eligible for retired pay under chapter
 26 1223 of this title shall be provided transportation on De-

1 partment of Defense aircraft, on a space-available basis,
2 on the same basis as members of the armed forces entitled
3 to retired pay under any other provision of law or Depart-
4 ment of Defense regulation.

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, on the same basis as members of the armed
12 forces entitled to retired pay under any other provi-
13 sion of law or Department of Defense regulation.

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

17 “(A) is entitled to retired pay;

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

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

23 “(d) DEPENDENTS.—A dependent of a member or
24 former member described in either subsections (a) or (b)
25 or of a deceased member entitled to retired pay holding

1 a valid Uniformed Services Identification and Privilege
 2 Card and a surviving unremarried spouse and the sur-
 3 viving dependent of a deceased member or former member
 4 described in subsection (b) holding a valid Uniformed
 5 Services Identification and Privilege Card shall be pro-
 6 vided transportation on Department of Defense aircraft,
 7 on a space-available basis, if the dependent is accom-
 8 panying the member or, in the case of a deceased member,
 9 is the surviving unremarried spouse of the deceased mem-
 10 ber or is a dependent accompanying the surviving
 11 unremarried spouse of the deceased member.

12 “(e) DEFINITION OF DEPENDENT.—In this section,
 13 the term ‘dependent’ has the meaning given that term in
 14 section 1072 of this title.”.

15 (b) CLERICAL AMENDMENT.—The table of sections
 16 at the beginning of such chapter is amended by inserting
 17 after the item relating to section 2641b the following new
 18 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.”.

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