

# Equal Access to Air Travel for All Service-Connected Disabled Veterans Rated as Total

# (HR 2264) (S 2596)

**The Space Available Program unjustly denies some service-connected disabled veterans rated as total the opportunity to participate.**

**Veterans who became service-connected disabled prior to September 23, 1996, are not permitted to use the no-cost Space Available Program.** The Space Available Programallows six priority categories of individuals, with the highest priority being active duty military and the lowest priority being retired armed services members, to travel on military flights if space is available.[[1]](#endnote-1) On September 23, 1996, Congress changed the definition of “retirement” to include service-connected disabled veterans who were injured on or after that date.[[2]](#endnote-2) This means that veterans who became service-connected disabled on or after September 23, 1996 can use the Space Available Program[[3]](#endnote-3) while members of the military who were classified as service-connected disabled before September 23, 1996, cannot.

**Military aircraft are already equipped to accommodate passengers with disabilities.** Many Space Available travelers have disabilities, including veterans who became disabled after their service, and according to the AMC Space-Available Handbook & FAQ’s, “Every effort shall be made to transport passengers with disabilities who are otherwise eligible to travel.”[[4]](#endnote-4) Therefore, allowing service-connected disabled veterans the opportunity to travel on military flights if space is available will not cause any new burden to the no-cost program.[[5]](#endnote-5) In fact, from 2009 through 2011, the Government Accountability Office (GAO) determined that 90-95% of the Space Available seats are on chartered commercial flights, which would have all of the accessibility features of any other commercial flight.[[6]](#endnote-6)

**There is space available in the Space Available Program.** According to the 2014 American Community Survey, there were approximately 1,160,000 service-connected disabled veterans rated as total who were injured prior to September 23, 1996.[[7]](#endnote-7) According to the GAO, as of 2011, there were a total of 8,434,783 individuals eligible for the Space Available Program; however, only 2.3% of these individuals actually used the program−occupying only 77.3% of the available seats.[[8]](#endnote-8) There were 57,000 unused seats in 2011. There is plenty of space available to honor all service-connected disabled veterans.

**The National Defense Authorization Act provides the platform to achieve the goal of this bill.** In a letter dated November 3, 2015, and in a follow up email dated March 15, 2016, Bob Dole, a decorated World War II veteran and longtime Senate majority leader, urged Senator John McCain, Chairman of the US Senate Committee on Armed Services, to incorporate this bill into the National Defense Authorization Act (NDAA). Indeed, the House of Representatives’ version of NDAA for fiscal years 2014 and 2015 included the language of HR 2264.

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**Equal Access to Air Travel for Service-Connected Disabled Veterans Rated as Total would:**

**Provide travel privileges to all service-connected disabled veterans.** This bill amends Title 10 of the United States Code to permit veterans who have a service-connected, permanent disability rated as total to travel on military flights in the same manner and to the same extent as retired members of the armed forces.

**HONOR OUR SERVICE-DISABLED VETERANS:**

**PERMIT THEM TO USE THE SPACE AVAILABLE PROGRAM.**

**Cosponsor HR 2264 or S 2596.**

**To cosponsor HR 2264 in the House of Representatives, contact:**

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“Brave soldiers made the same sacrifices as their fellow veterans, and their disabilities are a direct result of combat or its aftermath. I believe they should be able to participate in the Space Available program.” – Bob Dole’s Letter to Senator McCain, November 3, 2015

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1. DoD, 4515.13-R, “Air Transportation Eligibility,” Table 4, January 22, 2016, <http://www.dtic.mil/whs/directives/corres/pdf/451513p.pdf>. [↑](#endnote-ref-1)
2. Pub. L. 104–201, div. A, title V, § 572(d), Sept. 23, 1996, 110 Stat. 2533, provided that: “The amendments made by this section… [amending sections 1201, 1202, and 1203 of title 10] shall take effect on the date of the enactment of this Act [Sept. 23, 1996] and shall apply with respect to physical disabilities incurred on or after such date.” [↑](#endnote-ref-2)
3. *See* Pub. L. 104–201, div. A, title V, § 572(a), Sept. 23, 1996, 110 Stat. 2533. [↑](#endnote-ref-3)
4. Air Mobility Command. “AMC Space-Available Handbook & FAQ’s.” Last modified September 17, 2013. <http://www.amc.af.mil/shared/media/document/AFD-130917-139.pdf>. [↑](#endnote-ref-4)
5. 10 U.S.C. § 2641b(b)(1-2) “(1) The Secretary of Defense shall operate the travel program in a budget-neutral manner. (2) No additional funds may be used, or flight hours performed, for the purpose of providing transportation under the travel program.” [↑](#endnote-ref-5)
6. GAO, GAO-12-924R. [↑](#endnote-ref-6)
7. This data was compiled using Data Ferret, a Census tool that allows you to make a table using data from various Census publications. This number is inexact due to (1) veterans who served in multiple time periods being double counted (e.g. someone who served after the Korean War and during the Vietnam War), (2) the numbers are based on household survey data, and (3) the data is from 2014 and the number of potential newly-eligible veterans interested in traveling is declining every year. [↑](#endnote-ref-7)
8. GAO *supra*,note 6. [↑](#endnote-ref-8)