

114TH CONGRESS
1ST SESSION

S. 2137

To amend title 10, United States Code, to provide a period for the relocation of spouses and dependents of certain members of the Armed Forces undergoing a permanent change of station in order to ease and facilitate the relocation of military families.

IN THE SENATE OF THE UNITED STATES

OCTOBER 6, 2015

Mr. BLUNT (for himself, Mrs. GILLIBRAND, Mr. BURR, and Ms. HIRONO) 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 provide a period for the relocation of spouses and dependents of certain members of the Armed Forces undergoing a permanent change of station in order to ease and facilitate the relocation of military families.

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 “Military Family Sta-
5 bility Act of 2015”.

1 **SEC. 2. PERIOD FOR RELOCATION OF SPOUSES AND DE-**
2 **PENDENTS OF CERTAIN MEMBERS OF THE**
3 **ARMED FORCES UNDERGOING A PERMANENT**
4 **CHANGE OF STATION.**

5 (a) PERIOD OF RELOCATION.—

6 (1) IN GENERAL.—Subchapter I of chapter 88
7 of title 10, United States Code, is amended by in-
8 serting after section 1784a the following new sec-
9 tion:

10 **“§ 1784b. Relocation of spouses and dependents in**
11 **connection with the permanent change of**
12 **station of certain members**

13 “(a) ELECTION OF TIMING OF RELOCATION OF
14 SPOUSES IN CONNECTION WITH PCS.—

15 “(1) IN GENERAL.—Subject to paragraph (2), a
16 member of the armed forces undergoing a perma-
17 nent change of station and the member’s spouse
18 may jointly elect that the spouse may relocate to the
19 location to which the member will relocate in connec-
20 tion with the permanent change of station at such
21 time during the covered relocation period as the
22 member and spouse jointly select.

23 “(2) MEMBERS AND SPOUSES ELIGIBLE TO
24 MAKE ELECTIONS.—A member and spouse may
25 make an election pursuant to paragraph (1) as fol-
26 lows:

1 “(A) If the spouse either—

2 “(i) is gainfully employed at the be-
3 ginning of the covered relocation period
4 concerned; or

5 “(ii) is enrolled in a degree, certifi-
6 cate, or license granting program at the
7 beginning of the covered relocation period.

8 “(B) If the member and spouse have one
9 or more dependents at the beginning of the cov-
10 ered relocation period concerned, either—

11 “(i) at least one dependent is a child
12 in elementary or secondary school at the
13 beginning of the covered relocation period;

14 “(ii) the spouse or at least one such
15 dependent are covered by the Exceptional
16 Family Member Program at the beginning
17 of the covered relocation period; or

18 “(iii) the member and spouse are car-
19 ing at the beginning of the covered reloca-
20 tion period for an immediate family mem-
21 ber with a chronic or long-term illness, as
22 determined pursuant to the regulations ap-
23 plicable to the members’ armed force pur-
24 suant to subsection (g).

1 “(C) If the member is undergoing a per-
 2 manent change of station as an individual
 3 augmentee or other deployment arrangement
 4 specified in the regulations applicable to the
 5 member’s armed force pursuant to subsection
 6 (g).

7 “(D) If the member, spouse, or both, meet
 8 such other qualification or qualifications as are
 9 specified in the regulations applicable to the
 10 member’s armed force pursuant to subsection
 11 (g).

12 “(E) In the case of a member and spouse
 13 who do not otherwise meet any qualification in
 14 subparagraphs (A) through (D), if the com-
 15 mander of the member at the beginning of the
 16 covered relocation period determines that eligi-
 17 bility to make the election is in the interests of
 18 the member and spouse for family stability dur-
 19 ing the covered relocation period and in the in-
 20 terests of the armed force concerned. Any such
 21 determination shall be made on a case-by-case
 22 basis.

23 “(b) ELECTION OF TIMING OF RELOCATION OF CER-
 24 TAIN DEPENDENTS OF UNMARRIED MEMBERS IN CON-
 25 NECTION WITH PCS.—

1 “(1) IN GENERAL.—A member of the armed
2 forces undergoing a permanent change of station
3 who has one or more dependents described in para-
4 graph (2) and is no longer married to the individual
5 who is or was the parent (including parent by adop-
6 tion) of such dependents at the beginning of the cov-
7 ered period of relocation may elect that such depend-
8 ents may relocate to the location to which the mem-
9 ber will relocate in connection with the permanent
10 change of station at such time during the covered
11 relocation period as elected as follows:

12 “(A) By the member alone if such indi-
13 vidual is dead or has no custodial rights in such
14 dependents at the beginning of such period.

15 “(B) By the member and such individual
16 jointly in all other circumstances.

17 “(2) DEPENDENTS.—The dependents described
18 in this paragraph are as follows:

19 “(A) Dependents over the age of 19 years
20 for whom the member has power of attorney re-
21 garding residence.

22 “(B) Dependents under the age of 20
23 years who will reside with a caregiver according
24 to the Family Care Plan of the member during

1 the covered period of relocation until relocated
2 pursuant to an election under this subsection.

3 “(c) HOUSING.—(1) If the spouse of a member relo-
4 cates before the member in accordance with an election
5 pursuant to subsection (a), the member shall be assigned
6 to quarters or other housing facilities of the United States
7 as a bachelor, if such quarters are available, until the date
8 of the member’s permanent change of station.

9 “(2) If a spouse and any dependents of a member
10 covered by an election under this section reside in housing
11 of the United States at the beginning of the covered period
12 of relocation, the spouse and dependents may continue to
13 reside in such housing throughout the covered period of
14 relocation, regardless of the date of the member’s perma-
15 nent change of station.

16 “(3) If a spouse and any dependents of a member
17 covered by an election under this section are eligible to
18 reside in housing of the United States following the mem-
19 ber’s permanent change of station, the spouse and depend-
20 ents may commence residing in such housing at any time
21 during the covered relocation period, regardless of the date
22 of the member’s permanent change of station.

23 “(d) BASIC ALLOWANCE FOR HOUSING; STIPEND.—
24 (1)(A) In the case of a member undergoing a permanent
25 change of station who is paid basic allowance for housing

1 at the with dependents' rate at the beginning of the cov-
2 ered relocation period, the member shall be paid basic al-
3 lowance for housing at the with dependents' rate for
4 months beginning during the covered relocation period re-
5 gardless of the date on which the member's spouse and
6 any dependents relocate pursuant to an election under this
7 section or the assignment of the member to quarters or
8 facilities on a bachelor basis pursuant to subsection (c)(1).

9 “(B) In determining the portion of basic allowance
10 for housing payable to a member under this paragraph
11 that is payable with respect to the member's dependents,
12 the geographic location of the dependents shall govern
13 rather than the geographic location of the member.

14 “(2) If quarters are not available for the assignment
15 of a member as described in subsection (c)(1), the member
16 shall be paid an amount (determined in accordance with
17 the regulations applicable to the member's armed force
18 pursuant to subsection (g)) appropriate to compensate the
19 member for cost of the housing in which the member re-
20 sides in lieu of such quarters until the date on which the
21 member and the member's spouse reside in the same geo-
22 graphic area after the member's permanent change of sta-
23 tion. Any amount payable to a member pursuant to this
24 paragraph is in addition to amounts payable to the mem-
25 ber under paragraph (1).

1 “(e) TRANSPORTATION OF PERSONAL PROPERTY.—

2 (1) Any transportation allowances authorized for the
3 transportation of the personal property of a member and
4 spouse making an election under subsection (a) may be
5 allocated among the personal property of the member and
6 spouse in such manner as the member and spouse shall
7 select.

8 “(2) In this subsection, the terms ‘transportation al-
9 lowances’ and ‘personal property’ have the meaning given
10 such terms in section 451(b) of title 37.

11 “(f) APPROVAL.—(1) The Secretary of Defense shall
12 establish a single approval process for applications for cov-
13 erage under this section. The process shall apply uniformly
14 among the armed forces.

15 “(2) Applications for approval for coverage under this
16 section shall consist of such elements (including documen-
17 tary evidence) as the Secretary shall prescribe for pur-
18 poses of the approval process required by this subsection.

19 “(3) The approval process required by this subsection
20 shall ensure that the processing of applications for cov-
21 erage under this section is completed in a timely manner
22 that permits a spouse and any dependents to relocate
23 whenever during the covered relocation period selected in
24 the election concerned. In meeting that requirement, the
25 approval process shall provide for the processing of appli-

1 cations at the lowest level in the chain of command of
 2 members as it appropriate to ensure proper administration
 3 of this section.

4 “(g) REGULATIONS.—Each Secretary concerned shall
 5 prescribe regulations for the administration of this section
 6 with respect to the armed force or forces under the juris-
 7 diction of such Secretary.

8 “(h) COVERED RELOCATION PERIOD DEFINED.—In
 9 this section, the term ‘covered relocation period’, in con-
 10 nection with the permanent change of station of a mem-
 11 ber, means the period that—

12 “(1) begins 180 days before the date of the per-
 13 manent change of station; and

14 “(2) ends 180 days after the date of the perma-
 15 nent change of station.”.

16 (2) CLERICAL AMENDMENT.—The table of sec-
 17 tions at the beginning of subchapter I of chapter 88
 18 of such title is amended by inserting after the item
 19 relating to section 1784a the following new item:

“1784b. Relocation of spouses and dependents in connection with the permanent
 change of station of certain members.”.

20 (3) EFFECTIVE DATE.—The amendments made
 21 by this subsection shall take effect on the date of the
 22 enactment of this Act and shall apply with respect
 23 to permanent changes of station of members of the

1 Armed Forces that occur on or after the date that
2 is 180 days after such effective date.

3 (b) COMPTROLLER GENERAL OF THE UNITED
4 STATES REPORT.—

5 (1) REPORT REQUIRED.—Not later than one
6 year after the date of the enactment of this Act, the
7 Comptroller General of the United States shall sub-
8 mit to Congress a report on potential actions of the
9 Department of Defense to enhance the stability of
10 military families undergoing a permanent change of
11 station.

12 (2) ELEMENTS.—The report required by para-
13 graph (1) shall include the following:

14 (A) A comparison of the current percent-
15 age of spouses in military families who work
16 with the percentage of spouses in military fami-
17 lies who worked in the recent past, and an as-
18 sessment of the impact of the change in such
19 percentage on military families.

20 (B) An assessment of the effects of reloca-
21 tion of military families undergoing a perma-
22 nent change of station on the employment, edu-
23 cation, and licensure of spouses of military fam-
24 ilies.

1 (C) An assessment of the effects of reloca-
2 tion of military families undergoing a perma-
3 nent change of station on military children, in-
4 cluding effect on their mental health.

5 (D) An identification of potential actions
6 of the Department to enhance the stability of
7 military families undergoing a permanent
8 change of station and to generate cost savings
9 in connection with such changes of station.

10 (E) Such other matters as the Comptroller
11 General considers appropriate.

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