

115TH CONGRESS
1ST SESSION

S. 1154

To amend title 37, United States Code, to provide for the housing treatment of members of the Armed Forces and their spouses and dependents undergoing a permanent change of station in the United States, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 17, 2017

Mr. BLUNT (for himself and Mrs. GILLIBRAND) introduced the following bill; which was read twice and referred to the Committee on Armed Services

A BILL

To amend title 37, United States Code, to provide for the housing treatment of members of the Armed Forces and their spouses and dependents undergoing a permanent change of station in the United States, and for other purposes.

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”.

1 **SEC. 2. HOUSING TREATMENT FOR CERTAIN MEMBERS OF**
 2 **THE ARMED FORCES, AND THEIR SPOUSES**
 3 **AND OTHER DEPENDENTS, UNDERGOING A**
 4 **PERMANENT CHANGE OF STATION WITHIN**
 5 **THE UNITED STATES.**

6 (a) HOUSING TREATMENT.—

7 (1) IN GENERAL.—Chapter 7 of title 37, United
 8 States Code, is amended by inserting after section
 9 403 the following new section:

10 **“§ 403a. Housing treatment for certain members of**
 11 **the Armed Forces, and their spouses and**
 12 **other dependents, undergoing a perma-**
 13 **nent change of station within the United**
 14 **States**

15 **“(a) HOUSING TREATMENT FOR CERTAIN MEMBERS**
 16 **WHO HAVE A SPOUSE OR OTHER DEPENDENTS.—**

17 **“(1) HOUSING TREATMENT REGULATIONS.—**

18 The Secretary of Defense shall prescribe regulations
 19 that permit a member of the armed forces described
 20 in paragraph (2) who is undergoing a permanent
 21 change of station within the United States to re-
 22 quest the housing treatment described in subsection
 23 (b) during the covered relocation period of the mem-
 24 ber.

25 **“(2) ELIGIBLE MEMBERS.—A member de-**
 26 **scribed in this paragraph is any member who—**

1 “(A) has a spouse who is gainfully em-
 2 ployed or enrolled in a degree, certificate or li-
 3 cense granting program at the beginning of the
 4 covered relocation period;

5 “(B) has one or more dependents attend-
 6 ing an elementary or secondary school at the
 7 beginning of the covered relocation period;

8 “(C) has one or more dependents enrolled
 9 in the Exceptional Family Member Program; or

10 “(D) is caring for an immediate family
 11 member with a chronic or long-term illness at
 12 the beginning of the covered relocation period.

13 “(b) HOUSING TREATMENT.—

14 “(1) CONTINUATION OF HOUSING FOR THE
 15 SPOUSE AND OTHER DEPENDENTS.—If a spouse or
 16 other dependent of a member whose request under
 17 subsection (a) is approved resides in Government-
 18 owned or Government-leased housing at the begin-
 19 ning of the covered relocation period, the spouse or
 20 other dependent may continue to reside in such
 21 housing during a period determined in accordance
 22 with the regulations prescribed pursuant to this sec-
 23 tion.

24 “(2) EARLY HOUSING ELIGIBILITY.—If a
 25 spouse or other dependent of a member whose re-

1 quest under subsection (a) is approved is eligible to
2 reside in Government-owned or Government-leased
3 housing following the member's permanent change
4 of station within the United States, the spouse or
5 other dependent may commence residing in such
6 housing at any time during the covered relocation
7 period.

8 “(3) TEMPORARY USE OF GOVERNMENT-OWNED
9 OR GOVERNMENT-LEASED HOUSING INTENDED FOR
10 MEMBERS WITHOUT A SPOUSE OR DEPENDENT.—If
11 a spouse or other dependent of a member relocates
12 at a time different from the member in accordance
13 with a request approved under subsection (a), the
14 member may be assigned to Government-owned or
15 Government-leased housing intended for the perma-
16 nent housing of members without a spouse or de-
17 pendent until the member's detachment date or the
18 spouse or other dependent's arrival date, but only if
19 such Government-owned or Government-leased hous-
20 ing is available without displacing a member without
21 a spouse or dependent at such housing.

22 “(4) EQUITABLE BASIC ALLOWANCE FOR HOUS-
23 ING.—If a spouse or other dependent of a member
24 relocates at a time different from the member in ac-
25 cordance with a request approved under subsection

1 (a), the amount of basic allowance for housing pay-
2 able may be based on whichever of the following
3 areas the Secretary concerned determines to be the
4 most equitable:

5 “(A) The area of the duty station to which
6 the member is reassigned.

7 “(B) The area in which the spouse or
8 other dependent resides, but only if the spouse
9 or other dependent resides in that area when
10 the member departs for the duty station to
11 which the member is reassigned, and only for
12 the period during which the spouse or other de-
13 pendent resides in that area.

14 “(C) The area of the former duty station
15 of the member, but only if that area is different
16 from the area in which the spouse or other de-
17 pendent resides.

18 “(c) RULE OF CONSTRUCTION RELATED TO CERTAIN
19 BASIC ALLOWANCE FOR HOUSING PAYMENTS.—Nothing
20 in this section shall be construed to limit the payment or
21 the amount of basic allowance for housing payable under
22 section 403(d)(3)(A) of this title to a member whose re-
23 quest under subsection (a) is approved.

24 “(d) HOUSING TREATMENT EDUCATION.—The regu-
25 lations prescribed pursuant to this section shall ensure the

1 relocation assistance programs under section 1056 of title
2 10 include, as part of the assistance normally provided
3 under such section, education about the housing treatment
4 available under this section.

5 “(e) DEFINITIONS.—In this section:

6 “(1) COVERED RELOCATION PERIOD.—(A) Sub-
7 ject to subparagraph (B), the term ‘covered reloca-
8 tion period’, when used with respect to a permanent
9 change of station of a member of the armed forces,
10 means the period that—

11 “(i) begins 180 days before the date of the
12 permanent change of station; and

13 “(ii) ends 180 days after the date of the
14 permanent change of station.

15 “(B) The regulations prescribed pursuant to
16 this section may provide for a lengthening of the
17 covered relocation period of a member for purposes
18 of this section.

19 “(2) DEPENDENT.—The term ‘dependent’ has
20 the meaning given that term in section 401 of this
21 title.

22 “(3) PERMANENT CHANGE OF STATION.—The
23 term ‘permanent change of station’ means a perma-
24 nent change of station described in section 452(b)(2)
25 of this title.”.

1 (2) CLERICAL AMENDMENT.—The table of sec-
 2 tions at the beginning of chapter 7 such title is
 3 amended by inserting after the item relating to sec-
 4 tion 403 the following new item:

“403a. Housing treatment for certain members of the armed forces, and their
 spouses and other dependents, undergoing a permanent change
 of station within the United States.”.

5 (b) EFFECTIVE DATE.—The amendments made by
 6 this section shall take effect on the date of the enactment
 7 of this Act, and shall apply with respect to permanent
 8 changes of station of members of the Armed Forces that
 9 occur on or after October 1 of the fiscal year that begins
 10 after such date of enactment.

11 (c) COMPTROLLER GENERAL OF THE UNITED
 12 STATES REPORT.—

13 (1) REPORT REQUIRED.—Not later than one
 14 year after the date of the enactment of this Act, the
 15 Comptroller General of the United States shall sub-
 16 mit to Congress a report on potential actions of the
 17 Department of Defense to enhance the well-being of
 18 military families undergoing a permanent change of
 19 station.

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

22 (A) A comparison of the current percent-
 23 age of spouses in military families who work
 24 with the percentage of spouses in military fami-

1 lies who worked in the recent past, and an as-
2 sessment of the impact of the change in such
3 percentage on military families.

4 (B) An assessment of the effects of reloca-
5 tion of military families undergoing a perma-
6 nent change of station on the employment, edu-
7 cation, and licensure of spouses of military fam-
8 ilies.

9 (C) An identification of potential actions of
10 the Department to enhance the well-being of
11 military families undergoing a permanent
12 change of station and to generate cost savings
13 in connection with such changes of station.

14 (D) An assessment of the utilization rate
15 of the housing treatment provided by section
16 403a of title 37, United States Code (as added
17 by subsection (a)).

18 (E) Such other matters as the Comptroller
19 General considers appropriate.

20 (3) ADDITIONAL ELEMENT ON FUNDING MILI-
21 TARY FAMILY SUPPORT PROGRAMS.—In addition to
22 the elements specified in paragraph (2), the report
23 required by paragraph (1) shall also include a com-
24 parison of—

1 (A) the average annual amount spent by
2 each Armed Force over the five-year period
3 ending on December 31, 2016, on recruitment
4 and retention bonuses and special pays for
5 members of such Armed Force; and

6 (B) the average annual amount spent by
7 such Armed Force over such period on pro-
8 grams for military families and support of mili-
9 tary families.

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