To improve and expand authorities, programs, services, and benefits for military spouses and military families, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 6, 2018

Mr. Kaine (for himself, Mrs. Gillibrand, and Mrs. Murray) introduced the following bill; which was read twice and referred to the Committee on Armed Services

A BILL

To improve and expand authorities, programs, services, and benefits for military spouses and military families, 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
4 SECTION 1. SHORT TITLE.
5 This Act may be cited as the “Military Spouse Em-
6 ployment Act of 2018”.
SEC. 2. EXPANSION OF AUTHORITY FOR NONCOMPETITIVE

     APPOINTMENTS OF MILITARY SPOUSES BY

     FEDERAL AGENCIES.

     (a) EXPANSION TO INCLUDE ALL SPOUSES OF MEM-
     BERS OF THE ARMED FORCES ON ACTIVE DUTY.—Sec-
     tion 3330d of title 5, United States Code, is amended—

     (1) in subsection (a)—

     (A) by striking paragraphs (3), (4), and
     (5); and

     (B) by redesignating paragraph (6) as
     paragraph (3);

     (2) by striking subsections (b) and (c) and in-
     serting the following new subsection (b):

     “(b) APPOINTMENT AUTHORITY.—The head of an
     agency may appoint noncompetitively—

     “(1) a spouse of a member of the Armed Forces
     on active duty; or

     “(2) a spouse of a disabled or deceased member
     of the Armed Forces.”;

     (3) by redesignating subsection (d) as sub-
     section (c); and

     (4) in subsection (c), as so redesignated, by
     striking “subsection (a)(6)” in paragraph (1) and
     inserting “subsection (a)(3)”.

     (b) HEADING AMENDMENT.—The heading of such

section is amended to read as follows:
§ 3330d. Appointment of military spouses.

(c) Clerical Amendment.—The table of sections at the beginning of chapter 33 of such title is amended by striking the item relating to section 3330d and inserting the following new item:

"3330d. Appointment of military spouses."

SEC. 3. REPORT ON MECHANISMS TO INCREASE PARTICIPATION IN DEPARTMENT OF DEFENSE CONTRACTS OF FIRMS WITH PROGRAMS TO EMPLOY MILITARY SPOUSES.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report that sets forth various mechanisms to be used by the Department of Defense to increase the participation in Department contracts of businesses that implement and maintain programs to employ military spouses. For each mechanism set forth, the report shall include a recommendation for the legislative or administrative action necessary to implement such mechanism.

SEC. 4. IMPROVEMENT OF EDUCATION AND CAREER OPPORTUNITIES PROGRAMS FOR MILITARY SPOUSES.

(a) Outreach on Availability of MyCAA Program.—

(1) In general.—The Secretary of Defense shall take appropriate actions to ensure that military
spouses who are eligible for participation in the My Career Advancement Account (MyCAA) program of the Department of Defense are, to extent practicable, made aware of the program and their eligibility for the program.

(2) DIGITAL ADVERTISEMENT.—The actions taken by the Secretary pursuant to paragraph (1) shall include a state-of-the-art digital advertising campaign on the My Career Advancement Account program designed to target military spouses.

(3) DoD REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to Congress a report setting forth the following:

(A) An assessment of the extent to which military spouses who are eligible for the My Career Advancement Account program are aware of the program and their eligibility for the program.

(B) A description of the levels of participation in the My Career Advancement Account program among military spouses who are eligible to participate in the program.

(4) COMPTROLLER GENERAL REPORT.—Not later than 180 days after the submittal of the report
required by paragraph (3), the Comptroller General
of the United States shall submit to Congress a re-
port setting forth the following:

(A) An assessment of the report under
paragraph (3).

(B) Such recommendations as the Com-
troller General considers appropriate regarding
the following:

(i) Mechanisms to increase awareness
of the My Career Advancement Account
program among military spouses who are
eligible to participate in the program.

(ii) Mechanisms to increase participa-
tion in the My Career Advancement Ac-
count program among military spouses
who are eligible to participate in the pro-
gram.

(b) Training for Installation Career Coun-
selors on MyCAA Program.—The Secretaries of the
military departments shall take appropriate actions to en-
sure that career counselors at military installations receive
appropriate training and current information on eligibility
for and use of benefits under the My Career Advancement
Account program, including financial assistance to cover
costs associated with professional recertification, port-
ability of occupational licenses, professional credential exams, and other mechanisms in connection with the port-
ability of professional licenses.

(c) REPORT ON EXPANSION OF SECO PROGRAM.—
The Secretary of Defense shall submit to Congress a re-
port setting forth a proposal for the expansion of special-
ized coaching modules within the Spouse Education and
Career Opportunities (SECO) Program of the Department
of Defense.

SEC. 5. MILITARY FAMILY CHILD CARE MATTERS.

(a) ASSESSMENT OF USE OF SUBSIDIZED, OFF-IN-
stallation Childcare Services.—Subsection (a) of
section 575 of the National Defense Authorization Act for
Fiscal Year 2018 (Public Law 115–91) is amended by
adding at the end the following new paragraph:

“(5) Modifying the rate of use of subsidized,
off-installation childcare services by military families
in light of the full implementation of MilitaryChild-
Care.com, including whether the availability of off-
installation childcare services for military families
could be increased by altering policies of the Armed
Forces on capping the amount of subsidies for mili-
tary families for such services based on the cost of
living for families and the average cost of civilian
childcare services.”.
(b) Provisional or Interim Clearances To Provide Childcare Services.—

(1) In general.—The Secretary of Defense shall implement a policy to permit the issuance of clearances on a provisional or interim basis for the provision of childcare services at military childcare centers.

(2) Elements.—The policy required by this subsection shall provide for the following:

(A) Any clearance issued under the policy shall be temporary and contingent upon the satisfaction of such requirements for the issuance of a clearance on a permanent basis as the Secretary considers appropriate.

(B) Any individual issued a clearance on a provisional or interim basis under the policy shall be subject to such supervision in the provision of childcare services using such clearance as the Secretary considers appropriate.

(3) Clearance defined.—In this subsection, the term “clearance”, with respect to an individual and the provision of childcare services, means the formal approval of the individual, after appropriate vetting and other review, to provide childcare serv-
ices to children at a military childcare center of the
Department of Defense.

SEC. 6. EXPANSION OF PERIOD OF AVAILABILITY OF MILI-
TARY ONESOURCE PROGRAM FOR RETIRED
AND DISCHARGED MEMBERS OF THE ARMED
FORCES AND THEIR IMMEDIATE FAMILIES.

(a) In General.—Under regulations prescribed by
the Secretary of Defense, the period of eligibility for the
Military OneSource program of the Department of De-
fense of an eligible individual retired, discharged, or other-
wise released from the Armed Forces, and for the eligible
immediate family members of such an individual, shall be
the one-year period beginning on the date the retirement,
discharge, or release, as applicable, of such individual.

(b) Outreach.—The Secretary shall undertake a
marketing and advertising campaign designed to inform
military families and families of veterans of the Armed
Forces of the wide range of benefits available through the
Military OneSource program. The campaign shall include
well-researched and targeted marketing and advertising
collateral issued at the following:

(1) Offices at military installations that issue
identification cards.
(2) Locations at which activities under the Transition Assistance Program (TAP) are being carried out.

SEC. 7. TRANSITION ASSISTANCE FOR MILITARY SPOUSES.

(a) TRANSITION ASSISTANCE.—

(1) IN GENERAL.—Subchapter I of chapter 88 of title 10, United States Code, is amended by inserting after section 1784a the following new section:

“§ 1784b. Employment assistance, job training assistance, and other transitional assistance for military spouses: Department of Labor

“(a) IN GENERAL.—In carrying out the program of assistance and services required by section 1144 of this title, the Secretary of Labor, in conjunction with the Secretary of Defense, the Secretary of Homeland Security, and the Secretary of Veterans Affairs, shall also maintain a program of counseling, assistance, help, and related information and services for spouses of members of the armed forces covered by that section in order to assist such spouses during the transition of such members to civilian life.”
“(b) ELEMENTS.—The counseling, assistance, help, and information and services available under the program under this section shall be the following:

“(1) Such counseling, assistance, help, and information and services as are available to members under section 1144 of title and are suitable to assist spouses during the transition of members as described in subsection (a).

“(2) Such other counseling, assistance, help, and information and services to assist spouses during such transition as the Secretaries consider appropriate for purposes of the program.

“(c) PARTICIPATION.—A spouse is eligible to participate in the program under this section during any period in which the spouse’s member is eligible to participate in the program of assistance and services required by section 1144 of this title.

“(d) USE OF PERSONNEL AND ORGANIZATIONS.—In carrying out the program under this section, the Secretaries may use any of the authorities, personnel, organizations, and other resources available for the program of assistance and services required by section 1144 of this title that the Secretaries consider appropriate for the effective operation of the program under this section.”.
(2) **Clerical amendment.**—The table of sections at the beginning of subchapter I of chapter 88 of such title is amended by inserting after the item relating to section 1784a the following new item:

“1784b. Employment assistance, job training assistance, and other transitional assistance for military spouses: Department of Labor.”.

(3) **Effective date and commencement of program.**—The amendments made by this subsection shall take effect on the date of the enactment of this Act. The Secretary of Labor shall commence the program required by section 1784b of title 10, United States Code (as added by such amendments), by such date, not later than one year after the date of the enactment of this Act, as the Secretary considers practicable.

(b) **Participation of spouses in TAP for Members.**—Section 1144 of title 10, United States Code, is amended—

(1) in subsection (a)(1), by striking “and the spouses of such members”;

(2) in subsection (c), by inserting “OF MEMBERS” after “PARTICIPATION”;

(3) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively; and

(4) by inserting after subsection (e) the following new subsection (d):
“(d) Participation of Spouses.—The Secretaries shall permit the spouses of members participating in the program carried out under this section to participate in the receipt by such members of assistance and services provided under the program to the extent that the participation of such spouses in receipt of such assistance and services will assist such members and spouses in maximizing the benefits of the program carried out under this section.”.

SEC. 8. PUBLIC-PRIVATE PARTNERSHIPS ON HEALTH, SAFETY, WELFARE, AND MORALE OF MILITARY FAMILIES.

(a) Plan for Initiative Required.—The Secretary of Defense shall, acting through the Office of Community Relations of the Department of Defense, submit to Congress a report setting forth a proposal for one or more initiatives between the military departments and appropriate non-Federal entities for public-private partnerships designed to support and enhance the health, safety, welfare, and morale of military families. The initiatives shall be designed to provide the military departments flexibility in the commitment of resources to the partnerships according to the unique requirements of the military departments and the Armed Forces.
(b) INITIATIVE ELEMENTS.—In identifying appropriate elements for the initiatives described in subsection (a), the Secretary shall take into account the results of the following:

(1) Two current studies by the Office of the Secretary of Defense on the health, safety, welfare, and morale of military families.

(2) The public-private partnership initiative of the Department of Veterans Affairs on the health, safety, welfare, and morale of families of veterans.

SEC. 9. SMALL BUSINESS ACTIVITIES OF MILITARY SPOUSES ON MILITARY INSTALLATIONS.

(a) ASSESSMENT OF SMALL BUSINESS ACTIVITY.—The Secretary of Defense shall submit to Congress a report setting forth an assessment of the feasibility and advisability of encouraging entrepreneurship among military spouses by permitting military spouses to engage in small business activities on military installations and in partnership with commissaries, exchange stores, and other morale, welfare, and recreation facilities of the Armed Forces.

(b) ELEMENTS.—The assessment shall—

(1) take into account the usage by military spouses of installation facilities, utilities, and other resources in the conduct of small business activities
on military installations and such other matters in connection with the conduct of such business activities by military spouses as the Secretary considers appropriate; and

(2) seek to identify mechanisms to ensure that costs and fees associated with the usage by military spouses of such facilities, utilities, and other resources in connection with such business activities does not meaningfully curtail or eliminate the opportunity for military spouses to profit reasonably from such business activities.

SEC. 10. REPORT ON ASSESSMENT OF FREQUENCY OF PERMANENT CHANGES OF STATION OF MEMBERS OF THE ARMED FORCES ON EMPLOYMENT AMONG MILITARY SPOUSES.

(a) In general.—The Secretary of Defense shall submit to Congress a report setting forth an assessment of the effects of the frequency of permanent changes of station (PCS) of members of the Armed Forces on stability of employment among military spouses.

(b) Elements.—The report under subsection (a) shall include the following:

(1) An assessment of the effects of the frequency of permanent changes of station of members of the Armed Forces on stability of employment
among military spouses, including the contribution of frequent permanent changes of station to unemployment or underemployment among military spouses.

(2) An assessment of the effects of unemployment and underemployment among military spouses on force readiness.

(3) Such recommendations as the Secretary considers appropriate regarding legislative or administration action to achieve force readiness and stabilization through the minimization of the impacts of frequent permanent changes on stability of employment among military spouses.