

110TH CONGRESS  
2D SESSION

# S. 3057

To amend title 37, United States Code, to provide a special displacement allowance for members of the uniformed services without dependents, to provide for an annual percentage increase in the amount of the family separation allowance for members of the uniformed services, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MAY 22, 2008

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

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## A BILL

To amend title 37, United States Code, to provide a special displacement allowance for members of the uniformed services without dependents, to provide for an annual percentage increase in the amount of the family separation allowance for members of the uniformed services, 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 Sepa-  
5       ration Benefits Enhancement Act of 2008”.

1 **SEC. 2. ENHANCEMENTS OF SEPARATION ALLOWANCE FOR**  
2 **MEMBERS OF THE UNIFORMED SERVICES.**

3 (a) SPECIAL DISPLACEMENT ALLOWANCE FOR MEM-  
4 BERS WITHOUT DEPENDENTS.—

5 (1) IN GENERAL.—Chapter 7 of title 37, United  
6 States Code, is amended by inserting after section  
7 427 the following new section:

8 **“§ 427a. Special displacement allowance**

9 “(a) ENTITLEMENT TO ALLOWANCE.—In addition to  
10 any allowance or per diem to which such a member may  
11 be entitled under this title, a member of the uniformed  
12 services without dependents is entitled to a monthly allow-  
13 ance under this section if—

14 “(1) the member is on duty on board a ship  
15 away from the home port of the ship for a contin-  
16 uous period of more than 30 days; or

17 “(2) the member is on temporary duty away  
18 from the member’s permanent station for a contin-  
19 uous period of more than 30 days.

20 “(b) EFFECTIVE DATE OF ALLOWANCE.—The com-  
21 mencement of entitlement of a member to an allowance  
22 under this section shall be determined in accordance with  
23 the provisions of section 427(a)(2) of this title.

24 “(c) AMOUNT.—The amount of the monthly allow-  
25 ance to which a member is entitled under this section is  
26 the amount equal to one half the amount of the monthly

1 allowance to which members are entitled under section  
2 427(a) of this title for the month concerned.”.

3 (2) CLERICAL AMENDMENT.—The table of sec-  
4 tions at the beginning of chapter 7 of such title is  
5 amended by inserting after the item relating to sec-  
6 tion 427 the following new item:

“427a. Special displacement allowance.”.

7 (b) ANNUAL INCREASE IN MONTHLY AMOUNT OF  
8 FAMILY SEPARATION ALLOWANCE.—Section 427 of such  
9 title is amended—

10 (1) in subsection (a)(1), by striking “\$250” in  
11 the matter preceding subparagraph (A) and insert-  
12 ing “\$250 (as increased from time to time under  
13 subsection (e))”; and

14 (2) by adding at the end the following new sub-  
15 section:

16 “(e) ANNUAL INCREASE IN AMOUNT.—With respect  
17 to any fiscal year, the Secretary of Defense shall provide  
18 a percentage increase in the monthly amount of the allow-  
19 ance payable under subsection (a) equal to the percentage  
20 of such amount by which—

21 “(1) the Consumer Price Index (all items,  
22 United States City average) for the 12-month period  
23 ending on the June 30 preceding the beginning of  
24 the fiscal year for which the increase is made, ex-  
25 ceeds

1           “(2) such Consumer Price Index for the 12-  
2           month period preceding the 12-month period de-  
3           scribed in paragraph (1).”.

4           (c) EFFECTIVE DATE.—The amendments made by  
5           this section shall take effect on September 30, 2008, and  
6           shall apply with respect to months, and, in the case of  
7           the increase required by subsection (e) of section 427 of  
8           title 37, United States Code (as added by subsection  
9           (b)(2) of this section), fiscal years, beginning after that  
10          date.

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