

116TH CONGRESS  
1ST SESSION

# H. R. 2811

To improve oversight of privatized military housing provided by the Department of Defense to members of the Armed Forces and their families, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 16, 2019

Mr. PANETTA (for himself, Mr. HUDSON, Mr. BROWN of Maryland, Mr. CARTER of Texas, Mr. BISHOP of Georgia, Mr. HECK, Ms. ESHOO, Mrs. HARTZLER, Mr. TAYLOR, and Mr. WALTZ) introduced the following bill; which was referred to the Committee on Armed Services

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## A BILL

To improve oversight of privatized military housing provided by the Department of Defense to members of the Armed Forces and their 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 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Better Military Hous-  
5 ing Act of 2019”.

6 **SEC. 2. OVERSIGHT OF PRIVATIZED MILITARY HOUSING.**

7 (a) ENHANCING HEALTH, SAFETY, AND QUALITY OF  
8 PRIVATIZED MILITARY HOUSING.—

1           (1) IN GENERAL.—Not later than one year  
2 after the date of the enactment of this Act, the Sec-  
3 retary of Defense shall develop and implement a  
4 plan to address health, safety, and quality issues at  
5 privatized military housing.

6           (2) NEW PROCESSES, POSITIONS, AND OF-  
7 FICES.—The plan developed and implemented under  
8 paragraph (1) may include new processes for report-  
9 ing challenges, as well as proposals for new positions  
10 or offices responsible for oversight of privatized mili-  
11 tary housing contracts.

12           (3) CONSULTATION.—The Secretary shall con-  
13 sult with the Secretaries of the military depart-  
14 ments, members of the Armed Forces and their fam-  
15 ilies, and organizations that support members of the  
16 Armed Forces and their families in the development  
17 of the plan under paragraph (1).

18           (4) REQUIREMENTS FOR NEW PROCESSES.—

19           (A) IN GENERAL.—At a minimum, the new  
20 processes included in the plan under paragraph  
21 (1) shall include the following elements:

22           (i) Ensuring that members of the  
23 Armed Forces and their families may re-  
24 port concerns regarding privatized military  
25 housing without concern of reprisal from

1 the military chain of command or the land-  
2 lord of such housing, which may include—

3 (I) establishing a confidential  
4 hotline; or

5 (II) providing access to military  
6 housing advocates who will maintain  
7 confidentiality.

8 (ii) Ensuring military leadership from  
9 installation commanders to the Secretaries  
10 of the military departments are regularly  
11 updated on outstanding issues at priva-  
12 tized military housing facilities, including  
13 the time landlords are taking to resolve  
14 work order requests and respond to queries  
15 by tenants regarding work orders.

16 (iii) To the extent practicable, estab-  
17 lishing standardized metrics throughout  
18 the Department of Defense for evaluating  
19 housing health risks, quality, and safety.

20 (iv) To the extent practicable, estab-  
21 lishing common provisions that could be in-  
22 corporated into tenancy agreements for  
23 privatized military housing throughout the  
24 Department.

1 (v) Improvements in carrying out  
2 oversight of privatized military housing  
3 contracts, which may include aligning in-  
4 centive fee payments to health, safety, and  
5 quality metrics.

6 (vi) Improvements in training for the  
7 offices of installation commanders and  
8 housing offices concerning responsibilities,  
9 authorities, and processes related to over-  
10 sight of privatized military housing.

11 (B) ADDITIONAL RESOURCES.—To the ex-  
12 tent the new processes included in the plan  
13 under paragraph (1) require additional re-  
14 sources, the Secretary shall request such re-  
15 sources in the following fiscal year budget.

16 (5) REPORT AND BRIEFING.—Not later than  
17 one year after the date of the enactment of this Act,  
18 the Secretary of Defense and the Secretaries of the  
19 military departments shall—

20 (A) submit to the congressional defense  
21 committees a report on the processes developed  
22 under the plan under paragraph (1) and any re-  
23 sources needed to implement outstanding ele-  
24 ments of such plan; and

1 (B) brief the congressional defense com-  
2 mittees on such processes developed and such  
3 resources needed.

4 (b) INFORMATION FOR TENANTS AND LAND-  
5 LORDS.—Upon a tenant entering into a tenancy agree-  
6 ment for a housing unit provided by the Department of  
7 Defense under a privatized military housing contract, the  
8 Secretary of Defense shall provide to the tenant informa-  
9 tion on—

10 (1) the rights of tenants, including recourse and  
11 actions, to include a “Tenants Bill of Rights”;

12 (2) the expectations of the Department regard-  
13 ing reporting by tenants of maintenance, health, or  
14 safety issues relating to the housing unit;

15 (3) the expectations of the Department regard-  
16 ing the maintaining by landlords of certain stand-  
17 ards relating to the condition, health, and safety of  
18 the housing unit;

19 (4) a clear and comprehensive accounting of the  
20 rights and responsibilities of tenants and landlords  
21 relating to maintenance of the housing unit; and

22 (5) a comprehensive maintenance, repair, and  
23 remediation history of the housing unit.

24 (c) INSPECTOR GENERAL OVERSIGHT INSPECTIONS  
25 OF PRIVATIZED MILITARY HOUSING.—Not later than one

1 year after the date of the enactment of this Act, and not  
2 less frequently than annually thereafter, the Inspector  
3 General of the Department of Defense shall—

4 (1) conduct an inspection of the oversight by  
5 the Department of privatized military housing at not  
6 fewer than 15 randomly selected installations of the  
7 Department; and

8 (2) publish on a website of the Department  
9 available to the public a summary of the results of  
10 those inspections.

11 (d) STUDY ON POTENTIAL IMPROVEMENTS FOR  
12 PRIVATIZED MILITARY HOUSING.—

13 (1) IN GENERAL.—The Secretary of Defense  
14 shall conduct a study on ways to improve privatized  
15 military housing and the oversight and execution of  
16 privatized military housing contracts to improve  
17 housing conditions for members of the Armed  
18 Forces and their families who are stationed at in-  
19 stallations of the Department of Defense.

20 (2) ELEMENTS.—The study required by para-  
21 graph (1) shall include an assessment of policy op-  
22 tions for the Department to achieve the following ob-  
23 jectives:

24 (A) The use of privatized military housing  
25 contracts of shorter duration.

1           (B) The use of market incentives or other  
2 means to increase the availability of privatized  
3 military housing options for tenants on or out-  
4 side of an installation, including the use of two  
5 or more landlords at a single installation, and  
6 including possibilities for increased housing op-  
7 tions in communities where few options cur-  
8 rently exist.

9           (C) The use of technology applications to  
10 simplify, streamline, and improve transparency  
11 in the privatized military housing work order  
12 system.

13           (D) The creation of a Special Housing Ad-  
14 vocate—

15                   (i) to provide counsel to tenants of  
16 privatized military housing; and

17                   (ii) to independently represent the in-  
18 terests of tenants before those of landlords.

19           (E) Such other potential improvements to  
20 privatized military housing as the Secretary  
21 considers appropriate.

22           (3) PARTNERSHIP.—The Secretary shall enter  
23 into a partnership with a Federally funded research  
24 and development center to conduct the study under  
25 paragraph (1).

1           (4) REPORT.—Not later than one year after the  
2           date of the enactment of this Act, the Secretary  
3           shall submit to the congressional defense committees  
4           a report on the findings of the study under para-  
5           graph (1).

6           (e) DEFINITIONS.—In this section:

7           (1) CONGRESSIONAL DEFENSE COMMITTEES.—  
8           The term “congressional defense committees” has  
9           the meaning given that term in section 101(16) of  
10          title 10, United States Code.

11          (2) LANDLORD.—The term “landlord” means  
12          an eligible entity or lessor who owns, manages, or is  
13          otherwise responsible for a housing unit under a  
14          privatized military housing contract.

15          (3) PRIVATIZED MILITARY HOUSING.—The  
16          term “privatized military housing” means housing  
17          provided under subchapter IV of chapter 169 of title  
18          10, United States Code.

19          (4) PRIVATIZED MILITARY HOUSING CON-  
20          TRACT.—The term “privatized military housing con-  
21          tract” means a ground lease and all associated docu-  
22          mentation between the Secretary of a military de-  
23          partment and a landlord to provide privatized mili-  
24          tary housing.

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