

read as follows: “In addition to the representatives appointed under subparagraphs (B) and (C), the senior enlisted advisors of the Army, Navy, Marine Corps, and Air Force, or the spouse of a senior enlisted member from each of the Army, Navy, Marine Corps, and Air Force.”

Pub. L. 111-383, § 581(a)(1)(A), redesignated subpar. (E) as (F).

Subsec. (b)(1)(G). Pub. L. 111-383, § 581(b), added subpar. (G).

Subsec. (b)(2). Pub. L. 111-383, § 581(a)(2), substituted “subparagraphs (C), (D), and (E)” for “subparagraphs (C) and (D)”.

Subsec. (b)(3). Pub. L. 111-383, § 581(d)(2), added par. (3).

2009—Subsec. (b)(1)(C) to (E). Pub. L. 111-84, § 562(a), added subpar. (C), redesignated former subpars. (C) and (D) as (D) and (E), respectively, and substituted “subparagraphs (B) and (C)” for “subparagraph (B)” in subpar. (E).

Subsec. (b)(2). Pub. L. 111-84, § 562(b), substituted “subparagraphs (C) and (D) of paragraph (1)” for “paragraph (1)(C)” and inserted at end “Representation on the Council required by clause (i) of paragraph (1)(C) shall rotate between the Army National Guard and Air National Guard. Representation required by clause (ii) of such paragraph shall rotate among the reserve components specified in such clause.”

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2018 AMENDMENT

Pub. L. 115-232, div. A, title V, § 571(d), Aug. 13, 2018, 132 Stat. 1778, provided that:

“(1) IN GENERAL.—The amendments made by this section [amending this section] shall take effect on the date of the enactment of this Act [Aug. 13, 2018].

“(2) APPLICABILITY OF MEMBERSHIP AND TERM AMENDMENTS.—The amendments made by subsection (a) shall apply to members of the Department of Defense Military Family Readiness Council appointed after the date of the enactment of this Act.”

§ 1781b. Department of Defense policy and plans for military family readiness

(a) **POLICY AND PLANS REQUIRED.**—The Secretary of Defense shall develop a policy and plans for the Department of Defense for the support of military family readiness.

(b) **PURPOSES.**—The purposes of the policy and plans required under subsection (a) are as follows:

(1) To ensure that the military family readiness programs and activities of the Department of Defense are comprehensive, effective, and properly supported.

(2) To ensure that support is continuously available to military families in peacetime and in war, as well as during periods of force structure change and relocation of military units.

(3) To ensure that the military family readiness programs and activities of the Department of Defense are available to all military families, including military families of members of the regular components, the reserve components, and the Space Force.

(4) To make military family readiness an explicit element of applicable Department of Defense plans, programs, and budgeting activities, and that achievement of military family readiness is expressed through Department-wide goals that are identifiable and measurable.

(5) To ensure that the military family readiness programs and activities of the Depart-

ment of Defense undergo continuous evaluation in order to ensure that resources are allocated and expended for such programs and activities to achieve Department-wide family readiness goals.

(c) **ELEMENTS OF POLICY.**—The policy required under subsection (a) shall include the following elements:

(1) A list of military family readiness programs and activities.

(2) Department of Defense-wide goals for military family support, including joint programs, for military families of members of the regular components, members of the reserve components, and members of the Space Force.

(3) Policies on access to military family support programs and activities based on military family populations served and geographical location.

(4) Metrics to measure the performance and effectiveness of the military family readiness programs and activities of the Department of Defense.

(5) A summary, by fiscal year, of the allocation of funds (including appropriated funds and nonappropriated funds) for major categories of military family readiness programs and activities of the Department of Defense, set forth for each of the military departments and for the Office of the Secretary of Defense.

(Added Pub. L. 110-181, div. A, title V, § 581(a), Jan. 28, 2008, 122 Stat. 121; amended Pub. L. 111-383, div. A, title X, § 1075(b)(23), Jan. 7, 2011, 124 Stat. 4370; Pub. L. 115-91, div. A, title X, § 1051(a)(9), Dec. 12, 2017, 131 Stat. 1560; Pub. L. 118-31, div. A, title XVII, § 1722(k)(2), Dec. 22, 2023, 137 Stat. 673.)

Editorial Notes

AMENDMENTS

2023—Subsec. (b)(3). Pub. L. 118-31, § 1722(k)(2)(A), substituted “military families of members of the regular components, the reserve components, and the Space Force” for “military families of members of the regular components and military families of members of the reserve components”.

Subsec. (c)(2). Pub. L. 118-31, § 1722(k)(2)(B), struck out “both” after “joint programs,” and substituted “military families of members of the regular components, members of the reserve components, and members of the Space Force” for “military families of members of the regular components and military families of members of the reserve components”.

2017—Subsec. (d). Pub. L. 115-91 struck out subsec. (d). Text read as follows: “Not later than March 1 each year, the Secretary of Defense shall submit to the congressional defense committees a report on the plans required under subsection (a) for the five-fiscal year period beginning with the fiscal year in which the report is submitted. Each report shall include the plans covered by the report and an assessment of the discharge by the Department of Defense of the previous plans submitted under this section.”

2011—Subsec. (d). Pub. L. 111-383 substituted “March 1 each year” for “March 1, 2008, and each year thereafter”.

Statutory Notes and Related Subsidiaries

POLICY REGARDING REMOTE MILITARY INSTALLATIONS

Pub. L. 117-81, div. A, title V, § 565, Dec. 27, 2021, 135 Stat. 1749, provided that:

“(a) **POLICY.**—Not later than December 1, 2022, the Secretary of Defense, in consultation with the Secretaries of the military departments, shall develop a uniform policy for how to—

“(1) identify remote military installations; and

“(2) assess and manage challenges associated with remote military installations and military personnel assigned to remote locations.

“(b) **ELEMENTS.**—The policy under subsection (a) shall address the following:

“(1) Activities and facilities for the morale, welfare, and recreation of members of the Armed Forces.

“(2) Availability of housing, located on and off remote military installations.

“(3) Educational services for dependents of members of the Armed Forces, located on and off remote military installations.

“(4) Availability of health care.

“(5) Employment opportunities for military spouses.

“(6) Risks associated with having insufficient support services for members of the Armed Forces and their dependents.

“(c) **REPORT.**—Not later than March 1, 2023, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth the policy under this section.

“(d) **MILITARY INSTALLATION DEFINED.**—In this section, the term ‘military installation’ has the meaning given that term in section 2801 of title 10, United States Code.”

CONSIDERATION OF CERTAIN MILITARY FAMILY READINESS ISSUES IN MAKING BASING DECISIONS ASSOCIATED WITH CERTAIN MILITARY UNITS AND MAJOR HEADQUARTERS

Pub. L. 116-283, div. B, title XXVIII, §2883, Jan. 1, 2021, 134 Stat. 4370, as amended by Pub. L. 117-263, div. B, title XXVIII, §2866, Dec. 23, 2022, 136 Stat. 3011, provided that:

“(a) **TAKING INTO CONSIDERATION MILITARY FAMILY READINESS ISSUES.**—In determining whether to proceed with any basing decision associated with a covered military unit or major headquarters in the United States after the date of the enactment of this Act [Jan. 1, 2021], the Secretary of the military department concerned shall take into account, among such other factors as that Secretary considers appropriate, the military family readiness considerations specified in this section, including those military family readiness considerations specified pursuant to subsection (e).

“(b) **INTERSTATE PORTABILITY OF LICENSURE AND CERTIFICATION CREDENTIALS.**—With regard to the State in which an installation subject to a basing decision covered by subsection (a) is or will be located, the Secretary of the military department concerned shall take into account the extent to which the State—

“(1) has entered into reciprocity agreements to recognize and accept professional and occupational licensure and certification credentials granted by or in other States; or

“(2) allows for the transfer of such licenses and certifications granted by or in other States.

“(c) **HOUSING.**—With regard to the military housing area in which an installation subject to a basing decision covered by subsection (a) is or will be located, the Secretary of the military department concerned shall take into account the extent to which housing (including military family housing) that meets Department of Defense requirements is available and accessible to members of the Armed Forces through the private sector in such military housing area.

“(d) **HEALTH CARE.**—With regard to the community in which an installation subject to a basing decision covered by subsection (a) is or will be located, the Secretary of the military department concerned shall take into account the extent to which primary healthcare and specialty healthcare is available and accessible to dependents, including dependents with disabilities, of

members of the Armed Forces through the private sector in such local community.

“(e) **OTHER SPECIFIED CONSIDERATIONS.**—The Secretary of the military department concerned shall take into account such other considerations in connection with military family readiness as the Secretary of Defense shall specify for purposes of compliance with this section.

“(f) **SAVINGS CLAUSE.**—Nothing in this section shall be construed as requiring the Secretary of a military department to make a basing decision covered by subsection (a) that the Secretary determines would diminish military readiness or impede military mission for the purpose of military family readiness.

“(g) **ANALYTICAL FRAMEWORK.**—The Secretary of the military department concerned shall take into account the considerations specified in this section, among such other factors as the Secretary considers appropriate, in determining whether to proceed with a basing decision covered by subsection (a) using an analytical framework developed by that Secretary that uses criteria based on—

“(1) quantitative data available within the Department of Defense; and

“(2) such reliable quantitative data from sources outside the Department as the Secretary considers appropriate.

“(h) **BASING DECISION SCORECARD.**—

“(1) **SCORECARD REQUIRED.**—The Secretary of the military department concerned shall establish a scorecard for military installations under the jurisdiction of such Secretary, and for States and localities in which such installations are or may be located, to facilitate taking into account the considerations specified in this section whenever that Secretary makes a basing decision covered by subsection (a).

“(2) **UPDATE.**—The Secretary of the military department concerned shall update the scorecard established by that Secretary under this subsection not less frequently than once each year in order to keep the information in such scorecard as current as is practicable.

“(3) **AVAILABILITY.**—

“(A) **IN GENERAL.**—A current version of each scorecard established under this subsection shall be available to the public through an Internet website of the military department concerned.

“(B) **METHODOLOGY AND CRITERIA.**—

“(i) **AVAILABILITY.**—Each Secretary of a military department shall publish on the website described in subparagraph (A) the methodology and criteria each time such Secretary establishes or updates a scorecard.

“(ii) **PUBLIC COMMENT.**—Each Secretary of a military department shall establish a 60-day public comment period beginning on each date of publication of such methodology and criteria.

“(4) **COORDINATION.**—In establishing or updating a scorecard under this subsection, each Secretary of the military department concerned shall coordinate with the Secretary of Defense to ensure consistency across the military departments.

“(i) **BRIEFINGS.**—Not later than April 1 of each of 2021, 2022, and 2023, the Secretary of Defense shall brief the Committees on Armed Services of the Senate and the House of Representatives on actions taken pursuant to this section, including a description and assessment of the effect of the taking into account of the considerations specified in this section on particular basing decisions in the United States during the one-year period ending on the date of the briefing.

“(j) **DEFINITIONS.**—In this section:

“(1) The term ‘covered military unit’ means a unit of the Armed Forces whose initial assignment to a military installation or relocation from a military installation to a different military installation requires the preparation of an environmental impact statement in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

“(2) The term ‘major headquarters’ means the headquarters of a unit of the Armed Forces or command that is the appropriate command of a general officer or flag officer.”

§ 1781c. Office of Special Needs

(a) ESTABLISHMENT.—There is in the Office of Military Family Readiness Policy the Office of Special Needs (in this section referred to as the “Office”).

(b) PURPOSE.—The purpose of the Office is to standardize, enhance, and improve Department of Defense support around the world for military families with special needs (whether medical or educational needs) through the development of appropriate policies, enhancement and dissemination of appropriate information throughout the Department of Defense, support for such families in obtaining referrals for services and in obtaining service, and oversight of the activities of the military departments in support of such families.

(c) RESPONSIBILITIES.—The Office shall have the responsibilities as follows:

(1) To develop and implement a comprehensive and standard policy on support for military families with special needs as required by subsection (d).

(2) To establish and oversee the programs required by subsection (e).

(3) To identify gaps in services available through the Department of Defense for military families with special needs.

(4) To develop plans to address gaps identified under paragraph (3) through appropriate mechanisms, such as enhancing resources and training and ensuring the provision of special assistance to military families with special needs and military parents of individuals with special needs (including through the provision of training and seminars to members of the armed forces).

(5) To monitor the programs of the military departments for the assignment of members of the armed forces who are members of military families with special needs, and the programs for the support of such military families, and to advise the Secretary of Defense on the adequacy of such programs in conjunction with the preparation of future-years defense programs and other budgeting and planning activities of the Department of Defense.

(6) To monitor the availability and accessibility of programs provided by other Federal, State, local, and non-governmental agencies to military families with special needs.

(7) To conduct periodic reviews of best practices in the United States in the provision of medical and educational services for children with special needs.

(8) To carry out such other matters with respect to the programs and activities of the Department of Defense regarding military families with special needs as the Under Secretary of Defense for Personnel and Readiness shall specify.

(d) POLICY.—(1) The Office shall develop, and regularly update, a uniform policy for the Department of Defense regarding military families with special needs. The policy shall apply with respect to members of the armed forces without

regard to their location, whether within or outside the continental United States.

(2) The policy developed under this subsection shall include elements regarding the following:

(A) The assignment of members of the armed forces who are members of military families with special needs.

(B) Support for military families with special needs.

(3) In addressing the assignment of members of the armed forces under paragraph (2)(A), the policy developed under this subsection shall, in a manner consistent with the needs of the armed forces and responsive to the career development of members of the armed forces on active duty, provide for such members each of the following:

(A) Assignment to locations where care and support for family members with special needs are available.

(B) Stabilization of assignment for a minimum of 4 years.

(C) Ability to request a second review of the approved assignment within or outside the continental United States if the member believes the location is inappropriate for the member’s family and would cause undue hardship.

(D) Protection from having a medical recommendation for an approved assignment overridden by the commanding officer.

(E) Ability to request continuation of location when there is a documented substantial risk of transferring medical care or educational services to a new provider or school at the specific time of permanent change of station.

(4) In addressing support for military families under paragraph (2)(B), the policy developed under this subsection shall provide the following:

(A) Procedures to identify members of the armed forces who are members of military families with special needs.

(B) Mechanisms to ensure timely and accurate evaluations of members of such families who have special needs.

(C) Procedures to facilitate the enrollment of such members of the armed forces and their families in programs of the military department for the support of military families with special needs.

(D) Procedures to ensure the coordination of Department of Defense health care programs and support programs for military families with special needs, and the coordination of such programs with other Federal, State, local, and non-governmental health care programs and support programs intended to serve such families.

(E) Requirements for resources (including staffing) to ensure the availability through the Department of Defense of appropriate numbers of case managers to provide individualized support for military families with special needs.

(F) Requirements regarding the development and continuous updating by an appropriate office of an individualized services plan (whether medical, educational, or both) for each military family with special needs.