

FY2024 NDAA: Military Spouse Employment Matters

August 9, 2023

Background

The Department of Defense (DOD) provides certain benefits and services to military servicemember spouses as part of broader quality of life programs to support recruitment and retention. The unpredictable nature of military service, along with frequent permanent change of station (PCS) moves for military families, can make it difficult for spouses to [establish and maintain meaningful careers](#). Spousal unemployment and underemployment has [been associated with increases in family and relationship stress and dissatisfaction with military service](#). DOD considers spouse employment to be a [component of military family readiness](#), and Congress has endeavored to address employment challenges by authorizing support for military spouse education, training, hiring, and professional license portability, among other initiatives.

Both chambers' versions of a National Defense Authorization Act for Fiscal Year 2024 (FY2024 NDAA) include several provisions that would provide additional support to military spouses and expand existing authorities (see **Table 1**).

For additional background, see CRS Report R46498, *Military Spouse Employment*, by Kristy N. Kamarck, Barbara L. Schwemle, and Sofia Plagakis .

Table 1. Selected Legislation in the FY2024 NDAA

House (H.R. 2670)	Senate (S. 2226)
Licensing and Certification	
Sec. 635 would expand qualifying events for reimbursement of spousal relicensing or business costs due to the member's relocation.	Sec. 606 would expand qualifying events for reimbursement of spousal relicensing or business costs due to the member's relocation.

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IN12217

House (H.R. 2670)	Senate (S. 2226)
Sec. 640 would require DOD to coordinate with State licensure agencies to increase awareness of new license portability authorities and require Government Accountability Office (GAO) to report on state compliance with the law.	No similar provision.
Unemployment Support	
Sec. 636 would allow for deferment of selected federal student loans for dislocated military spouses.	No similar provision.
Federal Hiring Authorities	
Sec. 1116 would define and provide for telework and remote work under federal spouse hiring authorities.	No similar provision
No similar provision.	Sec. 1113 would expand federal noncompetitive appointment eligibility to spouses of DOD civilians.

Source: Congress.gov

Licensing and Certification

When servicemembers relocate, their spouses may face difficulties maintaining or transferring professional licenses and certifications. The absence of standardized occupational licensing requirements across states and jurisdictions can contribute to additional costs, administrative burdens, and time delays in securing employment for military spouses. Recent Congresses have taken some action to alleviate costs associated with relicensing and address [credential portability](#).

The FY2018 NDAA (P.L. 115-91 §556, as amended) authorized the reimbursement of qualified relicensing costs for military spouses as part of PCS travel and transportation allowances. Similar provisions in House ([Section 635](#)) and Senate ([Section 606](#)) versions of the FY2024 NDAA would expand eligibility for this benefit to spouses of certain servicemembers transitioning from the active component to the reserve component in a different jurisdiction.

The *Veterans Auto and Education Improvement Act of 2022* (P.L. 117-333, [50 U.S.C. §4025a](#)), enacted in January 2023, provides for military spouse license reciprocity across states under certain conditions. This legislation modifies the [Servicemembers Civil Relief Act](#) (SCRA, 50 U.S.C. §§ 501 *et seq.*), and requires states to recognize military spouse credentials that have a “similar scope of practice” and are in “good standing” with the original licensing authority. Implementation of this new requirement may eventually reduce the demand for reimbursement of relicensing costs.

There have been some concerns raised by [state officials](#) and [other stakeholders](#) about how these provisions will be implemented and enforced, as well as [ongoing legal challenges](#). [Section 640](#) of the House bill would require DOD’s [Defense-State Liaison Office](#) to coordinate with relevant state agencies to increase spouse awareness of new license portability authorities. It would also require GAO to report on state compliance with the law within two years of enactment. There is no similar provision in the Senate bill; however, the Senate Committee Report to accompany the bill (S.Rept. 118-58) states that the committee is aware of the interagency effort to implement the new law and “encourages the [DOD] to clearly communicate to servicemembers and their spouses the authorities currently available for the portability of credentialing and licensure while the interagency dialogue is ongoing.”

Unemployment Support

Civilian spouses who quit their jobs due to a military change of station may be eligible for [unemployment compensation in some states](#). [Section 636](#) of the House bill would provide additional relief to military spouses who have lost employment income due to PCS orders. This provision would amend [Section 455\(f\) of the Higher Education Act of 1965 \(20 U.S.C. §1087e\(f\)\)](#) to allow unemployed spouses of active duty servicemembers to defer payment on certain student loans for an aggregate period of 180 days. The spouse would need to provide documentary evidence of PCS orders and unemployment status. Military spouses with student loans may also access other federal student loan deferment and forbearance options, including an unemployment deferment option, and [federal student loan forgiveness and repayment programs](#).

Federal Hiring Authorities

Congress and the Executive Branch have established special [hiring flexibilities for certain military spouses](#) in an effort to streamline hiring military spouses into the federal government. On June 9, 2023, President Biden signed [Executive Order 14100](#) directing the Office of Personnel Management to reinforce existing work flexibility options and to encourage “agency leaders to consider these as options for retaining Federal employee military spouses and military caregivers.” [Section 1116](#) of the House bill would define telework and remote work under [5 U.S.C. §3330d](#), and provide for noncompetitive hiring authority for military spouses engaged in remote work. [Some observers have contended](#) that military spouses have unique challenges and that remote work flexibility may provide career stability across PCS moves and financial benefits for military families. [Section 1116](#) would also require GAO to conduct a study on the use and effects of remote work by federal agencies within 18 months of enactment.

[Section 1113](#) of the Senate bill would expand noncompetitive appointment under [5 U.S.C. §3330d](#) to spouses of DOD civilian employees who are transferred from one official station to another for permanent duty. This provision would require annual reports to Congress on its implementation until its sunset date on December 31, 2028.

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