

# FY2024 NDAA: Military Spouse Employment Matters

Updated January 2, 2024

## 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) included several provisions to provide additional support to military spouses and expand existing authorities (see **Table 1**). The FY2024 NDAA (P.L. 118-31), enacted on December 22, 2023, adopted most of these provisions.

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)	Enacted (P.L. 118-31)
<b>Licensing and Certification</b>		
<a href="#">Sec. 635</a> would expand qualifying events for reimbursement of spousal relicensing or business costs due to the member's relocation.	<a href="#">Sec. 606</a> is similar to the House provision.	<a href="#">Sec. 635</a> adopted the House provision.

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House (H.R. 2670)	Senate (S. 2226)	Enacted (P.L. 118-31)
<a href="#">Sec. 640</a> 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.	Not adopted.
<b>Unemployment Support</b>		
<a href="#">Sec. 636</a> would allow for deferment of selected federal student loans for dislocated military spouses.	No similar provision.	<a href="#">Sec. 1054</a> adopted the House provision.
<b>Federal Hiring Authorities</b>		
<a href="#">Sec. 1116</a> would define and provide for telework and remote work under federal spouse hiring authorities and would require a GAO report on federal agency telework.	<a href="#">Sec. 11332</a> and <a href="#">Sec. 11333</a> would adopt the same requirements as House Section 1116.	<a href="#">Sec. 1112</a> adopted the House provision.
No similar provision.	<a href="#">Sec. 1213</a> would expand federal noncompetitive appointment eligibility to spouses of DOD civilians.	<a href="#">Sec. 1119</a> adopted the Senate provision with a technical amendment to reporting requirements.

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. [Section 635](#) of the enacted FY2024 NDAA expands 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 have required DOD’s [Defense-State Liaison Office](#) to coordinate with relevant state agencies to increase spouse awareness of new license portability authorities. It would have also required GAO to report on state compliance with the law within two years of enactment. There was no similar provision in the Senate bill and these requirements were not enacted. The [conferees noted](#) that “the Department of Justice is working on implementing the requirements of section 705A of the

Servicemembers Civil Relief Act, and the Department of Defense continues to raise awareness of this statutory provision among servicemembers and their spouses.”

## 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 1054](#) of the enacted FY2024 NDAA provides additional relief to military spouses who have lost employment income due to PCS orders. This provision amends 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 legislation requires eligible spouses 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 1112](#) of the enacted FY2024 NDAA adopts similar provisions in the House and Senate bills as the “Military Spouse Employment Act.” This section provides a 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. This section also requires GAO to conduct a study on the use and effects of remote work by federal agencies within 18 months of enactment.

[Section 1119](#) of the enacted FY2024 NDAA adopts a Senate provision that expands 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. Section 1119 also requires the Office of Personnel Management to submit a one-time report to Congress on the use and effectiveness of this authority. The authority is to sunset on December 31, 2028.

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