

118TH CONGRESS
1ST SESSION

H. R. 5100

To amend title 10, United States Code, to provide for timely determination and action on applications by a member of one of certain Armed Forces for consideration of a reassignment to a duty station within a certain distance to the residence of a dependent child.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 1, 2023

Mr. CROW (for himself and Mr. LAMBORN) introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To amend title 10, United States Code, to provide for timely determination and action on applications by a member of one of certain Armed Forces for consideration of a reassignment to a duty station within a certain distance to the residence of a dependent child.

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’s Abil-
5 ity to Move In Line with Your Dependents Act” or the
6 “Military FAMILY Dependents Act”.

1 **SEC. 2. REASSIGNMENT FOR CERTAIN MEMBERS OF THE**
2 **ARMED FORCES ON THE BASIS OF THE RESI-**
3 **DENCE OF A DEPENDENT CHILD.**

4 Chapter 39 of title 10, United States Code, is amend-
5 ed by inserting, after item 674, the following new section:

6 **“§ 675. Permanent change of station or unit transfer**
7 **for a member on active duty on the basis**
8 **of the residence of a dependent child**

9 “(a) **TIMELY CONSIDERATION AND ACTION.**—(1) A
10 commanding officer shall determine whether to grant a re-
11 quest for a covered reassignment not later than five cal-
12 endar days after the covered member makes such request.

13 “(2) If a commanding officer denies a request under
14 paragraph (1), the covered member may request review
15 of such denial by the first general officer or flag officer
16 in the chain of command of the covered member. Such
17 general officer or flag officer shall determine whether to
18 affirm or reverse such denial not later than two weeks
19 after the covered member makes such request.

20 “(b) **REGULATIONS.**—The Secretary of Defense shall
21 prescribe regulations to ensure that this section is carried
22 out as uniformly as possible across the military depart-
23 ments.

24 “(c) **PRIVACY.**—A commanding officer shall, to the
25 greatest extent practicable, protect the privacy of a cov-
26 ered member who requests a covered reassignment.

1 “(d) PROHIBITION.—No covered member may be
2 subject to any adverse action for requesting a covered re-
3 assignment.

4 “(e) DEFINITIONS.—In this section:

5 “(1) The term ‘covered child’ means a depend-
6 ent child of a member of the armed forces who is
7 registered under the Defense Enrollment Eligibility
8 Reporting System (or successor system).

9 “(2) The term ‘covered member’ means a mem-
10 ber—

11 “(A) serving on active duty;

12 “(B) who has a covered child; and

13 “(C) assigned to a duty station located
14 more than 300 miles from the residence of such
15 covered child.

16 “(3) The term ‘covered reassignment’ means a
17 request—

18 “(A) by a covered member; and

19 “(B) for a permanent change of station, or
20 a unit transfer, to a duty station located within
21 300 miles of the residence of the covered child
22 of such covered member.”.

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