

116TH CONGRESS
1ST SESSION

H. R. 3801

To amend title 37, United States Code, to establish a basic needs allowance for low-income regular members of the Army, Navy, Marine Corps, and Air Force.

IN THE HOUSE OF REPRESENTATIVES

JULY 17, 2019

Mrs. DAVIS of California (for herself and Mr. YOUNG) introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To amend title 37, United States Code, to establish a basic needs allowance for low-income regular members of the Army, Navy, Marine Corps, and Air Force.

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 Hunger Pre-
5 vention Act”.

1 **SEC. 2. BASIC NEEDS ALLOWANCE FOR LOW-INCOME REG-**
2 **ULAR MEMBERS.**

3 (a) IN GENERAL.—Chapter 7 of title 37, United
4 States Code, is amended by inserting after section 402a
5 the following new section:

6 **“§ 402b. Basic needs allowance for low-income reg-**
7 **ular members**

8 “(a) ALLOWANCE REQUIRED.—(1) Subject to para-
9 graph (2), the Secretary of Defense shall pay to each cov-
10 ered member a basic needs allowance in the amount deter-
11 mined for such member under subsection (b).

12 “(2) In the event a household contains two or more
13 covered members entitled to receive the allowance under
14 this section in a given year, only one allowance may be
15 paid for that year to a covered member among such cov-
16 ered members whom such covered members shall jointly
17 elect.

18 “(b) AMOUNT OF ALLOWANCE FOR A COVERED
19 MEMBER.—(1) The amount of the monthly allowance pay-
20 able to a covered member under subsection (a) for a year
21 shall be the aggregate amount equal to—

22 “(A) the aggregate amount equal to—

23 “(i) 130 percent of the Federal poverty
24 guidelines of the Department of Health and
25 Human Services for the location and number of

1 persons in the household of the covered member
2 for such year; minus

3 “(ii) the gross household income of the
4 covered member during the preceding year; and
5 “(B) divided by 12.

6 “(2) The monthly allowance payable to a covered
7 member for a year shall be payable for each of the 12
8 months following March of such year.

9 “(c) NOTICE OF ELIGIBILITY.—(1)(A) Not later than
10 December 31 each year, the Director of the Defense Fi-
11 nance and Accounting Service shall notify, in writing, each
12 individual whom the Director estimates will be a covered
13 member during the following year of the potential entitle-
14 ment of that individual to the allowance described in sub-
15 section (a) for that following year.

16 “(B) The preliminary notice under subparagraph (A)
17 shall include information regarding financial management
18 and assistance programs administered by the Secretary of
19 Defense for which a covered member is eligible.

20 “(2) Not later than January 31 each year, each indi-
21 vidual who seeks to receive the allowance for such year
22 (whether or not subject to a notice for such year under
23 paragraph (1)) shall submit to the Director such informa-
24 tion as the Director shall require for purposes of this sec-

tion in order to determine whether or not such individual is a covered member for such year.

“(3) Not later than February 28 each year, the Director shall notify, in writing, each individual the Director determines to be a covered member for such year.

“(d) ELECTION NOT TO RECEIVE ALLOWANCE.—(1) A covered member otherwise entitled to receive the allowance under subsection (a) for a year may elect, in writing, not to receive the allowance for such year. Any election under this subsection shall be effective only for the year for which made. Any election for a year under this subsection is irrevocable.

“(2) A covered member who does not submit information described in subsection (d)(2) for a year as otherwise required by that subsection shall be deemed to have elected not to receive the allowance for such year.

“(e) DEFINITIONS.—In this section:

“(1) The term ‘covered member’ means a regular member of the Army, Navy, Marine Corps, or Air Force—

“(A) who has completed initial entry training;

“(B) whose gross household income during the most recent year did not exceed an amount equal to 130 percent of the Federal poverty

1 guidelines of the Department of Health and
 2 Human Services for the location and number of
 3 persons in the household of the covered member
 4 for such year; and

5 “(C) who does not elect under subsection
 6 (d) not to receive the allowance for such year.

7 “(2) The term ‘gross household income’ of a
 8 covered member for a year for purposes of para-
 9 graph (1)(B) does not include any basic allowance
 10 for housing received by the covered member (and
 11 any dependents of the covered member in the house-
 12 hold of the covered member) during such year under
 13 section 403 of this title.

14 “(f) REGULATIONS.—The Secretary of Defense shall
 15 prescribe regulations for the administration of this section.
 16 Subject to subsection (e)(2), such regulations shall specify
 17 the income to be included in, and excluded from, the gross
 18 household income of individuals for purposes of this sec-
 19 tion.”.

20 (b) CLERICAL AMENDMENT.—The table of sections
 21 at the beginning of chapter 7 of such title is amended by
 22 inserting after the item relating to section 402a the fol-
 23 lowing new item:

“402b. Basic needs allowance for low-income regular members.”.

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