

117TH CONGRESS
1ST SESSION

H. R. 2339

To amend title 37, United States Code, to establish a basic needs allowance for low-income regular members of the Armed Forces.

IN THE HOUSE OF REPRESENTATIVES

APRIL 1, 2021

Mr. PANETTA (for himself, Mr. YOUNG, Ms. STRICKLAND, Mr. BACON, Mr. CARBAJAL, and Mr. BAIRD) 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 Armed Forces.

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 OF THE ARMED FORCES.**

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 of the armed forces**

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—

9 “(A) in the case of an individual whom the Di-
10 rector of the Defense Finance and Accounting Serv-
11 ice first notifies in a given year under subsection
12 (c)(3)(A), March of such year; or

13 “(B) in the case of an individual whom the Di-
14 rector of the Defense Finance and Accounting Serv-
15 ice first notifies in a given year under subsection
16 (c)(3)(B), September of such year.

17 “(c) NOTICE OF ELIGIBILITY.—(1)(A) Not later than
18 June 30 and December 31 each year, the Director of the
19 Defense Finance and Accounting Service shall notify, in
20 writing, each individual whom the Director determines will
21 be a covered member during the following year, regarding
22 the potential entitlement of that individual to the allow-
23 ance described in subsection (a) for that following year.

24 “(B) The preliminary notice under subparagraph (A)
25 shall include information regarding financial management

1 and assistance programs administered by the Secretary of
2 Defense for which a covered member is eligible.

3 “(2) Not later than January 31 each year, each indi-
4 vidual who seeks to receive the allowance for such year
5 (whether or not subject to a notice for such year under
6 paragraph (1)) shall submit to the Director such informa-
7 tion as the Director shall require for purposes of this sec-
8 tion in order to determine whether or not such individual
9 is a covered member for such year.

10 “(3) The Director shall notify, in writing, each indi-
11 vidual the Director determines will be a covered member
12 in the following year not later than—

13 “(A) February 28 of each year; and

14 “(B) August 31 of each year.

15 “(d) ELECTION NOT TO RECEIVE ALLOWANCE.—(1)
16 A covered member otherwise entitled to receive the allow-
17 ance under subsection (a) for a year may elect, in writing,
18 not to receive the allowance for such year. Any election
19 under this subsection shall be effective only for the year
20 for which made. Any election for a year under this sub-
21 section is irrevocable.

22 “(2) A covered member who does not submit informa-
23 tion described in subsection (d)(2) for a year as otherwise
24 required by that subsection shall be deemed to have elect-
25 ed not to receive the allowance for such year.

1 “(e) DEFINITIONS.—In this section:

2 “(1) The term ‘covered member’ means a reg-
3 ular member of the armed forces—

4 “(A) who has completed initial entry train-
5 ing;

6 “(B) whose gross household income during
7 the most recent year did not exceed an amount
8 equal to 130 percent of the Federal poverty
9 guidelines of the Department of Health and
10 Human Services for the location and number of
11 persons in the household of the covered member
12 for such year; and

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

15 “(2) The term ‘gross household income’ of a
16 covered member for a year for purposes of para-
17 graph (1)(B) does not include any basic allowance
18 for housing received by the covered member (and
19 any dependents of the covered member in the house-
20 hold of the covered member) during such year under
21 section 403 of this title.

22 “(f) REGULATIONS.—The Secretary of Defense shall
23 prescribe regulations for the administration of this section.
24 Subject to subsection (e)(2), such regulations shall specify
25 the income to be included in, and excluded from, the gross

1 household income of individuals for purposes of this sec-
2 tion.”.

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

“402b. Basic needs allowance for low-income regular members of the armed
forces.”.

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