

118TH CONGRESS
1ST SESSION

S. 349

AN ACT

To amend title 5, United States Code, to authorize the appointment of spouses of members of the Armed Forces who are on active duty, disabled, or deceased to positions in which the spouses will work remotely.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Military Spouse Em-
3 ployment Act”.

4 **SEC. 2. APPOINTMENT OF MILITARY SPOUSES.**

5 Section 3330d of title 5, United States Code, is
6 amended—

7 (1) in subsection (a)—

8 (A) by redesignating paragraph (3) as
9 paragraph (4);

10 (B) by inserting after paragraph (2) the
11 following:

12 “(3) The term ‘remote work’ refers to a par-
13 ticular type of telework under which an employee is
14 not expected to report to an officially established
15 agency location on a regular and recurring basis.”;
16 and

17 (C) by adding at the end the following:

18 “(5) The term ‘telework’ has the meaning given
19 the term in section 6501.”;

20 (2) in subsection (b)—

21 (A) in paragraph (1), by striking “or” at
22 the end;

23 (B) in paragraph (2), by striking the pe-
24 riod at the end and inserting “; or”; and

25 (C) by adding at the end the following:

1 “(3) a spouse of a member of the Armed Forces
2 on active duty, or a spouse of a disabled or deceased
3 member of the Armed Forces, to a position in which
4 the spouse will engage in remote work.”; and

5 (3) in subsection (c)(1), by striking “subsection
6 (a)(3)” and inserting “subsection (a)(4)”.

7 **SEC. 3. GAO STUDY AND REPORT.**

8 (a) DEFINITIONS.—In this section—

9 (1) the terms “agency” means an agency de-
10 scribed in paragraph (1) or (2) of section 901(b) of
11 title 31, United States Code;

12 (2) the term “employee” means an employee of
13 an agency;

14 (3) the term “remote work” means a particular
15 type of telework under which an employee is not ex-
16 pected to report to an officially established agency
17 location on a regular and recurring basis; and

18 (4) the term “telework” means a work flexi-
19 bility arrangement under which an employee per-
20 forms the duties and responsibilities of such employ-
21 ee’s position, and other authorized activities, from
22 an approved worksite other than the location from
23 which the employee would otherwise work.

24 (b) REQUIREMENT.—Not later than 18 months after
25 the date of enactment of this Act, the Comptroller General

1 of the United States shall conduct a study and publish
2 a report regarding the use of remote work by agencies,
3 which shall include a discussion of what is known regard-
4 ing—

5 (1) the number of employees who are engaging
6 in remote work;

7 (2) the role of remote work in agency recruit-
8 ment and retention efforts;

9 (3) the geographic location of employees who
10 engage in remote work;

11 (4) the effect that remote work has had on how
12 often employees are reporting to officially established
13 agency locations to perform the duties and respon-
14 sibilities of the positions of those employees and
15 other authorized activities; and

16 (5) how the use of remote work has affected
17 Federal office space utilization and spending.

Passed the Senate June 22, 2023.

Attest:

Secretary.

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