

Sec. 1799.	Child care services and youth program services for dependents: participation by children and youth otherwise ineligible.
1800.	Definitions.

AMENDMENTS

1999—Pub. L. 106-65, div. A, title V, §584(a)(2), Oct. 5, 1999, 113 Stat. 636, added items 1798, 1799, and 1800 and struck out former item 1798 “Definitions”.

§ 1791. Funding for military child care

(a) **POLICY.**—It is the policy of Congress that the amount of appropriated funds available during a fiscal year for operating expenses for military child development centers and programs shall be not less than the amount of child care fee receipts that are estimated to be received by the Department of Defense during that fiscal year.

(b) **RESPONSIBILITY FOR ALLOCATIONS OF CERTAIN FUNDS.**—The Secretary of Defense shall be responsible for the allocation of Office of the Secretary of Defense level funds for military child development programs for children from birth through 12 years of age, and may not delegate such responsibility to the military departments.

(Added Pub. L. 104-106, div. A, title V, §568(a)(1), Feb. 10, 1996, 110 Stat. 332; amended Pub. L. 116-283, div. A, title V, §584, Jan. 1, 2021, 134 Stat. 3654.)

PRIOR PROVISIONS

Provisions similar to those in this subchapter were contained in Pub. L. 101-189, div. A, title XV, Nov. 29, 1989, 103 Stat. 1589, which was set out as a note under section 113 of this title, prior to repeal by Pub. L. 104-106, §568(e)(2).

AMENDMENTS

2021—Pub. L. 116-283 designated existing provisions as subsec. (a), inserted heading, and added subsec. (b).

24-HOUR CHILD CARE

Pub. L. 116-283, div. A, title V, §588, Jan. 1, 2021, 134 Stat. 3656, provided that:

“(a) **24-HOUR CHILD CARE.**—If the Secretary of Defense determines it feasible, pursuant to the study conducted pursuant to subsection (b), the Secretary shall furnish child care to each child of a member of the Armed Forces or civilian employee of the Department of Defense while that member or employee works on rotating shifts at a military installation.

“(b) **FEASIBILITY STUDY; REPORT.**—Not later than 270 days after the date of the enactment of this Act [Jan. 1, 2021], the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth the results of a study, conducted by the Secretary for purposes of this section, on the feasibility of furnishing child care described in subsection (a).

“(c) **ELEMENTS.**—The report required by subsection (b) shall include the following:

“(1) The results of the study described in that subsection.

“(2) If the Secretary determines that furnishing child care available as described in subsection (a) is feasible, such matters as the Secretary determines appropriate in connection with furnishing such child care, including—

“(A) an identification of the installations at which such child care would be beneficial to members of the Armed Forces, civilian employees of the Department, or both;

“(B) an identification of any barriers to making such child care available at the installations identified pursuant to subparagraph (A);

“(C) an assessment whether the child care needs of members of the Armed Forces and civilian employees of the Department described in subsection (a) would be better met by an increase in assistance for child care fees;

“(D) a description and assessment of the actions, if any, being taken to furnish such child care at the installations identified pursuant to subparagraph (A); and

“(E) such recommendations for legislative or administrative action the Secretary determines appropriate to make such child care available at the installations identified pursuant to subparagraph (A), or at any other military installation.”

PILOT PROGRAM TO PROVIDE FINANCIAL ASSISTANCE TO MEMBERS OF THE ARMED FORCES FOR IN-HOME CHILD CARE

Pub. L. 116-283, div. A, title V, §589, Jan. 1, 2021, 134 Stat. 3657, provided that:

“(a) **ESTABLISHMENT.**—Not later than March 1, 2021, the Secretary of Defense shall establish a pilot program to provide financial assistance to members of the Armed Forces who pay for services provided by in-home child care providers. In carrying out the pilot program, the Secretary shall take the following steps:

“(1) Determine the needs of military families who request services provided by in-home child care providers.

“(2) Determine the appropriate amount of financial assistance to provide to military families described in paragraph (1).

“(3) Determine the appropriate qualifications for an in-home child care provider for whose services the Secretary shall provide financial assistance to a military family. In carrying out this paragraph, the Secretary shall—

“(A) take into consideration qualifications for in-home child care providers in the private sector; and

“(B) ensure that the qualifications the Secretary determines appropriate under this paragraph are comparable to the qualifications for a provider of child care services in a military child development center or family home day care.

“(4) Establish a marketing and communications plan to inform members of the Armed Forces who live in the locations described in subsection (b) about the pilot program.

“(b) **LOCATIONS.**—The Secretary shall carry out the pilot program in the five locations that the Secretary determines have the greatest demand for child care services for children of members of the Armed Forces.

“(c) **REPORTS.**—

“(1) **INTERIM REPORTS.**—Not later than one year after the Secretary establishes the pilot program and thrice annually thereafter, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives an interim report on the pilot program. Each interim report shall include the following elements:

“(A) The number of military families participating in the pilot program, disaggregated by location and duration of participation.

“(B) The amount of financial assistance provided to participating military families in each location.

“(C) Metrics by which the Secretary carries out subsection (a)(3)(B);

“(D) The feasibility of expanding the pilot program.

“(E) Legislation or administrative action that the Secretary determines necessary to make the pilot program permanent.

“(F) Any other information the Secretary determines appropriate.

“(2) **FINAL REPORT.**—Not later than 90 days after the termination of the pilot program, the Secretary shall submit to the Committees on Armed Services of the