

the National Children's Alliance, or similar organization, under which—

“(i) the children's advocacy center services of the Alliance are available to all installations in the continental United States under the jurisdiction of such Secretary; and

“(ii) members of the Armed Forces under the jurisdiction of such Secretary are made aware of the nature and availability of such services.

“(B) PARTICIPATION OF CERTAIN ENTITIES.—Each memorandum of understanding under this paragraph shall provide for the appropriate participation of the Family Advocacy Program and military criminal investigative organizations of the military department concerned in activities under such memorandum of understanding.

“(C) BRIEFING.—Not later than one year after the date of the enactment of this Act [Jan. 1, 2021], the Secretary of each military department shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on the status of the development of a memorandum of understanding with the National Children's Alliance under this paragraph, together with information on which installations, if any, under the jurisdiction of such Secretary have entered into a written agreement with a local children's advocacy center with respect to serious harm to children on such installations.”

REPORTING ON ALLEGATIONS OF CHILD ABUSE IN MILITARY FAMILIES AND HOMES

Pub. L. 114-328, div. A, title V, §575(a), Dec. 23, 2016, 130 Stat. 2142, provided that:

“(a) REPORTS TO FAMILY ADVOCACY PROGRAM OFFICES.—

“(1) IN GENERAL.—The following information shall be reported immediately to the Family Advocacy Program office at the military installation to which the member of the Armed Forces concerned is assigned:

“(A) Credible information (which may include a reasonable belief), obtained by any individual within the chain of command of the member, that a child in the family or home of the member has suffered an incident of child abuse.

“(B) Information, learned by a member of the Armed Forces engaged in a profession or activity described in section 226(b) of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13031(b)) [now 34 U.S.C. 20341(b)] for members of the Armed Forces and their dependents, that gives reason to suspect that a child in the family or home of the member has suffered an incident of child abuse.

“(2) REGULATIONS.—The Secretary of Defense and the Secretary of Homeland Security (with respect to the Coast Guard when it is not operating as a service in the Navy) shall jointly prescribe regulations to carry out this subsection.

“(3) CHILD ABUSE DEFINED.—In this subsection, the term ‘child abuse’ has the meaning given that term in section 226(c) of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13031(c)) [now 34 U.S.C. 20341(c)].”

PLAN FOR IMPLEMENTATION OF ACCREDITATION REQUIREMENT

Pub. L. 104-106, div. A, title V, §568(c), Feb. 10, 1996, 110 Stat. 335, directed Secretary of Defense to submit to Congress, not later than Apr. 1, 1997, a plan for carrying out the requirements of this section.

§ 1788. Additional family assistance

(a) AUTHORITY.—The Secretary of Defense may provide for the families of members of the armed forces serving on active duty, in addition to any other assistance available for such families, any assistance that the Secretary considers appropriate to ensure that the children of such

members obtain needed child care, education, and other youth services.

(b) PRIMARY PURPOSE OF ASSISTANCE.—The assistance authorized by this section should be directed primarily toward providing needed family support, including child care, education, and other youth services, for children of members of the armed forces who are deployed, assigned to duty, or ordered to active duty in connection with a contingency operation.

(Added Pub. L. 107-314, div. A, title VI, §652(a)(1), Dec. 2, 2002, 116 Stat. 2581; amended Pub. L. 111-383, div. A, title X, §1075(b)(25), Jan. 7, 2011, 124 Stat. 4370.)

Editorial Notes

AMENDMENTS

2011—Subsec. (b). Pub. L. 111-383 substituted “armed forces” for “Armed Forces”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Pub. L. 107-314, div. A, title VI, §652(b), Dec. 2, 2002, 116 Stat. 2581, provided that: “Section 1788 of title 10, United States Code, as added by subsection (a), shall take effect on October 1, 2002.”

PILOT PROGRAM FOR MILITARY FAMILIES: PREVENTION OF CHILD ABUSE AND TRAINING ON SAFE CHILDCARE PRACTICES

Pub. L. 115-232, div. A, title V, §578, Aug. 13, 2018, 132 Stat. 1783, provided that:

“(a) PILOT PROGRAM.—

“(1) PURPOSE.—In order to reduce child abuse and fatalities due to abuse or neglect in covered households, the Secretary of Defense, acting through the Defense Health Agency, shall carry out a pilot program to—

“(A) provide information regarding safe childcare practices to covered households;

“(B) identify and assess risk factors for child abuse in covered households; and

“(C) facilitate connections between covered households and community resources.

“(2) PROHIBITION ON DELEGATION.—The Secretary may not carry out the pilot program through the Family Advocacy Program.

“(3) LOCATIONS.—The Secretary shall carry out the pilot program at no fewer than five military installations that reflect a range of characteristics including the following:

“(A) Urban location.

“(B) Rural location.

“(C) Large population.

“(D) Small population.

“(E) High incidence of child abuse, neglect, or both.

“(F) Low incidence of child abuse, neglect, or both.

“(G) Presence of a hospital or clinic.

“(H) Lack of a hospital or clinic.

“(I) Joint installation.

“(J) Serving only one Armed Force.

“(4) TERM.—The pilot program shall terminate two years after implementation.

“(5) DESIGN.—The Secretary shall design the pilot program in consultation with military family groups to respond to the needs of covered households.

“(6) ELEMENTS.—The pilot program shall include the following elements:

“(A) Postnatal services, including screening to identify family needs and potential risk factors, and make referrals to appropriate community services with the use of the electronic data described in subparagraphs (F) and (G).

“(B) The Secretary shall identify at least three approaches to screening, identification, and referral under subparagraph (A) that empirically improve outcomes for parents and infants.

“(C) Services and resources designed for a covered household by the Secretary after considering the information gained from the screening and identification under subparagraph (A). Such services and resources may include or address the following:

“(i) General maternal and infant health exam.

“(ii) Safe sleeping environments.

“(iii) Feeding and bathing.

“(iv) Adequate child supervision.

“(v) Common hazards.

“(vi) Self-care.

“(vii) Postpartum depression, substance abuse, or domestic violence.

“(viii) Community violence.

“(ix) Skills for management of infant crying.

“(x) Other positive parenting skills and practices.

“(xi) The importance of participating in ongoing healthcare for an infant and for treating postpartum depression.

“(xii) Finding, qualifying for, and participating in available community resources with respect to infant care, childcare, parenting support, and home visits.

“(xiii) Planning for parenting or guardianship of children during deployment and reintegration.

“(xiv) Such other matters as the Secretary, in consultation with military families, considers appropriate.

“(D) Home visits to provide support, screening and referral services shall be offered as needed. The number of visits offered shall be guided by parental interest and family need, but in general is expected to be no more than three.

“(E) If a parent is deployed at the time of birth—

“(i) the first in-home visit under subparagraph (D) shall, to the extent practicable, incorporate both parents, in person with the local parent and by electronic means with the deployed parent; and

“(ii) another such home visit shall be offered upon the return of the parent from deployment, and shall include both parents, if determined in the best interest of the family.

“(F) An electronic directory of community resources available to covered households and pilot program personnel to help covered households access such resources.

“(G) An electronic integrated data system to—

“(i) help pilot program personnel refer eligible covered beneficiaries to services and resources under the pilot program;

“(ii) track usage of such services and resources and interactions between such personnel and covered households; and

“(iii) evaluate the implementation, outcomes, and effectiveness of the pilot program.

“(b) VOLUNTARY PARTICIPATION.—Participation in the pilot program shall be at the election of a covered beneficiary in an eligible household.

“(c) OUTREACH.—

“(1) IN GENERAL.—Not later than 30 days after implementing the pilot program, the Secretary shall notify each covered household of the services provided under subsection (b).

“(2) COVERED HOUSEHOLDS WITH NEWBORNS.—No later than 30 days after a birth in a covered household, the Secretary shall contact such covered household to encourage participation in the pilot program.

“(d) ASSESSMENTS.—

“(1) NUMBER.—The Secretary shall carry out no fewer than five assessments of the pilot program.

“(2) COMPARISON INSTALLATIONS.—For purposes of this subsection, the Secretary shall also select such number of other military installations the Secretary determines appropriate as comparison installations for purposes of assessing the outcomes of the pilot.

“(3) ASSESSMENT.—The Secretary shall assess each of the following:

“(A) Success in contacting covered households for participation in the pilot.

“(B) The percentage of covered households that elect to participate in the pilot program.

“(C) The extent to which covered households participating in the pilot program are connected to services and resources under the pilot program.

“(D) The extent to which covered households participating in the pilot program use services and resources under the pilot program.

“(E) Compliance of pilot program personnel with pilot program protocols.

“(e) REPORTS.—

“(1) INITIAL REPORT.—Not later than 180 days after the date of the enactment of this Act [Aug. 13, 2018], the Secretary shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the pilot program under this section. The report shall include a comprehensive description of the assessments under subsection (d), as well as the following:

“(A) Which installations the Secretary selected for the pilot program under subsection (a)(2).

“(B) Why the Secretary selected the installations described in subparagraph (A).

“(C) Names of the installations the Secretary selected as comparison installations under subsection (d)(2).

“(D) How the pilot program is carried out, including strategy and metrics for evaluating effectiveness of the pilot program.

“(2) FINAL REPORT.—Not later than 180 days after the termination of the pilot program, the Secretary shall submit to the committees specified in paragraph (1) a final report on the pilot program. The report shall include the following:

“(A) A comprehensive description of, and findings of, the assessments under subsection (d).

“(B) A comprehensive description and assessment of the pilot.

“(C) Such recommendations for legislative or administrative action the Secretary determines appropriate, including whether to—

“(i) extend the term of the pilot program;

“(ii) expand the pilot program to additional installations; or

“(iii) make the pilot program permanent.

“(f) DEPARTMENTAL IMPLEMENTATION.—If the Secretary determines that any element of the pilot program is effective, the Secretary shall implement such element permanently for the Department of Defense.

“(g) DEFINITIONS.—In this section:

“(1) The term ‘covered household’ means a household that—

“(A) contains an eligible covered beneficiary; and

“(B) is located at a location selected by the Secretary for the pilot program.

“(2) The term ‘eligible covered beneficiary’ means a covered beneficiary (as that term is defined in section 1072 of title 10, United States Code) who obtains prenatal or obstetrical care in a military medical treatment facility in connection with a birth covered by the pilot program.

“(3) With respect to a military installation, the term ‘community’ means the catchment area for community services of the installation, including services provided on the installation by the Secretary and services provided by State, county, and local jurisdictions in which the installation is located, or in the vicinity of the installation.”

FAMILY SUPPORT PROGRAMS FOR IMMEDIATE FAMILY MEMBERS OF MEMBERS OF THE ARMED FORCES ASSIGNED TO SPECIAL OPERATIONS FORCES

Pub. L. 113–66, div. A, title V, §554, Dec. 26, 2013, 127 Stat. 765, as amended by Pub. L. 114–92, div. A, title V, §574, Nov. 25, 2015, 129 Stat. 831; Pub. L. 115–91, div. A, title X, §1081(e), Dec. 12, 2017, 131 Stat. 1601, related to

pilot programs for family members of members of the Armed Forces assigned to special operations forces, prior to repeal by Pub. L. 115-91, div. A, title V, § 555(f), Dec. 12, 2017, 131 Stat. 1403. See section 1788a of this title.

[Pub. L. 115-91, div. A, title X, § 1081(e), Dec. 12, 2017, 131 Stat. 1601, provided that the amendment made by section 1081(e) (amending section 574 of Pub. L. 114-92, which amended section 554 of Pub. L. 113-66, formerly set out above) is effective Nov. 25, 2015, and as if included in Pub. L. 114-92 as enacted.]

PILOT PROGRAM ON PARENT EDUCATION TO PROMOTE EARLY CHILDHOOD EDUCATION FOR DEPENDENT CHILDREN AFFECTED BY MILITARY DEPLOYMENT OR RELOCATION OF MILITARY UNITS

Pub. L. 109-364, div. A, title V, § 575, Oct. 17, 2006, 120 Stat. 2227, provided that:

“(a) PILOT PROGRAM AUTHORIZED.—Using such funds as may be appropriated for this purpose, the Secretary of Defense may carry out a pilot program on the provision of educational and support tools to the parents of preschool-age children—

“(1) whose parent or parents serve as members of the Armed Forces on active duty (including members of the Selected Reserve on active duty pursuant to a call or order to active duty of 180 days or more); and

“(2) who are affected by the deployment of their parent or parents or the relocation of the military unit of which their parent or parents are a member.

“(b) PURPOSE.—The purpose of the pilot program is to develop models for improving the capability of military child and youth programs on or near military installations to provide assistance to military parents with young children through a program of activities focusing on the unique needs of children described in subsection (a).

“(c) LIMITS ON COMMENCEMENT AND DURATION OF PROGRAM.—The Secretary of Defense may not commence the pilot program before October 1, 2007, and shall conclude the pilot program not later than the end of the three-year period beginning on the date on which the Secretary commences the program.

“(d) SCOPE OF PROGRAM.—Under the pilot program, the Secretary of Defense shall utilize one or more models, demonstrated through research, of universal access of parents of children described in subsection (a) to assistance under the pilot program to achieve the following goals:

“(1) The identification and mitigation of specific risk factors for such children related to military life.

“(2) The maximization of the educational readiness of such children.

“(e) LOCATIONS AND GOALS.—

“(1) SELECTION OF PARTICIPATING INSTALLATIONS.—In selecting military installations to participate in the pilot program, the Secretary of Defense shall limit selection to those military installations whose military personnel are experiencing significant transition or deployment or which are undergoing transition as a result of the relocation or activation of military units or activities relating to defense base closure and realignment.

“(2) SELECTION OF CERTAIN INSTALLATIONS.—At least one of the installations selected under paragraph (1) shall be a military installation that will permit, under the pilot program, the meaningful evaluation of a model under subsection (d) that provides outreach to parents in families with a parent who is a member of the National Guard or Reserve, which families live more than 40 miles from the installation.

“(3) GOALS OF PARTICIPATING INSTALLATIONS.—If a military installation is selected under paragraph (1), the Secretary shall require appropriate personnel at the military installation to develop goals, and specific outcome measures with respect to such goals, for the conduct of the pilot program at the installation.

“(4) EVALUATION REQUIRED.—Upon completion of the pilot program at a military installation, the per-

sonnel referred to in paragraph (3) at the installation shall be required to conduct an evaluation and assessment of the success of the pilot program at the installation in meeting the goals developed for that installation.

“(f) GUIDELINES.—As part of conducting the pilot program, the Secretary of Defense shall issue guidelines regarding—

“(1) the goals to be developed under subsection (e)(3);

“(2) specific outcome measures; and

“(3) the selection of curriculum and the conduct of developmental screening under the pilot program.

“(g) REPORT.—Upon completion of the pilot program, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on all of the evaluations prepared under subsection (e)(4) for the military installations participating in the pilot program. The report shall describe the results of the evaluations, and may include such recommendations for legislative or administrative action as the Secretary considers appropriate in light of the evaluations, including recommendations for the continuation of the pilot program.”

§ 1788a. Support programs: special operations forces personnel; immediate family members

(a) PROGRAMS AUTHORIZED.—Consistent with such regulations as the Secretary of Defense may prescribe to carry out this section, the Commander of the United States Special Operations Command may conduct programs to provide family support services. In selecting and conducting any program under this subsection, the Commander shall coordinate with the Under Secretary of Defense for Personnel and Readiness.

(b) SELECTION OF PROGRAMS.—In selecting the programs to be conducted under subsection (a), the Commander shall—

(1) identify family support services that have a direct and concrete impact on the readiness of special operations forces, but that are not being provided by the Secretary of a military department to covered individuals; and

(2) conduct a cost-benefit analysis of each family support service proposed to be included in a program.

(c) ADDITIONAL AUTHORITY.—The Commander may expend up to \$10,000,000 during each fiscal year, from funds available for Major Force Program 11, to carry out family support programs under this section.

[(d) Repealed. Pub. L. 116-92, div. A, title XVII, § 1702(c)(1), Dec. 20, 2019, 133 Stat. 1796.]

(e) DEFINITIONS.—In this section:

(1) The term “Commander” means the Commander of the United States Special Operations Command.

(2) The term “immediate family members” has the meaning given that term in section 1789(c) of this title.

(3) The term “special operations forces” means those forces of the armed forces identified as special operations forces under section 167(j) of this title.

(4) The term “family support services” includes psychological support, spiritual support, and costs of transportation, food, lodging, child care, supplies, fees, and training materials for covered individuals while participating in programs under subsection (a).