

(5) The term “covered individuals” means—
 (A) members of the Armed Forces (including the reserve components) assigned to special operations forces;

(B) service personnel assigned to support special operations forces;

(C) immediate family members of individuals described in subparagraphs (A) and (B); and

(D) immediate family members of individuals described in subparagraphs (A) or (B) in a case in which such individual died—

- (i) as a direct result of armed conflict;
- (ii) while engaged in hazardous service;
- (iii) in the performance of duty under conditions simulating war; or
- (iv) through an instrumentality of war.

(Added and amended Pub. L. 115–91, div. A, title V, § 555(a)–(d), Dec. 12, 2017, 131 Stat. 1402, 1403; Pub. L. 115–232, div. A, title V, § 572, Aug. 13, 2018, 132 Stat. 1778; Pub. L. 116–92, div. A, title XVII, §§ 1702(c)(1), 1731(a)(28), Dec. 20, 2019, 133 Stat. 1796, 1813; Pub. L. 116–283, div. A, title V, § 583(a), Jan. 1, 2021, 134 Stat. 3653; Pub. L. 117–81, div. A, title V, § 561, title X, § 1081(a)(24), Dec. 27, 2021, 135 Stat. 1746, 1920.)

Editorial Notes

CODIFICATION

Text of section, as added by Pub. L. 115–91, is based on text of subssecs. (a), (b), (d), and (e) of section 554 of Pub. L. 113–66, div. A, title V, Dec. 26, 2013, 127 Stat. 765, which was formerly set out as a note under section 1788 of this title, prior to repeal by Pub. L. 115–91, div. A, title X, § 1081(e), Dec. 12, 2017, 131 Stat. 1601.

AMENDMENTS

2021—Pub. L. 116–283, § 583(a)(1), substituted “Support programs: special operations forces personnel; immediate family members” for “Family support programs: immediate family members of members of special operations forces” in section catchline.

Subsec. (a). Pub. L. 116–283, § 583(a)(2), struck out “for the immediate family members of members of the armed forces assigned to special operations forces” after “family support services”.

Subsec. (b)(1). Pub. L. 116–283, § 583(a)(3), substituted “covered individuals” for “the immediate family members of members of the armed forces assigned to special operations forces”.

Subsec. (d)(2)(A). Pub. L. 116–283, § 583(a)(4)(A), substituted “covered individuals” for “family members of members of the armed forces assigned to special operations forces”.

Subsec. (d)(2)(B). Pub. L. 116–283, § 583(a)(4)(B), substituted “covered individuals” for “family members of members of the armed forces assigned to special operations forces”.

Subsec. (e)(3). Pub. L. 117–81, § 1081(a)(24)(A), substituted “section 167(j)” for “section 167(i)”.

Subsec. (e)(4). Pub. L. 117–81, § 1081(a)(24)(B), substituted “covered individuals” for “covered personnel”.

Pub. L. 117–81, § 561(1), which directed substitution of “covered individuals” for “covered personnel”, could not be executed because of the prior amendment by Pub. L. 117–81, § 1081(a)(24)(B). See note above and Coordination of Amendments by Pub. L. 117–81 note below.

Pub. L. 116–283, § 583(a)(5)(A), (B), inserted “psychological support, spiritual support, and” before “costs” and substituted “covered personnel” for “immediate family members of members of the armed forces assigned to special operations forces”.

Subsec. (e)(5). Pub. L. 117–81, § 1081(a)(24)(C), substituted “covered individuals” for “covered personnel”.

Pub. L. 117–81, § 561(2)(A), which directed substitution of “covered individuals” for “covered personnel”, could not be executed because of the prior amendment by Pub. L. 117–81, § 1081(a)(24)(C). See note above and Coordination of Amendments by Pub. L. 117–81 note below.

Pub. L. 116–283, § 583(a)(5)(C), which directed amendment of subsec. (e)(4) “by adding at the end” par. (5), was executed by adding par. (5) after par. (4), to reflect the probable intent of Congress.

Subsec. (e)(5)(D). Pub. L. 117–81, § 561(2)(B)–(D), added subpar. (D).

2019—Subsec. (d). Pub. L. 116–92, § 1702(c)(1), struck out subsec. (d) which required an annual report regarding the family support programs.

Subsec. (d)(1). Pub. L. 116–92, § 1731(a)(28), substituted “Not later than March 1 each year” for “Not later than March 1, 2019, and each March 1 thereafter”.

2018—Subsecs. (a), (b)(1). Pub. L. 115–232, § 572(1), substituted “services” for “activities”.

Subsec. (b)(2). Pub. L. 115–232, § 572(2), substituted “service” for “activity”.

Subsec. (c). Pub. L. 115–232, § 572(3), substituted “\$10,000,000” for “\$5,000,000”.

Subsec. (e)(4). Pub. L. 115–232, § 572(4), added par. (4).

2017—Subsec. (a). Pub. L. 115–91, § 555(d)(3), struck out “Pilot” before “Programs” in heading and substituted “programs to provide” for “up to three pilot programs to assess the feasibility and benefits of providing” in text.

Pub. L. 115–91, § 555(d)(1), (2), substituted “armed forces” for “Armed Forces” and struck out “pilot” before “program”.

Subsec. (b)(1). Pub. L. 115–91, § 555(d)(1), substituted “armed forces” for “Armed Forces”.

Subsec. (b)(2). Pub. L. 115–91, § 555(d)(2), struck out “pilot” before “program”.

Subsec. (c). Pub. L. 115–91, § 555(b)(1), (c), redesignated subsec. (d) as (c) and substituted “, from funds available for Major Force Program 11, to carry out family support programs under this section.” for “specified in subsection (f) to carry out the pilot programs under subsection (a).”

Subsec. (d). Pub. L. 115–91, § 555(b)(2), added subsec. (d). Former subsec. (d) redesignated (c).

Subsec. (e)(2). Pub. L. 115–91, § 555(d)(4)(A), substituted “this title” for “title 10, United States Code”.

Subsec. (e)(3). Pub. L. 115–91, § 555(d)(4)(B), substituted “this title” for “such title”.

Pub. L. 115–91, § 555(d)(1), substituted “armed forces” for “Armed Forces”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2019 AMENDMENT

Pub. L. 116–92, div. A, title XVII, § 1702(c)(2), Dec. 20, 2019, 133 Stat. 1796, provided that: “The amendment made by paragraph (1) [amending this section] shall take effect on December 30, 2021.”

TERMINATION OF REPORTING REQUIREMENTS

For termination, effective Dec. 30, 2021, of provisions in subsec. (d) of this section requiring submittal of annual report to Congress, see section 1702(a), (b) of Pub. L. 116–92, set out as a note under section 111 of this title.

COORDINATION OF AMENDMENTS BY PUB. L. 117–81

Amendment by section 1081 of Pub. L. 117–81 to be treated as having been enacted immediately before amendments by other provisions of Pub. L. 117–81, see section 1081(d) of Pub. L. 117–81, set out as a Coordination of Certain Sections of an Act With Other Provisions of That Act note under section 101 of this title.

§ 1789. Chaplain-led programs: authorized support

(a) **AUTHORITY.**—The Secretary of a military department may provide support services de-

scribed in subsection (b) to support chaplain-led programs to assist members of the armed forces on active duty and their immediate family members, and members of reserve components in an active status and their immediate family members, in building and maintaining a strong family structure.

(b) **AUTHORIZED SUPPORT SERVICES.**—The support services referred to in subsection (a) are costs of transportation, food, lodging, child care, supplies, fees, and training materials for members of the armed forces and their family members while participating in programs referred to in that subsection, including participation at retreats and conferences.

(c) **IMMEDIATE FAMILY MEMBERS.**—In this section, the term “immediate family members”, with respect to a member of the armed forces, means—

- (1) the member’s spouse; and
- (2) any child (as defined in section 1072(6) of this title) of the member who is described in subparagraph (D) of section 1072(2) of this title.

(Added Pub. L. 108–136, div. A, title V, § 582(a)(1), Nov. 24, 2003, 117 Stat. 1489.)

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Pub. L. 108–136, div. A, title V, § 582(b), Nov. 24, 2003, 117 Stat. 1490, provided that: “Section 1789 of title 10, United States Code, as added by subsection (a), shall take effect on October 1, 2003.”

§ 1790. Military personnel citizenship processing

Using funds provided for operation and maintenance and notwithstanding section 2215 of this title, the Secretary of Defense may reimburse the Secretary of Homeland Security for costs associated with the processing and adjudication by the United States Citizenship and Immigration Services (USCIS) of applications for naturalization described in sections 328(b)(4) and 329(b)(4) of the Immigration and Nationality Act (8 U.S.C. 1439(b)(4) and 1440(b)(4)). Such reimbursements shall be deposited and remain available as provided by subsections (m) and (n) of section 286 of such Act (8 U.S.C. 1356). Such reimbursements shall be based on actual costs incurred by USCIS for processing applications for naturalization, and shall not exceed \$7,500,000 per fiscal year.

(Added Pub. L. 112–74, div. A, title VIII, § 8070(a), Dec. 23, 2011, 125 Stat. 822; amended Pub. L. 112–239, div. A, title X, § 1076(f)(22), Jan. 2, 2013, 126 Stat. 1953.)

Editorial Notes

AMENDMENTS

2013—Pub. L. 112–239, in section catchline, substituted “Military personnel citizenship processing” for “MILITARY PERSONNEL CITIZENSHIP PROCESSING”, and in text, struck out “AUTHORIZATION OF PAYMENTS.—” before “Using funds” and substituted “this title” for “title 10, United States Code”, “8 U.S.C. 1439(b)(4)” for “8 U.S.C. §§1439(b)(4)”, and “subsections (m) and (n) of section 286 of such Act (8 U.S.C. 1356)” for “sections 286(m) and (n) of such Act (8 U.S.C. §1356(m))”.

SUBCHAPTER II—MILITARY CHILD CARE

Sec. 1791. 1792. 1793. 1794. 1795. 1796. 1797. 1798. 1799. 1800.	Funding for military child care. Child care employees. Parent fees. Child abuse prevention and safety at facilities. Parent partnerships with child development centers. Subsidies for family home day care. Early childhood education program. Child care services and youth program services for dependents: financial assistance for providers. Child care services and youth program services for dependents: participation by children and youth otherwise ineligible. Definitions.
--	---

Editorial Notes

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.)

Editorial Notes

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).

Statutory Notes and Related Subsidiaries

IMPROVEMENT OF DEPARTMENT OF DEFENSE CHILD DEVELOPMENT CENTERS AND INCREASED AVAILABILITY OF CHILD CARE FOR CHILDREN OF MILITARY PERSONNEL

Pub. L. 117–81, div. B, title XXVIII, § 2816, Dec. 27, 2021, 135 Stat. 2194, provided that:

“(a) **SAFETY INSPECTION OF CHILD DEVELOPMENT CENTERS.**—Not later than one year after the date of the enactment of this Act [Dec. 27, 2021], each Secretary of a military department shall complete an inspection of all facilities under the jurisdiction of that Secretary used