

retary to the pilot program pursuant to subsection (d)(2)."

IMPROVED DATA COLLECTION RELATED TO EFFORTS TO REDUCE UNDEREMPLOYMENT OF SPOUSES OF MEMBERS OF THE ARMED FORCES AND CLOSE THE WAGE GAP BETWEEN MILITARY SPOUSES AND THEIR CIVILIAN COUNTERPARTS

Pub. L. 113-291, div. A, title V, § 568, Dec. 19, 2014, 128 Stat. 3386, provided that:

"(a) DATA COLLECTION EFFORTS.—In addition to monitoring the number of spouses of members of the Armed Forces who obtain employment through military spouse employment programs, the Secretary of Defense shall collect data to evaluate the effectiveness of military spouse employment programs—

"(1) in addressing the underemployment of military spouses;

"(2) in matching military spouses' education and experience to available employment positions; and

"(3) in closing the wage gap between military spouses and their civilian counterparts.

"(b) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act [Dec. 19, 2014], the Secretary of Defense shall submit to the congressional defense committees [Committees on Armed Services and Appropriations of the Senate and the House of Representatives] a report evaluating the progress of military spouse employment programs—

"(1) in reducing military spouse unemployment and underemployment; and

"(2) in reducing the wage gap between military spouses and their civilian counterparts.

"(c) MILITARY SPOUSE EMPLOYMENT PROGRAMS DEFINED.—In this section, the term 'military spouse employment programs' means the Military Spouse Employment Partnership (MSEP)."

PILOT PROGRAM TO SECURE INTERNSHIPS FOR MILITARY SPOUSES WITH FEDERAL AGENCIES

Pub. L. 111-84, div. A, title V, § 564, Oct. 28, 2009, 123 Stat. 2308, provided that:

"(a) COST-REIMBURSEMENT AGREEMENTS WITH FEDERAL AGENCIES.—The Secretary of Defense may enter into an agreement with the head of an executive department or agency that has an established internship program to reimburse the department or agency for authorized costs associated with the first year of employment of an eligible military spouse who is selected to participate in the internship program of the department or agency.

"(b) ELIGIBLE MILITARY SPOUSES.—

"(1) ELIGIBILITY.—Except as provided in paragraph (2), any person who is married to a member of the Armed Forces on active duty is eligible for selection to participate in an internship program under a reimbursement agreement entered into under subsection (a).

"(2) EXCLUSIONS.—Reimbursement may not be provided with respect to the following persons:

"(A) A person who is legally separated from a member of the Armed Forces under court order or statute of any State, the District of Columbia, or possession of the United States when the person begins the internship.

"(B) A person who is also a member of the Armed Forces on active duty.

"(C) A person who is a retired member of the Armed Forces.

"(c) FUNDING SOURCE.—Amounts authorized to be appropriated for operation and maintenance, for Defense-wide activities, shall be available to carry out this section.

"(d) DEFINITIONS.—In this section:

"(1) The term 'authorized costs' includes the costs of the salary, benefits and allowances, and training for an eligible military spouse during the first year of the participation of the military spouse in an internship program pursuant to an agreement under subsection (a).

"(2) The term 'internship' means a professional, analytical, or administrative position in the Federal Government that operates under a developmental program leading to career advancement.

"(e) TERMINATION OF AGREEMENT AUTHORITY.—No agreement may be entered into under subsection (a) after September 30, 2011. Authorized costs incurred after that date may be reimbursed under an agreement entered into before that date in the case of eligible military spouses who begin their internship by that date.

"(f) REPORTING REQUIREMENT.—Not later than January 1, 2012, the Secretary of Defense shall submit to the congressional defense committees [Committees on Armed Services and Appropriations of the Senate and the House of Representatives] a report that provides information on how many eligible military spouses received internships pursuant to agreements entered into under subsection (a) and the types of internship positions they occupied. The report shall specify the number of interns who subsequently obtained permanent employment with the department or agency administering the internship program or with another department or agency. The Secretary shall include a recommendation regarding whether, given the investment of Department of Defense funds, the authority to enter into agreements should be extended, modified, or terminated."

CONTINUATION OF DELEGATION OF AUTHORITY WITH RESPECT TO HIRING PREFERENCE FOR QUALIFIED MILITARY SPOUSES

Pub. L. 104-106, div. A, title V, § 568(d), Feb. 10, 1996, 110 Stat. 336, provided that: 'The provisions of Executive Order No. 12568, issued October 2, 1986 (10 U.S.C. 113 note) [set out below], shall apply as if the reference in that Executive order to section 806(a)(2) of the Department of Defense Authorization Act of 1986 refers to section 1784 of title 10, United States Code, as added by subsection (a)."

Executive Documents

EX. ORD. NO. 12568. EMPLOYMENT OPPORTUNITIES FOR MILITARY SPOUSES AT NONAPPROPRIATED FUND ACTIVITIES

Ex. Ord. No. 12568, Oct. 2, 1986, 51 F.R. 35497, provided:

By the authority vested in me as President by the laws of the United States of America, including section 301 of Title 3 of the United States Code, it is ordered that the Secretary of Defense and, as designated by him for this purpose, any of the Secretaries, Under Secretaries, and Assistant Secretaries of the Military Departments, are hereby empowered to exercise the discretionary authority granted to the President by subsection 806(a)(2) of the Department of Defense Authorization Act of 1986, Public Law No. 99-145 [formerly set out as a note under section 113 of this title, now deemed to refer to this section, see above], to give preference in hiring for positions in nonappropriated fund activities to qualified spouses of members of the Armed Forces stationed in the same geographical area as the nonappropriated fund activity for positions in wage grade UA-8 and below and equivalent positions and for positions paid at hourly rates.

RONALD REAGAN.

§ 1784a. Education and training opportunities for military spouses to expand employment and portable career opportunities

(a) PROGRAMS AND TUITION ASSISTANCE.—(1) The Secretary of Defense may establish programs to assist the spouse of a member of the armed forces described in subsection (b) in achieving—

(A) the education and training required for a degree or credential at an accredited college,

university, or technical school in the United States that expands employment and portable career opportunities for the spouse; or

(B) the education prerequisites and professional licensure or credential required, by a government or government sanctioned licensing body, for an occupation that expands employment and portable career opportunities for the spouse.

(2) As an alternative to, or in addition to, establishing a program under this subsection, the Secretary may provide tuition assistance to an eligible spouse who is pursuing education, training, or a license or credential to expand the spouse's employment and portable career opportunities.

(b) ELIGIBLE SPOUSES.—(1) Assistance under this section is limited to a spouse of a member of the armed forces who is serving on active duty.

(2) A spouse who is eligible for a program under this section and begins a course of education or training for a degree, license, or credential described in subsection (a) may not become ineligible to complete such course of education or training solely because the member to whom the spouse is married is promoted to a higher grade.

(c) EXCEPTIONS.—Subsection (b) does not include—

(1) a person who is married to, but legally separated from, a member of the armed forces under court order or statute of any State or territorial possession of the United States; and

(2) a spouse of a member of the armed forces who is also a member of the armed forces.

(d) DOULA AND IBCLC CERTIFICATIONS.—In carrying out the programs authorized by subsection (a), the Secretary shall provide assistance to the spouse of a member of the armed forces described in subsection (b) with obtaining certification—

(1) as a doula or International Board Certified Lactation Consultant; and

(2) provided by an organization that receives reimbursement under the extramedical maternal health providers demonstration project required by section 746 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 1073 note).

(e) PORTABLE CAREER OPPORTUNITIES DEFINED.—In this section, the term “portable career” includes an occupation identified by the Secretary of Defense, in consultation with the Secretary of Labor, as requiring education and training that results in a credential that is recognized nationwide by industry or specific businesses.

(f) REGULATIONS.—The Secretary of Defense shall prescribe regulations to govern the availability and use of assistance under this section. The Secretary shall ensure that programs established under this section do not result in inequitable treatment for spouses of members of the armed forces who are also members, since they are excluded from participation in the programs under subsection (c)(2).

(Added Pub. L. 110–417, [div. A], title V, § 582(a), Oct. 14, 2008, 122 Stat. 4473; amended Pub. L.

116–92, div. A, title V, § 576, Dec. 20, 2019, 133 Stat. 1406; Pub. L. 118–31, div. A, title VI, § 634, Dec. 22, 2023, 137 Stat. 297.)

Editorial Notes

AMENDMENTS

2023—Subsecs. (d) to (f). Pub. L. 118–31 added subsec. (d) and redesignated former subsecs. (d) and (e) as (e) and (f), respectively.

2019—Subsec. (b). Pub. L. 116–92 designated existing provisions as par. (1) and added par. (2).

Statutory Notes and Related Subsidiaries

FIRST EXPANSION OF THE MY CAREER ADVANCEMENT ACCOUNT PROGRAM FOR MILITARY SPOUSES

Pub. L. 116–92, div. A, title V, § 580F, Dec. 20, 2019, 133 Stat. 1410, as amended by Pub. L. 116–283, div. A, title V, § 586, Jan. 1, 2021, 134 Stat. 3655, provided that:

“(a) PROFESSIONAL LICENSE OR CERTIFICATION; ASSOCIATE'S DEGREE.—The Secretary of Defense shall modify the My Career Advancement Account program of the Department of Defense to ensure that military spouses participating in the program may receive financial assistance for the pursuit or maintenance (including continuing education courses) of a license, certification, or Associate's degree in any career field or occupation.

“(b) NATIONAL TESTING.—Financial assistance under subsection (a) may be applied to the costs of national tests that may earn a participating military spouse course credits required for a degree approved under the program (including the College Level Examination Program tests).”

IMPROVEMENT OF MY CAREER ADVANCEMENT ACCOUNT PROGRAM FOR MILITARY SPOUSES

Pub. L. 115–232, div. A, title V, § 574, Aug. 13, 2018, 132 Stat. 1780, provided that:

“(a) OUTREACH ON AVAILABILITY OF PROGRAM.—The Secretary of Defense shall take appropriate actions to ensure that military spouses who are eligible for participation in the My Career Advancement Account program of the Department of Defense are, to the extent practicable, made aware of the program.

“(b) COMPTROLLER GENERAL REPORT.—Not later than 180 days after the date of the enactment of this Act [Aug. 13, 2018], the Comptroller General of the United States shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth such recommendations as the Comptroller General considers appropriate regarding the following:

“(1) Mechanisms to increase awareness of the My Career Advancement Account program of the Department of Defense among military spouses who are eligible to participate in the program.

“(2) Mechanisms to increase participation in the My Career Advancement Account program among military spouses who are eligible to participate in the program.

“(c) TRAINING FOR INSTALLATION CAREER COUNSELORS ON PROGRAM.—The Secretaries of the military departments shall take appropriate actions to ensure that career counselors at military installations receive appropriate training and current information on eligibility for and use of benefits under the My Career Advancement Account program, including financial assistance to cover costs associated with professional recertification, portability of occupational licenses, professional credential exams, and other mechanisms in connection with the portability of professional licenses.”

§ 1785. Youth sponsorship program

(a) REQUIREMENT.—The Secretary of Defense shall require that there be at each military installation a youth sponsorship program to facilitate