

“(1) Every two years the Secretary of Defense shall submit to Congress a report on the exercise of authority under this section. The report shall include an evaluation of the effectiveness of that authority for meeting the needs of members of the armed forces or employees of the Department of Defense for child care services and youth program services. The report may include any recommendations for legislation that the Secretary considers appropriate to enhance the capability of the Department of Defense to meet those needs.

“(2) A biennial report under this subsection may be combined with the biennial report under section 1799(d) of this title into a single report for submission to Congress.”

Statutory Notes and Related Subsidiaries

CHILD CARE SERVICES AND YOUTH PROGRAM SERVICES FOR DEPENDENTS

Pub. L. 118-159, div. A, title V, § 588, Dec. 23, 2024, 138 Stat. 1914, provided that:

“(a) IN GENERAL.—Subject to the availability of appropriations, the Secretary of Defense shall fully fund requests under section 1798 of title 10, United States Code, for financial assistance to eligible civilian providers of child care services or youth program services, as such terms are used in such section.

“(b) RULE OF CONSTRUCTION.—This section shall not be construed to limit the authority of the Secretary, under subsection (a) of such section, to determine whether to provide such financial assistance to an eligible provider for such services.”

PROMOTION OF CERTAIN CHILD CARE ASSISTANCE

Pub. L. 117-263, div. A, title V, § 577, Dec. 23, 2022, 136 Stat. 2606, provided that:

“(a) IN GENERAL.—Each Secretary concerned shall promote, to members of the Armed Forces under the jurisdiction of such Secretary concerned, awareness of child care assistance available under—

“(1) section 1798 of title 10, United States Code; and

“(2) section 589 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283; 10 U.S.C. 1791 note).

“(b) REPORTING.—Not later than one year after the date of the enactment of this Act [Dec. 23, 2022], each Secretary concerned shall submit to the Committees on Armed Services of the Senate and House of Representatives a report summarizing activities taken by such Secretary concerned to carry out subsection (a).

“(c) SECRETARY CONCERNED DEFINED.—In this section, the term ‘Secretary concerned’ has the meaning given such term in section 101 of title 10, United States Code.”

FIRST BIENNIAL REPORTS

Pub. L. 106-65, div. A, title V, § 584(b), Oct. 5, 1999, 113 Stat. 636, provided that the first biennial reports under former sections 1798(d) and 1799(d) of this title were to be submitted not later than Mar. 31, 2002, and were to cover fiscal years 2000 and 2001.

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

(a) AUTHORITY.—The Secretary of Defense may authorize participation in child care or youth programs of the Department of Defense, to the extent of the availability of space and services, by children and youth under the age of 19 who are not dependents of members of the armed forces or of employees of the Department of Defense and are not otherwise eligible for participation in those programs.

(b) LIMITATION.—Authorization of participation in a program under subsection (a) shall be

limited to situations in which that participation promotes the attainment of the objectives set forth in subsection (c), as determined by the Secretary.

(c) OBJECTIVES.—The objectives for authorizing participation in a program under subsection (a) are as follows:

(1) To support the integration of children and youth of military families into civilian communities.

(2) To make more efficient use of Department of Defense facilities and resources.

(3) To establish or support a partnership or consortium arrangement with schools and other youth services organizations serving children of members of the armed forces.

(Added Pub. L. 106-65, div. A, title V, § 584(a)(1)(B), Oct. 5, 1999, 113 Stat. 634; amended Pub. L. 107-314, div. A, title X, § 1041(a)(7), Dec. 2, 2002, 116 Stat. 2645.)

Editorial Notes

AMENDMENTS

2002—Subsec. (d). Pub. L. 107-314 struck out heading and text of subsec. (d). Text read as follows:

“(1) Every two years the Secretary of Defense shall submit to Congress a report on the exercise of authority under this section. The report shall include an evaluation of the effectiveness of that authority for achieving the objectives set out under subsection (c). The report may include any recommendations for legislation that the Secretary considers appropriate to enhance the capability of the Department of Defense to attain those objectives.

“(2) A biennial report under this subsection may be combined with the biennial report under section 1798(d) of this title into a single report for submission to Congress.”

§ 1800. Definitions

In this subchapter:

(1) The term “military child development center” means a facility on a military installation (or on property under the jurisdiction of the commander of a military installation) at which child care services are provided for members of the armed forces or any other facility at which such child care services are provided that is operated by the Secretary of a military department.

(2) The term “family home day care” means home-based child care services that are provided for members of the armed forces by an individual who (A) is certified by the Secretary of the military department concerned as qualified to provide those services, and (B) provides those services on a regular basis for compensation.

(3) The term “child care employee” means a civilian employee of the Department of Defense who is employed to work in a military child development center (regardless of whether the employee is paid from appropriated funds or nonappropriated funds).

(4) The term “child care fee receipts” means those nonappropriated funds that are derived from fees paid by members of the armed forces for child care services provided at military child development centers.

(Added Pub. L. 104-106, div. A, title V, § 568(a)(1), Feb. 10, 1996, 110 Stat. 335, § 1798; renumbered