

(b) NUMBER OF OFFICERS ON ACTIVE DUTY IN GRADE OF GENERAL OR ADMIRAL.—Section 528(b) of such title is amended—

(1) by inserting “(1)” after “(b)”; and

(2) by adding at the end the following:

“(2) An officer continuing to hold the grade of general or admiral under section 601(b)(4) of this title after relief from the position of Chairman of the Joint Chiefs of Staff, Chief of Staff of the Army, Chief of Naval Operations, Chief of Staff of the Air Force, or Commandant of the Marine Corps shall not be counted for purposes of this section.”.

(c) CLARIFICATION.—Section 601(b) of such title is amended—

(1) in the matter preceding paragraph (1), by striking out “of importance and responsibility designated” and inserting in lieu thereof “designated under subsection (a) or by law”;

(2) in paragraph (1), by striking out “of importance and responsibility”;

(3) in paragraph (2), by striking out “designating” and inserting in lieu thereof “designated under subsection (a) or by law”; and

(4) in paragraph (4), by inserting “under subsection (a) or by law” after “designated”.

Subtitle B—Reserve Forces

SEC. 411. END STRENGTHS FOR SELECTED RESERVE.

10 USC 12001
note.

(a) FISCAL YEAR 1996.—The Armed Forces are authorized strengths for Selected Reserve personnel of the reserve components as of September 30, 1996, as follows:

(1) The Army National Guard of the United States, 373,000.

(2) The Army Reserve, 230,000.

(3) The Naval Reserve, 98,894.

(4) The Marine Corps Reserve, 42,274.

(5) The Air National Guard of the United States, 112,707.

(6) The Air Force Reserve, 73,969.

(7) The Coast Guard Reserve, 8,000.

(b) WAIVER AUTHORITY.—The Secretary of Defense may vary the end strength authorized by subsection (a) by not more than 2 percent.

(c) ADJUSTMENTS.—The end strengths prescribed by subsection (a) for the Selected Reserve of any reserve component for a fiscal year shall be proportionately reduced by—

(1) the total authorized strength of units organized to serve as units of the Selected Reserve of such component which are on active duty (other than for training) at the end of the fiscal year, and

(2) the total number of individual members not in units organized to serve as units of the Selected Reserve of such component who are on active duty (other than for training or for unsatisfactory participation in training) without their consent at the end of the fiscal year.

Whenever such units or such individual members are released from active duty during any fiscal year, the end strength prescribed for such fiscal year for the Selected Reserve of such reserve component shall be proportionately increased by the total authorized strengths of such units and by the total number of such individual members.

“(e) ENTITLEMENT TO HEALTH CARE.—A member separated under this section shall be entitled to medical and dental care under chapter 55 of this title to the same extent and under the same conditions as a person who is entitled to such care under section 1074(b) of this title.

“(f) COUNSELING ABOUT AVAILABLE MEDICAL CARE.—A member to be separated under this section shall be provided information, in writing, before such separation of the available medical care (through the Department of Veterans Affairs and otherwise) to treat the member’s condition. Such information shall include identification of specific medical locations near the member’s home of record or point of discharge at which the member may seek necessary medical care.

“(g) HIV-POSITIVE MEMBERS.—A member shall be considered to be HIV-positive for purposes of this section if there is serologic evidence that the member is infected with the virus known as Human Immunodeficiency Virus-1 (HIV-1), the virus most commonly associated with the acquired immune deficiency syndrome (AIDS) in the United States. Such serologic evidence shall be considered to exist if there is a reactive result given by an enzyme-linked immunosorbent assay (ELISA) serologic test that is confirmed by a reactive and diagnostic immunoelectrophoresis test (Western blot) on two separate samples. Any such serologic test must be one that is approved by the Food and Drug Administration.”.

(2) The item relating to such section in the table of sections at the beginning of chapter 59 of such title is amended to read as follows:

“1177. Members infected with HIV-1 virus: mandatory discharge or retirement.”.

(b) EFFECTIVE DATE.—Section 1177 of title 10, United States Code, as amended by subsection (a), applies with respect to members of the Armed Forces determined to be HIV-positive before, on, or after the date of the enactment of this Act. In the case of a member of the Armed Forces determined to be HIV-positive before such date, the deadline for separation of the member under subsection (a) of such section, as so amended, shall be determined from the date of the enactment of this Act (rather than from the date of such determination).

10 USC 1177
note.

SEC. 568. REVISION AND CODIFICATION OF MILITARY FAMILY ACT AND MILITARY CHILD CARE ACT.

(a) IN GENERAL.—(1) Subtitle A of title 10, United States Code, is amended by inserting after chapter 87 the following new chapter:

“CHAPTER 88—MILITARY FAMILY PROGRAMS AND MILITARY CHILD CARE

“Subchapter	Sec.
“I. Military Family Programs	1781
“II. Military Child Care	1791

“SUBCHAPTER I—MILITARY FAMILY PROGRAMS

- “Sec.
- “1781. Office of Family Policy.
- “1782. Surveys of military families.
- “1783. Family members serving on advisory committees.
- “1784. Employment opportunities for military spouses.
- “1785. Youth sponsorship program.

“1786. Dependent student travel within the United States.
 “1787. Reporting of child abuse.

“§ 1781. Office of Family Policy

“(a) ESTABLISHMENT.—There is in the Office of the Secretary of Defense an Office of Family Policy (hereinafter in this section referred to as the ‘Office’). The Office shall be under the Assistant Secretary of Defense for Force Management and Personnel.

“(b) DUTIES.—The Office—

“(1) shall coordinate programs and activities of the military departments to the extent that they relate to military families; and

“(2) shall make recommendations to the Secretaries of the military departments with respect to programs and policies regarding military families.

“(c) STAFF.—The Office shall have not less than five professional staff members.

“§ 1782. Surveys of military families

“(a) AUTHORITY.—The Secretary of Defense may conduct surveys of members of the armed forces on active duty or in an active status, members of the families of such members, and retired members of the armed forces to determine the effectiveness of Federal programs relating to military families and the need for new programs.

“(b) RESPONSES TO BE VOLUNTARY.—Responses to surveys conducted under this section shall be voluntary.

“(c) FEDERAL RECORDKEEPING REQUIREMENTS.—With respect to such surveys, family members of members of the armed forces and reserve and retired members of the armed forces shall be considered to be employees of the United States for purposes of section 3502(3)(A)(i) of title 44.

“§ 1783. Family members serving on advisory committees

“A committee within the Department of Defense which advises or assists the Department in the performance of any function which affects members of military families and which includes members of military families in its membership shall not be considered an advisory committee under section 3(2) of the Federal Advisory Committee Act (5 U.S.C. App.) solely because of such membership.

“§ 1784. Employment opportunities for military spouses

President.

“(a) AUTHORITY.—The President shall order such measures as the President considers necessary to increase employment opportunities for spouses of members of the armed forces. Such measures may include—

“(1) excepting, pursuant to section 3302 of title 5, from the competitive service positions in the Department of Defense located outside of the United States to provide employment opportunities for qualified spouses of members of the armed forces in the same geographical area as the permanent duty station of the members; and

“(2) providing 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.

“(b) REGULATIONS.—The Secretary of Defense shall prescribe regulations—

“(1) to implement such measures as the President orders under subsection (a);

“(2) to provide preference to qualified spouses of members of the armed forces in hiring for any civilian position in the Department of Defense if the spouse is among persons determined to be best qualified for the position and if the position is located in the same geographical area as the permanent duty station of the member;

“(3) to ensure that notice of any vacant position in the Department of Defense is provided in a manner reasonably designed to reach spouses of members of the armed forces whose permanent duty stations are in the same geographic area as the area in which the position is located; and

“(4) to ensure that the spouse of a member of the armed forces who applies for a vacant position in the Department of Defense shall, to the extent practicable, be considered for any such position located in the same geographic area as the permanent duty station of the member.

“(c) STATUS OF PREFERENCE ELIGIBLES.—Nothing in this section shall be construed to provide a spouse of a member of the armed forces with preference in hiring over an individual who is a preference eligible.

“§ 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 the integration of dependent children of members of the armed forces into new surroundings when moving to that military installation as a result of a parent’s permanent change of station.

“(b) DESCRIPTION OF PROGRAMS.—The program at each installation shall provide for involvement of dependent children of members presently stationed at the military installation and shall be directed primarily toward children in their preteen and teenage years.

“§ 1786. Dependent student travel within the United States

“Funds available to the Department of Defense for the travel and transportation of dependent students of members of the armed forces stationed overseas may be obligated for transportation allowances for travel within or between the contiguous States.

“§ 1787. Reporting of child abuse

“(a) IN GENERAL.—The Secretary of Defense shall request each State to provide for the reporting to the Secretary of any report the State receives of known or suspected instances of child abuse and neglect in which the person having care of the child is a member of the armed forces (or the spouse of the member).

“(b) DEFINITION.—In this section, the term ‘child abuse and neglect’ has the meaning provided in section 3(1) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5102).

“SUBCHAPTER II—MILITARY CHILD CARE

“Sec.

“1791. Funding for military child care.

“1792. Child care employees.

- "1793. Parent fees.
- "1794. Child abuse prevention and safety at facilities.
- "1795. Parent partnerships with child development centers.
- "1796. Subsidies for family home day care.
- "1797. Early childhood education program.
- "1798. Definitions.

"§ 1791. Funding for military child care

"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.

"§ 1792. Child care employees

Regulations.

"(a) REQUIRED TRAINING.—(1) The Secretary of Defense shall prescribe regulations implementing, a training program for child care employees. Those regulations shall apply uniformly among the military departments. Subject to paragraph (2), satisfactory completion of the training program shall be a condition of employment of any person as a child care employee.

"(2) Under those regulations, the Secretary shall require that each child care employee complete the training program not later than six months after the date on which the employee is employed as a child care employee.

"(3) The training program established under this subsection shall cover, at a minimum, training in the following:

"(A) Early childhood development.

"(B) Activities and disciplinary techniques appropriate to children of different ages.

"(C) Child abuse prevention and detection.

"(D) Cardiopulmonary resuscitation and other emergency medical procedures.

"(b) TRAINING AND CURRICULUM SPECIALISTS.—(1) The Secretary of Defense shall require that at least one employee at each military child development center be a specialist in training and curriculum development. The Secretary shall ensure that such employees have appropriate credentials and experience.

"(2) The duties of such employees shall include the following:

"(A) Special teaching activities at the center.

"(B) Daily oversight and instruction of other child care employees at the center.

"(C) Daily assistance in the preparation of lesson plans.

"(D) Assistance in the center's child abuse prevention and detection program.

"(E) Advising the director of the center on the performance of other child care employees.

"(3) Each employee referred to in paragraph (1) shall be an employee in a competitive service position.

"(c) COMPETITIVE RATES OF PAY.—For the purpose of providing military child development centers with a qualified and stable civilian workforce, employees at a military installation who are directly involved in providing child care and are paid from nonappropriated funds—

"(1) in the case of entry-level employees, shall be paid at rates of pay competitive with the rates of pay paid to other entry-level employees at that installation who are drawn from the same labor pool; and

“(2) in the case of other employees, shall be paid at rates of pay substantially equivalent to the rates of pay paid to other employees at that installation with similar training, seniority, and experience.

“(d) EMPLOYMENT PREFERENCE PROGRAM FOR MILITARY SPOUSES.—(1) The Secretary of Defense shall conduct a program under which qualified spouses of members of the armed forces shall be given a preference in hiring for the position of child care employee in a position paid from nonappropriated funds if the spouse is among persons determined to be best qualified for the position.

“(2) A spouse who is provided a preference under this subsection at a military child development center may not be precluded from obtaining another preference, in accordance with section 1794 of this title, in the same geographic area as the military child development center.

“(e) COMPETITIVE SERVICE POSITION DEFINED.—In this section, the term ‘competitive service position’ means a position in the competitive service, as defined in section 2102(a)(1) of title 5.

“§ 1793. Parent fees

“(a) IN GENERAL.—The Secretary of Defense shall prescribe regulations establishing fees to be charged parents for the attendance of children at military child development centers. Those regulations shall be uniform for the military departments and shall require that, in the case of children who attend the centers on a regular basis, the fees shall be based on family income.

Regulations.

“(b) LOCAL WAIVER AUTHORITY.—The Secretary of Defense may provide authority to installation commanders, on a case-by-case basis, to establish fees for attendance of children at child development centers at rates lower than those prescribed under subsection (a) if the rates prescribed under subsection (a) are not competitive with rates at local non-military child development centers.

“§ 1794. Child abuse prevention and safety at facilities

“(a) CHILD ABUSE TASK FORCE.—The Secretary of Defense shall maintain a special task force to respond to allegations of widespread child abuse at a military installation. The task force shall be composed of personnel from appropriate disciplines, including, where appropriate, medicine, psychology, and childhood development. In the case of such allegations, the task force shall provide assistance to the commander of the installation, and to parents at the installation, in helping them to deal with such allegations.

“(b) NATIONAL HOTLINE.—(1) The Secretary of Defense shall maintain a national telephone number for persons to use to report suspected child abuse or safety violations at a military child development center or family home day care site. The Secretary shall ensure that such reports may be made anonymously if so desired by the person making the report. The Secretary shall establish procedures for following up on complaints and information received over that number.

“(2) The Secretary shall publicize the existence of the number.

“(c) ASSISTANCE FROM LOCAL AUTHORITIES.—The Secretary of Defense shall prescribe regulations requiring that, in a case of allegations of child abuse at a military child development center or family home day care site, the commander of the military installation or the head of the task force established under sub-

Public information. Regulations.

section (a) shall seek the assistance of local child protective authorities if such assistance is available.

“(d) SAFETY REGULATIONS.—The Secretary of Defense shall prescribe regulations on safety and operating procedures at military child development centers. Those regulations shall apply uniformly among the military departments.

“(e) INSPECTIONS.—The Secretary of Defense shall require that each military child development center be inspected not less often than four times a year. Each such inspection shall be unannounced. At least one inspection a year shall be carried out by a representative of the installation served by the center, and one inspection a year shall be carried out by a representative of the major command under which that installation operates.

“(f) REMEDIES FOR VIOLATIONS.—(1) Except as provided in paragraph (2), any violation of a safety, health, or child welfare law or regulation (discovered at an inspection or otherwise) at a military child development center shall be remedied immediately.

“(2) In the case of a violation that is not life threatening, the commander of the major command under which the installation concerned operates may waive the requirement that the violation be remedied immediately for a period of up to 90 days beginning on the date of the discovery of the violation. If the violation is not remedied as of the end of that 90-day period, the military child development center shall be closed until the violation is remedied. The Secretary of the military department concerned may waive the preceding sentence and authorize the center to remain open in a case in which the violation cannot reasonably be remedied within that 90-day period or in which major facility reconstruction is required.

“§ 1795. Parent partnerships with child development centers

“(a) PARENT BOARDS.—The Secretary of Defense shall require that there be established at each military child development center a board of parents, to be composed of parents of children attending the center. The board shall meet periodically with staff of the center and the commander of the installation served by the center for the purpose of discussing problems and concerns. The board, together with the staff of the center, shall be responsible for coordinating the parent participation program described in subsection (b).

“(b) PARENT PARTICIPATION PROGRAMS.—The Secretary of Defense shall require the establishment of a parent participation program at each military child development center. As part of such program, the Secretary of Defense may establish fees for attendance of children at such a center, in the case of parents who participate in the parent participation program at that center, at rates lower than the rates that otherwise apply.

“§ 1796. Subsidies for family home day care

“The Secretary of Defense may use appropriated funds available for military child care purposes to provide assistance to family home day care providers so that family home day care services can be provided to members of the armed forces at a cost comparable to the cost of services provided by military child development centers. The Secretary shall prescribe regulations for the provision of such assistance.

“§ 1797. Early childhood education program

“The Secretary of Defense shall require that all military child development centers meet standards of operation necessary for accreditation by an appropriate national early childhood programs accrediting body.

“§ 1798. 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.”.

(2) The tables of chapters at the beginning of subtitle A, and at the beginning of part II of subtitle A, of title 10, United States Code, are amended by inserting after the item relating to chapter 87 the following new item:

“88. Military Family Programs and Military Child Care 1781”.

(b) REPORT ON FIVE-YEAR DEMAND FOR CHILD CARE.—(1) Not later than the date of the submission of the budget for fiscal year 1997 pursuant to section 1105 of title 31, United States Code, the Secretary of Defense shall submit to Congress a report on the expected demand for child care by military and civilian personnel of the Department of Defense during fiscal years 1997 through 2001.

(2) The report shall include—

(A) a plan for meeting the expected child care demand identified in the report; and

(B) an estimate of the cost of implementing that plan.

(3) The report shall also include a description of methods for monitoring family home day care programs of the military departments.

(c) PLAN FOR IMPLEMENTATION OF ACCREDITATION REQUIREMENT.—The Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on National Security of the House of Representatives a plan for carrying out the requirements of section 1787 of title 10, United States Code, as added by subsection (a). The plan shall be submitted not later than April 1, 1997.

10 USC 1787
note.

10 USC 1784
note.

(d) CONTINUATION OF DELEGATION OF AUTHORITY WITH RESPECT TO HIRING PREFERENCE FOR QUALIFIED MILITARY SPOUSES.—The provisions of Executive Order No. 12568, issued October 2, 1986 (10 U.S.C. 113 note), 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).

(e) REPEALER.—The following provisions of law are repealed:

(1) The Military Family Act of 1985 (title VIII of Public Law 99-145; 10 U.S.C. 113 note).

(2) The Military Child Care Act of 1989 (title XV of Public Law 101-189; 10 U.S.C. 113 note).

10 USC 1501
note.

SEC. 569. DETERMINATION OF WHEREABOUTS AND STATUS OF MISSING PERSONS.

(a) PURPOSE.—The purpose of this section is to ensure that any member of the Armed Forces (and any Department of Defense civilian employee or contractor employee who serves with or accompanies the Armed Forces in the field under orders) who becomes missing or unaccounted for is ultimately accounted for by the United States and, as a general rule, is not declared dead solely because of the passage of time.

(b) IN GENERAL.—(1) Part II of subtitle A of title 10, United States Code, is amended by inserting after chapter 75 the following new chapter:

“CHAPTER 76—MISSING PERSONS

“Sec.

“1501. System for accounting for missing persons.

“1502. Missing persons: initial report.

“1503. Actions of Secretary concerned; initial board inquiry.

“1504. Subsequent board of inquiry.

“1505. Further review.

“1506. Personnel files.

“1507. Recommendation of status of death.

“1508. Judicial review.

“1509. Preenactment, special interest cases.

“1510. Applicability to Coast Guard.

“1511. Return alive of person declared missing or dead.

“1512. Effect on State law.

“1513. Definitions.

“§ 1501. System for accounting for missing persons

Establishment.

“(a) OFFICE FOR MISSING PERSONNEL.—(1) The Secretary of Defense shall establish within the Office of the Secretary of Defense an office to have responsibility for Department of Defense policy relating to missing persons. Subject to the authority, direction, and control of the Secretary of Defense, the responsibilities of the office shall include—

“(A) policy, control, and oversight within the Department of Defense of the entire process for investigation and recovery related to missing persons (including matters related to search, rescue, escape, and evasion); and

“(B) coordination for the Department of Defense with other departments and agencies of the United States on all matters concerning missing persons.

“(2) In carrying out the responsibilities of the office established under this subsection, the head of the office shall be responsible for the coordination for such purposes within the Department of

TITLE XV--MILITARY CHILD CARE

SEC. 1501. SHORT TITLE; DEFINITIONS

(a) SHORT TITLE- This title may be cited as the 'Military Child Care Act of 1989'.

(b) DEFINITIONS- For purposes of this title:

(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.

SEC. 1502. FUNDING FOR MILITARY CHILD CARE FOR FISCAL YEAR 1990

(a) FISCAL YEAR 1990 FUNDING- (1) It is the policy of Congress that the amount of appropriated funds available during fiscal year 1990 for operating expenses for military child development centers shall not be less than the amount of child care fee receipts that are estimated to be received by the Department of Defense during that fiscal year. Of the amount authorized to be appropriated for the Department of Defense for fiscal year 1990, \$102,000,000 shall be available for operating expenses for military child development centers.

(2) In addition to the amount referred to in paragraph (1), \$26,000,000 shall be available for child care and child-related services of the Department other than military child development centers.

(3) In using the funds referred to in paragraph (1), the Secretary shall give priority to--
(A) increasing the number of child care employees who are directly involved in providing child care for members of the Armed Forces; and
(B) expanding the availability of child care for members of the Armed Forces.

(b) FUNDS DERIVED FROM PARENT FEES TO BE USED FOR EMPLOYEE COMPENSATION AND OTHER CHILD CARE SERVICES- (1) Except as provided in paragraph (2), child care fee receipts may be used during fiscal year 1990 only for compensation of child care employees who are directly involved in providing child care.

(2) If the Secretary of Defense determines that compliance with the limitation in paragraph (1) would result in an uneconomical and inefficient use of such fee receipts, the Secretary may (to the extent that such compliance would be uneconomical and inefficient) use such receipts--

(A) first, for the purchase of consumable or disposable items for military child development centers; and

(B) if the requirements of such centers for consumable or disposable items for fiscal year 1990 have been met, for other expenses of those centers.

(c) REPORT- (1) Not later than December 31, 1989, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on how the Secretary intends to use the funds referred to in subsection (a), including how the Secretary intends to achieve the priorities specified in paragraph (3) of that subsection.

(2) If at the time such report is submitted the Secretary proposes to use the authority provided by subsection (b)(2), the Secretary shall include in the report under paragraph (1) a description of the use proposed to be made of that authority and a statement of the reasons why the Secretary determined that compliance with the limitation in subsection (b)(1) would result in an uneconomical and inefficient use of child care fee receipts, together with supporting cost information and other information justifying the determination.

(3) If the Secretary uses such authority after December 31, 1989, the Secretary shall promptly inform the committees of the use of the authority and of the reasons for its use.

SEC. 1503. CHILD CARE EMPLOYEES

(a) REQUIRED TRAINING- (1) The Secretary of Defense shall establish, and prescribe regulations to implement, a training program for child care employees. Those regulations shall apply uniformly among the military departments. Subject to paragraph (2), satisfactory completion of the training program shall be a condition of employment of any person as a child care employee.

(2) Under those regulations, the Secretary shall require that each child care employee complete the training program not later than six months after the date on which the employee is employed as a child care employee (except that, in the case of a child care employee hired before the date on which the training program is established, the Secretary shall require that the employee complete the program not later than six months after that date).

(3) The training program established under this subsection shall cover, at a minimum, training in the following:

(A) Early childhood development.

(B) Activities and disciplinary techniques appropriate to children of different ages.

(C) Child abuse prevention and detection.

(D) Cardiopulmonary resuscitation and other emergency medical procedures.

(b) TRAINING AND CURRICULUM SPECIALISTS- (1) The Secretary of Defense shall require that at least one employee at each military child development center be a specialist in training and curriculum development. The Secretary shall ensure that such employees have appropriate credentials and experience.

(2) The duties of such employees shall include the following:

(A) Special teaching activities at the center.

(B) Daily oversight and instruction of other child care employees at the center.

(C) Daily assistance in the preparation of lesson plans.

(D) Assistance in the center's child abuse prevention and detection program.

(E) Advising the director of the center on the performance of other child care employees.

(3) Each employee referred to in paragraph (1) shall be an employee in a competitive service position.

(c) PROGRAM TO TEST COMPETITIVE RATES OF PAY- (1) For the purpose of improving the capability of the Department of Defense to provide military child development centers with a qualified and stable civilian workforce, the Secretary of Defense shall conduct a program as provided in this subsection to increase the compensation of child care employees. The Secretary shall begin the program not later than six months after the date of the enactment of this Act. The program shall be in effect for a period of at least two years.

(2) The program shall apply to all child care employees who--

(A) are directly involved in providing child care; and(B) are paid from nonappropriated funds.

(3) Under the program, child care employees at a military installation who are described in paragraph (2) shall be paid--

(A) in the case of entry-level employees, at rates of pay competitive with the rates of pay paid to other entry-level employees at that installation who are drawn from the same labor pool; and(B) in the case of other employees, at rates of pay substantially equivalent to the rates of pay paid to other employees at that installation with similar training, seniority, and experience.

(d) EMPLOYMENT PREFERENCE TEST PROGRAM FOR MILITARY SPOUSES-

(1) The Secretary of Defense shall conduct a test program under which qualified spouses of members of the Armed Forces shall be given a preference in hiring for the position of child care employee in a position paid from nonappropriated funds if the spouse is among persons determined to be best qualified for the position. A spouse who is provided a preference under this subsection at a military child development center may not be precluded from obtaining another preference, in accordance with section 806 of the Military Family Act of 1985 (10 U.S.C. 113 note), in the same geographical area as the military child development center.

(2) The test program under this subsection shall run concurrently with the program under subsection (c).

(e) REPORT ON COMPENSATION AND SPOUSE EMPLOYMENT PREFERENCE PROGRAMS- Not later than March 1, 1991, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the programs under subsections (c) and (d). The report shall include the findings of the Secretary concerning the effect of each of the programs on the quality of child care provided in military child development centers and the effect of the spouse employment preference program on employee turnover at such centers.

(f) ADDITIONAL CHILD CARE POSITIONS- (1) The Secretary of Defense shall make available for child care programs of the Department of Defense, not later than September 30, 1990, at least 1,000 competitive service positions in addition to the number of competitive service positions in such programs as of September 30, 1989. During fiscal year 1991, the Secretary shall make available to child care programs of the Department additional competitive service positions so that the number of competitive service positions in such programs as of September 30, 1991, is at least 3,700 greater than the number of competitive service positions in such programs as of September 30, 1989. (2) The Secretary may waive the increase otherwise required by the second sentence of paragraph (1) to the extent that the Secretary determines that such increase is not executable. If the Secretary issues such a waiver, the Secretary shall promptly submit to the Committees on Armed Services of the Senate and House of Representatives a report on the waiver. Any such report shall specify the number of such positions waived and the reasons for the waiver. (3) The additional positions provided for in paragraph (1), and the workyears associated with those positions, that are used outside the United States shall not be counted for purpose of applying any limitation on the total number of positions or workyears, respectively, available to the Department of Defense outside the United States (or any limitation on the availability of appropriated funds for such positions or workyears for any fiscal year).

(g) COMPETITIVE SERVICE POSITION DEFINED- For purposes of this section, the term 'competitive service position' means a position in the competitive service, as defined in section 2102(a)(1) of title 5, United States Code.

SEC. 1504. PARENT FEES

The Secretary of Defense shall prescribe regulations establishing fees to be charged parents for the attendance of children at military child development centers. Those regulations shall be uniform for the military departments and shall require that, in the case of children who attend the centers on a regular basis, the fees shall be based on family income.

SEC. 1505. CHILD ABUSE PREVENTION AND SAFETY AT FACILITIES

(a) **CHILD ABUSE TASK FORCE-** The Secretary of Defense shall establish and maintain a special task force to respond to allegations of widespread child abuse at a military installation. The task force shall be composed of personnel from appropriate disciplines, including, where appropriate, medicine, psychology, and childhood development. In the case of such allegations, the task force shall provide assistance to the commander of the installation, and to parents at the installation, in helping them to deal with such allegations.

(b) **NATIONAL HOTLINE-** (1) The Secretary of Defense shall establish and maintain a national telephone number for persons to use to report suspected child abuse or safety violations at a military child development center or family home day care site. The Secretary shall ensure that such reports may be made anonymously if so desired by the person making the report. The Secretary shall establish procedures for following up on complaints and information received over that number.

(2) The Secretary shall establish such national telephone number not later than 90 days after the date of the enactment of this Act and shall publicize the existence of the number.

(c) **ASSISTANCE FROM LOCAL AUTHORITIES-** The Secretary of Defense shall prescribe regulations requiring that, in a case of allegations of child abuse at a military child development center or family home day care site, the commander of the military installation or the head of the task force established under subsection (a) shall seek the assistance of local child protective authorities if such assistance is available.

(d) **SAFETY REGULATIONS-** The Secretary of Defense shall prescribe regulations on safety and operating procedures at military child development centers. Those regulations shall apply uniformly among the military departments.

(e) **INSPECTIONS-** The Secretary of Defense shall require that each military child development center be inspected not less often than four times a year. Each such inspection shall be unannounced. At least one inspection a year shall be carried out by a representative of the installation served by the center, and one inspection a year shall be carried out by a representative of the major command under which that installation operates.

(f) **REMEDIES FOR VIOLATIONS-** (1) Except as provided in paragraph (2), any violation of a safety, health, or child welfare law or regulation (discovered at an inspection or otherwise) at a military child development center shall be remedied immediately.

(2) In the case of a violation that is not life threatening, the commander of the major command under which the installation concerned operates may waive the requirement that the violation be remedied immediately for a period of up to 90 days beginning on the date of the discovery of the violation. If the violation is not remedied as of the end of that 90-day period, the military child development center shall be closed until the violation is remedied. The Secretary of the military department concerned may waive the preceding sentence and authorize the center to remain open in a case in which the violation cannot reasonably be remedied within that 90-day period or in which major facility reconstruction is required.

(3) If a military child development center is closed under paragraph (2), the Secretary of the military department concerned shall promptly submit to the Committees on Armed Services of the Senate and House of Representatives a report notifying those committees of the closing. The report shall include--

(A) notice of the violation that resulted in the closing and the cost of remedying the violation; and (B) a statement of the reasons why the violation has not been remedied as of the time of the report.

(g) REPORT ON COOPERATION WITH DEPARTMENT OF JUSTICE- (1) The Secretary of Defense, in consultation with the Attorney General, shall study matters relating to military child care that are of concern to the Department of Justice. The matters studied shall include the following:

(A) Improving communication between the Department of Defense and the Department of Justice in investigations of child abuse in military programs and in the coordination of the conduct of such investigations.

(B) Eliminating overlapping responsibilities between the two departments.

(C) Making better use of government and non-government experts in child abuse investigations and prosecutions.

(D) Improving communication with affected families by the Department of Defense, the Department of Justice, and appropriate State and local agencies.

(2) Not later than six months after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the study required by paragraph (1). The report shall include recommendations on methods for improving the matters studied.

(3) Not later than nine months after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report evaluating the findings in the report submitted under paragraph (2).

SEC. 1506. PARENT PARTNERSHIPS WITH CHILD DEVELOPMENT CENTERS

(a) PARENT BOARDS- The Secretary of Defense shall require that there be established at each military child development center a board of parents, to be composed of parents of children attending the center. The board shall meet periodically with staff of the center and the commander of the installation served by the center for the purpose of discussing problems and concerns. The board, together with the staff of the center, shall be responsible for coordinating the parent participation program described in subsection (b).

(b) PARENT PARTICIPATION PROGRAMS- The Secretary of Defense shall require the establishment of a parent participation program at each military child development center. As part of such program, the Secretary of Defense may establish fees for attendance of children at such a center, in the case of parents who participate in the parent participation program at that center, at rates lower than the rates that otherwise apply.

SEC. 1507. REPORT ON FIVE-YEAR DEMAND FOR CHILD CARE

(a) REPORT REQUIRED- Not later than six months after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the expected demand for child care by military and civilian personnel of the Department of Defense during fiscal years 1991 through 1995.

(b) PLAN FOR MEETING DEMAND- The report shall include--

- (1) a plan for meeting the expected child care demand identified in the report; and
- (2) an estimate of the cost of implementing that plan.

(c) MONITORING OF FAMILY DAY CARE PROVIDERS- The report shall also include a description of methods for monitoring family home day care programs of the military departments.

SEC. 1508. SUBSIDIES FOR FAMILY HOME DAY CARE

The Secretary of Defense may use appropriated funds available for military child care purposes to provide assistance to family home day care providers so that family home day care services can be provided to members of the Armed Forces at a cost comparable to the cost of services provided by military child development centers. The Secretary shall prescribe regulations for the provision of such assistance.

SEC. 1509. EARLY CHILDHOOD EDUCATION DEMONSTRATION PROGRAM

(a) DEMONSTRATION PROGRAM FOR ACCREDITED CENTERS- (1) The Secretary of Defense shall carry out a program to demonstrate the effect on the development of preschool children of requiring that military child development centers meet standards of operation necessary for accreditation by an appropriate national early childhood programs accrediting body. To carry out such demonstration program, the Secretary shall ensure that not later than June 1, 1991, at least 50 military child development centers are accredited by such an appropriate national early childhood accrediting body.

(2) Each military child development center so accredited shall be designated as an early childhood education demonstration project and shall serve as a program model for other military child development centers and family home day care providers at military installations.

(b) PLAN FOR IMPLEMENTATION- Not later than April 1, 1990, the Secretary shall submit to the Committees on Armed Services of the Senate and House of Representatives a plan for carrying out the requirements of subsection (a).

(c) EVALUATION- The Secretary shall obtain an independent evaluation of the demonstration program carried out under subsection (a) to determine the extent to which the imposition of a requirement that military child development centers meet accreditation standards effectively promotes the development of preschool children of members of the Armed Forces. The Secretary shall report the results of the evaluation to Congress, together with such comments and recommendations as the Secretary considers appropriate, not later than July 15, 1992.

SEC. 1510. DEADLINE FOR REGULATIONS

Regulations require to be prescribed by this title shall be prescribed not later than 90 days after the date of the enactment of this Act.