

117TH CONGRESS
1ST SESSION

H. R. 5748

To require the Secretary of Defense to establish a program to carry out minor military construction projects to construct child development centers and to provide education and treatment services for infant and early childhood mental health, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 27, 2021

Mr. CARBAJAL (for himself and Mr. TONY GONZALES of Texas) introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To require the Secretary of Defense to establish a program to carry out minor military construction projects to construct child development centers and to provide education and treatment services for infant and early childhood mental health, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Childcare Expansion
5 for Military Families Act of 2021”.

1 **SEC. 2. TEMPORARY PROGRAM TO USE MINOR MILITARY**
2 **CONSTRUCTION AUTHORITY FOR CONSTRUC-**
3 **TION OF CHILD DEVELOPMENT CENTERS.**

4 (a) PROGRAM AUTHORIZED.—The Secretary of De-
5 fense shall establish a program to carry out minor military
6 construction projects under section 2805 of title 10,
7 United States Code, to construct child development cen-
8 ters.

9 (b) INCREASED MAXIMUM AMOUNTS APPLICABLE TO
10 MINOR CONSTRUCTION PROJECTS.—For the purpose of
11 any military construction project carried out under the
12 program under this section, the amount specified in sec-
13 tion 2805(a)(2) of title 10, United States Code, is deemed
14 to be \$15,000,000.

15 (c) NOTIFICATION AND APPROVAL REQUIRE-
16 MENTS.—

17 (1) IN GENERAL.—The notification and ap-
18 proval requirements under section 2805(b) of title
19 10, United States Code, shall remain in effect for
20 construction projects carried out under the program
21 under this section.

22 (2) PROCEDURES.—The Secretary shall estab-
23 lish procedures for the review and approval of re-
24 quests from the Secretaries of military departments
25 to carry out construction projects under the program
26 under this section.

1 (d) REPORT REQUIRED.—

2 (1) IN GENERAL.—Not later than 180 days
3 after the date of the enactment of this Act, the Sec-
4 retary of Defense shall submit to the congressional
5 defense committees a report on the program under
6 this section.

7 (2) ELEMENTS.—The report required by para-
8 graph (1) shall include a list and description of the
9 construction projects carried out under the program
10 under this section, including the location and cost of
11 each project.

12 (e) EXPIRATION OF AUTHORITY.—The authority to
13 carry out a minor military construction project under the
14 program under this section expires on September 30,
15 2023.

16 (f) CONSTRUCTION OF AUTHORITY.—Nothing in this
17 section may be construed to limit any other authority pro-
18 vided by law for a military construction project at a child
19 development center.

20 (g) DEFINITIONS.—In this section:

21 (1) CHILD DEVELOPMENT CENTER.—The term
22 “child development center” includes a facility, and
23 the utilities to support such facility, the function of
24 which is to support the daily care of children aged

1 six weeks old through 12 years old for full-day, part-
2 day, and hourly service.

3 (2) CONGRESSIONAL DEFENSE COMMITTEES.—

4 The term “congressional defense committees” has
5 the meaning given that term in section 101(a)(16)
6 of title 10, United States Code.

7 **SEC. 3. EDUCATION AND INFANT AND EARLY CHILDHOOD**
8 **MENTAL HEALTH CONSULTATION SERVICES**
9 **FOR INFANT AND EARLY CHILDHOOD MEN-**
10 **TAL HEALTH (IECMH).**

11 (a) ASSESSMENT OF AVAILABILITY OF SERVICES.—

12 The Secretary of Defense shall conduct a comprehensive
13 assessment of the availability of Federal, State, and local
14 early childhood education and infant and early childhood
15 mental health (IECMH) consultation services on and in
16 the vicinity of a covered military installation for identi-
17 fying and addressing infant and early childhood mental
18 health needs of children of members of the Armed Forces.
19 This assessment shall include the following:

20 (1) The local availability of developmentally ap-
21 propriate services advancing social and emotional de-
22 velopment and infant and early childhood mental
23 health of infants, toddlers, and young children, in-
24 cluding certification or endorsement programs for
25 professionals serving as infant early childhood men-

1 tal health consultants for early education programs
2 and centers.

3 (2) The local availability of adequate diagnostic
4 and non-medical intervention services for infants,
5 toddlers, or young children identified as requiring in-
6 fant and early childhood mental health treatment.

7 (3) The local availability of supplemental serv-
8 ices for infant and early childhood mental health
9 such as Infant and Early Childhood Mental Health
10 (IECMH) consultation by licensed professionals who
11 are also certified or endorsed in IECMH.

12 (4) The ease of access for individuals with iden-
13 tified infant and early childhood mental health needs
14 to adequate, comprehensive educational services,
15 such as the length of time on waiting lists.

16 (b) REVIEW OF BEST PRACTICES.—In preparing the
17 assessment under subsection (a), the Secretary of Defense
18 shall conduct a review of best practices of providing infant
19 and early childhood mental health consultation in the
20 United States in the provision of covered educational serv-
21 ices and support services for infant and early childhood
22 mental health, including an assessment of Federal and
23 State early education and mental health services for infant
24 and early childhood mental health in each State, with an
25 emphasis on locations where members of the Armed

1 Forces and their dependent children reside. The Secretary
2 of Defense shall conduct the review in coordination with
3 the Secretary of Education.

4 (c) DEMONSTRATION PROJECTS.—

5 (1) PROJECTS AUTHORIZED.—The Secretary of
6 Defense may conduct one or more demonstration
7 projects to evaluate improved approaches to the pro-
8 vision of covered educational and infant and early
9 childhood mental health services to children of mem-
10 bers of the Armed Forces for the purpose of evalu-
11 ating and the efficacy of infant and early childhood
12 mental health consultation models to improve social-
13 emotional development outcomes for military chil-
14 dren enrolled in child development centers, reducing
15 incidents of behavioral issues and or need for inten-
16 sive treatment, and early identification of needs re-
17 quiring non-medical intervention as considered ap-
18 propriate by the Secretary.

19 (2) INFANT AND EARLY CHILDHOOD MENTAL
20 HEALTH CONSULTATION.—

21 (A) CONSULTATION.—

22 (i) IN GENERAL.—The Secretary of
23 Defense may authorize the development of
24 a comprehensive professional development
25 curricula for use in training non-medical

1 counselors in infant and early childhood
2 mental health and consultation to serve in
3 child development centers, and to allow for
4 the training of Department of Defense-con-
5 tracted child and youth behavioral-military
6 family life counselors as infant early child-
7 hood mental health consultants.

8 (ii) COMPETENCY GUIDELINES.—The
9 curricula developed under clause (i) shall
10 be based on a set of competency guidelines
11 designed to enhance culturally sensitive,
12 relationship-focused practice within the
13 framework of infant and early childhood
14 mental health recognized by authorizing
15 agencies such as the Alliance for the Ad-
16 vancement of Infant Mental Health for
17 purposes of certification or endorsement as
18 a IECMH practitioner.

19 (B) PERSONNEL.—The Secretary of De-
20 fense may utilize for purposes of the dem-
21 onstration projects personnel who are profes-
22 sionals with a level (as determined by the Sec-
23 retary) of post-secondary education that is ap-
24 propriate for the provision of safe and effective
25 services for infant and early childhood mental

1 health and who are from an accredited edu-
2 cational facility in the mental health, human
3 development, social work field to act as con-
4 sultation level providers of promotive, preven-
5 tive, and behavioral non-medical intervention
6 services within child development centers for in-
7 fant and early childhood mental health. Such
8 personnel may be authorized—

9 (i) to develop and monitor promotion,
10 prevention, and non-medical intervention
11 plans for military children within child de-
12 velopment centers who are participating in
13 the demonstration projects;

14 (ii) to provide appropriate training in
15 the provision of approved services to par-
16 ticipating children;

17 (iii) to provide non-medical counseling
18 services to children and their primary care-
19 givers outside of the child development
20 center as required;

21 (iv) to coordinate with other estab-
22 lished installation and community re-
23 sources to coordinate and collaborate re-
24 garding needed services, such as New Par-
25 ent Support Program, Behavioral Health,

1 Tricare mental health providers, Healthy-
2 Steps, and early behavioral intervention
3 services; and

4 (v) to be endorsed, or work toward be-
5 coming endorsed, by a recognized infant
6 and early childhood mental health organi-
7 zation such as the Alliance for the Ad-
8 vancement of Infant Mental Health.

9 (3) EVALUATIONS OF OUTCOMES.—The Sec-
10 retary of Defense may authorize an evaluation of
11 outcomes from any demonstration project to deter-
12 mine the value of infant and early childhood mental
13 health consultation within child development centers.

14 (4) SERVICES UNDER CORPORATE SERVICES
15 PROVIDER MODEL.—In carrying out the demonstra-
16 tion projects, the Secretary of Defense may utilize a
17 corporate services provider model. Employees of a
18 provider under such a model shall include personnel
19 who implement special educational and behavioral
20 intervention plans for children of members of the
21 Armed Forces that are developed, reviewed, and
22 maintained by supervisory level providers approved
23 by the Secretary. In authorizing such a model, the
24 Secretary shall establish—

1 (A) minimum education, training, and ex-
2 perience criteria required to be met by employ-
3 ees who provide services to children;

4 (B) requirements for IECMH consultation
5 personnel and supervision, including require-
6 ments for infant and early childhood mental
7 health credentials and for the frequency and in-
8 tensity of supervision; and

9 (C) such other requirements as the Sec-
10 retary considers appropriate to ensure the safe-
11 ty and protection of children who receive serv-
12 ices from such employees under the demonstra-
13 tion projects.

14 (5) PERIOD.—If the Secretary of Defense de-
15 termines to conduct demonstration projects under
16 this subsection, the Secretary shall commence such
17 demonstration projects not later than 180 days after
18 the date of the enactment of this Act. The dem-
19 onstration projects shall be conducted for not less
20 than 2 years.

21 (6) EVALUATION.—The Secretary of Defense
22 shall conduct an evaluation of each demonstration
23 project conducted under this section. The evaluation
24 shall include the following:

1 (A) An assessment of the extent to which
2 the activities under the demonstration project
3 contributed to positive outcomes for children of
4 members of the Armed Forces.

5 (B) An assessment of the extent to which
6 the activities under the demonstration project
7 led to improvements in services and continuity
8 of care for such children.

9 (C) An assessment of the extent to which
10 the activities under the demonstration project
11 improved military family readiness and en-
12 hanced military retention.

13 (d) RELATIONSHIP TO OTHER BENEFITS.—Nothing
14 in this section precludes the eligibility of members of the
15 Armed Forces and their dependents for extended benefits
16 under section 1079 of title 10, United States Code.

17 (e) REPORTS ON DEMONSTRATION PROJECTS.—Not
18 later than 30 months after the commencement of any
19 demonstration project under subsection (e), the Secretary
20 of Defense shall submit to the Committees on Armed Serv-
21 ices of the Senate and the House of Representatives a re-
22 port on the demonstration project. The report shall in-
23 clude a description of the project, the results of the evalua-
24 tion under subsection (e)(5) with respect to the project,
25 and a description of plans for the further provision of serv-

1 ices for children of members of the Armed Forces under
2 the project.

3 (f) DEFINITIONS.—In this section:

4 (1) CHILD.—The term “child” has the meaning
5 given that term in section 1072 of title 10, United
6 States Code.

7 (2) COVERED EDUCATIONAL AND TREATMENT
8 SERVICES.—The term “covered educational and
9 treatment services” means provision of quality early
10 childhood education that promotes healthy social and
11 emotional development and provides supports for
12 children experiencing mental health challenges and
13 supportive services that include assessment, coaching
14 for educators and parents, and when warranted, re-
15 ferral to appropriately licensed and specialized infant
16 and early childhood mental health services for diag-
17 nosis, therapeutic treatment, and early intervention.

18 (3) COVERED MILITARY INSTALLATION.—The
19 term “covered military installation” means a mili-
20 tary installation at which at least 1,000 members of
21 the Armed Forces are assigned who are eligible for
22 an assignment accompanied by dependents.

23 (4) INFANT AND EARLY CHILDHOOD MENTAL
24 HEALTH.—The term “Infant and Early Childhood
25 Mental Health” (IECMH) means the developing ca-

1 pacity of the child, birth to age 5, to form close and
2 secure adult and peer relationships, to experience,
3 manage, and express a full range of emotions, and
4 to explore the environment and learn, all in the con-
5 text of family, community, and culture.

6 (5) LOCAL EDUCATIONAL AGENCY.—The term
7 “local educational agency” has the meaning given
8 that term in section 8013(9) of the Elementary and
9 Secondary Education Act of 1965 (20 U.S.C.
10 7713(9)), except that the term includes publicly fi-
11 nanced schools in communities, Department of De-
12 fense domestic dependent elementary and secondary
13 schools, and schools of the defense dependents’ edu-
14 cation system.

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