



FY2025 NDAA: Military Child Care Proposals

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In 2023, the House Armed Services Committee (HASC) [established a Quality of Life \(QOL\) Panel](#) to develop proposals for a National Defense Authorization Act for Fiscal Year 2025 (FY2025 NDAA). On April 8, 2024, the QOL Panel released its [final report](#). Several of the report's recommendations related to military child care were included as proposals in House (H.R. 8070, 118th Congress) and Senate Armed Services Committee (SASC)-reported (S. 4638, 118th Congress) versions of an FY2025 NDAA. The final bill was enacted as the "Servicemember Quality of Life Improvement and National Defense Authorization Act for Fiscal Year 2025" on December 23, 2024 (P.L. 118-159).

Background

The Department of Defense (DOD) operates the largest employer-sponsored child care program in the United States, [serving approximately 200,000 children](#) of servicemembers and DOD civilians. [DOD's child development programs \(CDPs\)](#) include subsidized programs in: (1) DOD-operated *child development centers* (CDCs), (2) private in-home care (called the *family child care* program), and (3) qualified private care centers in the local community (called the *fee assistance program*). In addition to these programs, DOD has also implemented a [Child Care in Your Home \(CCYH\)](#) pilot under the fee assistance program that allows qualified families to receive subsidies for in-home care (e.g., hiring a nanny).

The military services employ a combination of [appropriated fund \(APF\) and non-appropriated fund \(NAF\) workers](#) as direct care providers in their CDCs with salary and benefits that fall under federally determined pay tables. [DOD has previously reported](#) that the services predominately use a NAF workforce "in order to maximize flexibilities offered for staff onboarding and compensation." Under [10 U.S.C. §1792\(c\)](#), child care employees paid with NAF "shall be paid at rates of pay competitive with the rates of pay" for other installation employees with similar training, seniority, and experience. The [QOL Panel found](#) that "while the Department of Defense CDP employee wages are competitive and the Department has made significant efforts to attract and retain child care workers, CDCs continue to have high staff vacancy rates."

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Legislative Proposals

Certain provisions of the House-passed and SASC-reported versions of the bill primarily addressed child care staffing issues (see **Table 1**).

Table 1. Selected Child Care Provisions in the FY2025 NDAA

House-passed (H.R. 8070)	SASC-reported (S. 4638)	Enacted (P.L. 118-159)
Section 1107 would require DOD to redesign its child care staffing model and compensation system and to include support positions for children with special needs. It would require a 5-year implementation plan with annual reports to Congress starting within 180 days of enactment.	Section 578 is a similar provision, but would require annual briefings to Congress in lieu of reports.	Section 589A adopts the House provision with an amendment to require congressional briefings.
Section 1816 would require the Secretary of Defense to fully fund child care fee assistance programs, subject to availability of appropriations.	No similar provision.	Section 588 adopts the House provision with a technical amendment.
Section 1843 would expand eligibility for unemployed military spouses seeking employment to receive childcare in DOD's Child Development Programs, both on and off installation, to at least 180 days.	No similar provision.	Section 589 adopts the House provision.
Section 1817 would require expanded congressional briefings on military childcare CDC services and waiting lists.	No similar provision	Section 586 adopts the House provision with an amendment to limit the scope and timing of briefings, and to add new briefing elements to an existing reporting requirement.
No similar provision.	Section 579 would authorize the Secretary of Defense to use financial incentives to recruit and retain childcare providers, and work with other federal agencies to place national service participants and trained volunteers in DOD CDCs. The Secretary would also be authorized to provide training and subsidies to eligible child care providers.	Not adopted; however, report language requires DOD to provide a briefing on the feasibility of the concept.
Section 579A would direct the Government Accountability Office (GAO) to assess the extent to which current child care program resources are meeting the needs of military families.	No similar provision.	Not adopted.

Source: CRS analysis of legislation.

Both the House and SASC-reported versions of the NDAA included proposals that would have required DOD to redesign and implement a new compensation and staffing model for child care workers (Sections 1107 and 578, respectively). The enacted legislation adopts this requirement in Section 589A. The new model is required to include specialized staff to support children with special needs. The enacted version requires implementation to begin no later than April 1, 2025, "subject to the availability of

appropriations.” Section 588 of the enacted bill also requires DOD and the military services to fully fund fee assistance requests for childcare from civilian providers under [10 U.S.C. §1798](#); also subject to availability of appropriations. Congress has not yet enacted full-year appropriations for FY2025.

Section 579 of S. 4638 would have authorized DOD to use a range of incentives, interagency partnerships, subsidies and volunteer programs to address child care shortfalls. In particular, this provision would have encouraged DOD to explore a partnership with agencies that administer national service programs (e.g., the [Corporation for National and Community Service](#)). This provision was not adopted; however, in the [Joint Explanatory Statement to accompany the bill](#), Congress directed DOD to provide a briefing by January 1, 2026, on “the feasibility and advisability of entering into an interagency partnership with another Federal agency with the ability to place national service participants and volunteers trained in education services at military child development centers in accordance with applicable national service laws.”

Section 589 of the FY2025 NDAA adopts a House provision that authorizes the Secretary of Defense to extend eligibility for unemployed military spouses (“covered members”) seeking employment to receive childcare of at least 180 days in DOD’s Child Development Programs. There is not currently a limitation in statute on child care services for these covered members. [DOD policy dated September 1, 2020](#) states, “Spouses actively seeking employment must submit verification every 30 days once the child is enrolled in care. The child may be removed from care if the spouse has not gained employment after 90 days. The installation commander may authorize an extension of care beyond 90 days as long as higher priority patrons are not impacted.”

The House bill also called for a GAO study to assess child care wait times for military families and the amount of funding allocated to certain fee assistance programs. This provision was not adopted and the Joint Explanatory statement notes that “the Committees on Armed Services of the Senate and the House of Representatives are awaiting several congressionally-directed studies and reports on childcare programs of the Department of Defense by both the Comptroller General of the United States and the Secretary of Defense [on these topics]” and that other enacted provisions of the bill would require reporting on child care wait times.

For more background, see CRS Report R45288, *Military Child Development Program: Background and Issues*, and CRS Report R47312, *The Child Care and Development Block Grant: In Brief*.

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