

104TH CONGRESS
1ST SESSION

S. 472

To consolidate and expand Federal child care services to promote self sufficiency and support working families, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 23 (legislative day, FEBRUARY 22), 1995

Mr. DODD (for himself and Mr. KENNEDY) introduced the following bill; which was read twice and referred to the Committee on Labor and Human Resources

A BILL

To consolidate and expand Federal child care services to promote self sufficiency and support working families, 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 “Child Care Consolida-
5 tion and Investment Act of 1995”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

1 (1) fragmentation of the Federal Government's
2 major child care assistance programs has left gaps
3 for many parents moving from welfare to work;

4 (2) child care problems have prevented 34 per-
5 cent of poor mothers between the ages 21 and 29
6 from working;

7 (3) $\frac{2}{3}$ of all families receiving assistance under
8 the Aid to Families with Dependent Children pro-
9 gram have at least one preschool age child and need
10 child care in order to work;

11 (4) there already exists an unmet need for child
12 care assistance—37 States now have waiting lists
13 that can run as high as 35,000 individuals;

14 (5) child care directly affects an individual's
15 ability to stay in the work force;

16 (6) welfare reform that places work at its cen-
17 ter will increase the demand for child care and re-
18 quire an additional investment of resources;

19 (7) child care consumes \$260 per month or
20 about 27 percent of income for average working poor
21 families, leaving them with less income than families
22 eligible for assistance under the Aid to Families with
23 Dependent Children program;

24 (8) quality must be a central feature of the
25 child care policy of the United States;

1 (9) only 1 in 7 day care centers offer good qual-
2 ity care;

3 (10) 40 percent of day care centers serving in-
4 fants and toddlers do not meet basic sanitary condi-
5 tions, have safety problems, and do not encourage
6 learning; and

7 (11) only 9 percent of family and relative day
8 care is considered good quality care.

9 **SEC. 3. PURPOSE.**

10 It is the purpose of this Act to—

11 (1) eliminate program fragmentation and create
12 a seamless system of high quality child care that al-
13 lows for continuity of care for children as parents
14 move from welfare to job training to work;

15 (2) provide for parental choice among high
16 quality child care programs; and

17 (3) increase the availability of high quality af-
18 fordable child care in order to promote self suffi-
19 ciency and support working families.

20 **SEC. 4. AMENDMENTS TO CHILD CARE AND DEVELOPMENT**

21 **BLOCK GRANT ACT OF 1990.**

22 (a) APPROPRIATIONS.—Section 658B of the Child
23 Care and Development Block Grant Act of 1990 (42
24 U.S.C. 9858) is amended to read as follows:

1 **“SEC. 658B. APPROPRIATION.**

2 “(a) IN GENERAL.—For the purpose of providing
3 child care services for eligible children through the award-
4 ing of grants to States under this subchapter, the Sec-
5 retary of Health and Human Services shall pay, from
6 funds in Treasury not otherwise appropriated,
7 \$2,302,000,000 for fiscal year 1996, \$2,790,000,000 for
8 fiscal year 1997, \$3,040,000,000 for fiscal year 1998,
9 \$3,460,000,000 for fiscal year 1999, and \$4,030,000,000
10 for fiscal year 2000.

11 “(b) ADJUSTMENTS.—If the amounts appropriated
12 under subsection (a) are not sufficient to provide services
13 to each child whose parent is required to undertake edu-
14 cation, job training, job search, or employment as a condi-
15 tion of eligibility for benefits under part A of title IV of
16 the Social Security Act, the Secretary shall pay, from
17 funds in the Treasury not otherwise appropriated, such
18 sums as may be necessary to ensure the implementation
19 of section 658E(c)(3)(E) with respect to each such child.”.

20 (b) AWARDING OF GRANTS.—Section 658C of the
21 Child Care and Development Block Grant Act of 1990 (42
22 U.S.C. 9858a) is amended by striking “is authorized to”
23 and inserting “shall”.

24 (c) SUPPLEMENTATION.—Section 658E(c)(2)(J) of
25 the Child Care and Development Block Grant Act of 1990

1 (42 U.S.C. 9858c(c)(2)(J)) is amended by inserting “in
2 fiscal year 1995” before the period.

3 (d) SET-ASIDES FOR QUALITY AND WORKING FAMI-
4 LIES, AND CHILD CARE GUARANTEE.—Section
5 658E(c)(3) of the Child Care and Development Block
6 Grant Act of 1990 (42 U.S.C. 9858c(c)(3))—

7 (1) in subparagraph (C), by striking “25 per-
8 cent” and inserting “20 percent”; and

9 (2) by adding at the end thereof the following
10 new subparagraphs:

11 “(D) ASSISTANCE FOR LOW-INCOME
12 WORKING FAMILIES.—The State shall reserve
13 not less than 50 percent of the amount provided
14 to the State and available for providing services
15 under this subchapter, to carry out child care
16 activities to support low-income working fami-
17 lies residing in the State.

18 “(E) CHILD CARE GUARANTEE.—The
19 State plan shall provide assurances that the
20 availability of child care under the grant will be
21 coordinated in an appropriate manner (as de-
22 termined by the Secretary) with the require-
23 ments of part A of title IV of the Social Secu-
24 rity Act. Such coordination shall ensure that
25 the parent of a dependent child is not required

1 to undertake an education, job training, job
2 search, or employment requirement unless child
3 care assistance in an appropriate child care pro-
4 gram is made available.”.

5 (e) MATCHING REQUIREMENT.—Section 658E(c) of
6 the Child Care and Development Block Grant Act of 1990
7 (42 U.S.C. 9858c(c)) is amended by adding at the end
8 thereof the following new paragraph:

9 “(6) MATCHING REQUIREMENT.—With respect
10 to amounts made available to a State in each fiscal
11 year beginning with fiscal year 1996, that exceed the
12 aggregate amounts received by the State for child
13 care services in fiscal year 1995, the State plan shall
14 provide that, with respect to the costs to be incurred
15 by the State in carrying out the activities for which
16 a grant under this subchapter is awarded, the State
17 will make available (directly or through in-kind do-
18 nations from public or private entities) non-Federal
19 contributions in an amount equal to not less than \$1
20 for every \$4 of Federal funds provided under the
21 grant.”.

22 (f) IMPROVING QUALITY.—

23 (1) INCREASE IN REQUIRED FUNDING.—Section
24 658G of the Child Care and Development Block
25 Grant Act of 1990 (42 U.S.C. 9858e) is amended by

1 striking “not less than 20 percent” and inserting
2 “50 percent”.

3 (2) QUALITY IMPROVEMENT INCENTIVE INITIA-
4 TIVE.—Section 658G of the Child Care and Develop-
5 ment Block Grant Act of 1990 (42 U.S.C. 9858e)
6 is amended—

7 (A) by striking “A State” and inserting

8 “(a) IN GENERAL.—A State”; and

9 (B) by adding at the end thereof the fol-
10 lowing new subsection:

11 “(b) QUALITY IMPROVEMENT INCENTIVE INITIA-
12 TIVE.—

13 “(1) IN GENERAL.—The Secretary shall estab-
14 lish a child care quality improvement incentive ini-
15 tiative to make funds available to States that dem-
16 onstrate progress in the implementation of—

17 “(A) innovative teacher training programs
18 such as the Department of Defense staff devel-
19 opment and compensation program for child
20 care personnel; or

21 “(B) enhanced child care quality standards
22 and licensing and monitoring procedures.

23 “(2) FUNDING.—From the amounts made
24 available for each fiscal year under subsection (a),
25 the Secretary shall reserve not to exceed

1 \$50,000,000 in each such fiscal year to carry out
2 this subsection.”.

3 (g) BEFORE- AND AFTER-SCHOOL SERVICES.—Sec-
4 tion 658H(a) of the Child Care and Development Block
5 Grant Act of 1990 (42 U.S.C. 9858f(a)) is amended by
6 striking “not less than 75 percent” and inserting “50 per-
7 cent”.

8 (h) PAYMENTS.—Section 658J(a) of the Child Care
9 and Development Block Grant Act of 1990 (42 U.S.C.
10 9858h) is amended by striking “Subject to the availability
11 of appropriation, a” and inserting “A”.

12 (i) ALLOTMENTS.—Section 658O(b) of the Child
13 Care and Development Block Grant Act of 1990 (42
14 U.S.C. 9858m(b)) is amended by adding at the end there-
15 of the following new paragraph:

16 “(5) ALLOTMENT.—

17 “(A) BASE ALLOTMENT.—Effective begin-
18 ning with fiscal year 1996, the amount allotted
19 to a State under this section shall include the
20 base amount that the State received under this
21 Act, and under the provisions repealed under
22 section 5 of the Child Care Consolidation and
23 Investment Act of 1995, in fiscal year 1995.

24 “(B) ADDITIONAL AMOUNTS.—Effective
25 beginning with fiscal year 1996, any amounts

1 appropriated under section 658B for a fiscal
2 year and remaining after the requirement of
3 subparagraph (A) is complied with, shall be al-
4 lotted to States pursuant to the formula de-
5 scribed in paragraph (1).”.

6 **SEC. 5. PROGRAM REPEALS.**

7 (a) AFDC JOBS AND TRANSITIONAL CHILD
8 CARE.—

9 (1) REPEAL.—Paragraphs (1), (3), (4), (5),
10 (6), and (7) of section 402(g) of the Social Security
11 Act (42 U.S.C. 602(g)) are repealed.

12 (2) CONFORMING AMENDMENTS.—Part A of
13 title IV of the Social Security Act (42 U.S.C. 601
14 et seq.) is amended—

15 (A) in section 402(a)(19) (42 U.S.C.
16 602(a)(19))—

17 (i) in subparagraph (B)(i)(I), by strik-
18 ing “section 402(g)” and inserting “the
19 Child Care Development Block Grant Act
20 of 1990 (42 U.S.C. 9858 et seq.)”;

21 (ii) in subparagraph (C)(iii)(II), by
22 striking “section 402(g)” and inserting
23 “the Child Care Development Block Grant
24 Act of 1990 (42 U.S.C. 9858 et seq.)”;

1 (iii) in subparagraph (D), by striking
2 “section 402(g)” and inserting “the Child
3 Care Development Block Grant Act of
4 1990 (42 U.S.C. 9858 et seq.)”; and

5 (iv) in subparagraph (F)(iv), by strik-
6 ing “section 402(g)” and inserting “section
7 402(g)(2) and the Child Care Development
8 Block Grant Act of 1990 (42 U.S.C. 9858
9 et seq.)”;

10 (B) in section 402(g)(2) (42 U.S.C.
11 602(g)(2)), by striking “(in addition to guaran-
12 teeing child care under paragraph (1))”; and

13 (C) in section 403(l)(1)(A) (42 U.S.C.
14 603(l)(1)(A)), by striking “(including expendi-
15 tures for child care under section
16 402(g)(1)(A)(i), but only in the case of a State
17 with respect to which section 1108 applies)”.

18 (b) AT-RISK CHILD CARE.—Sections 402(i) and
19 403(n) of the Social Security Act (42 U.S.C. 602(i),
20 603(n)) are repealed.

21 (c) STATE DEPENDENT CARE GRANTS.—Subchapter
22 E of chapter 8 of subtitle A of title VI of the Omnibus
23 Budget Reconciliation Act of 1981 (42 U.S.C. 9871 et
24 seq.) is repealed.

1 (d) CHILD DEVELOPMENT ASSOCIATE SCHOLARSHIP
2 ASSISTANCE ACT.—The Child Development Associate
3 Scholarship Assistance Act of 1985 (42 U.S.C. 10901 et
4 seq.) is repealed.

5 (e) SECRETARIAL SUBMISSION OF LEGISLATIVE PRO-
6 POSAL FOR TECHNICAL AND CONFORMING AMEND-
7 MENTS.—The Secretary of Health and Human Services
8 shall, within 90 days after the date of the enactment of
9 this Act, submit to the appropriate committees of the Con-
10 gress, a legislative proposal providing for such technical
11 and conforming amendments in the law as are required
12 by the provisions of subsections (a) and (c).

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