

107TH CONGRESS
2D SESSION

S. 2117

To amend the Child Care and Development Block Grant Act of 1990 to reauthorize the Act, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 11, 2002

Mr. DODD (for himself, Ms. SNOWE, Mr. JEFFORDS, Mr. DEWINE, Mr. BREAUX, Mr. REED, Mr. ROCKEFELLER, and Ms. COLLINS) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Child Care and Development Block Grant Act of 1990 to reauthorize the Act, 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Access to High Quality Child Care Act” or as the “2002
6 ACCESS Act”.

7 (b) TABLE OF CONTENTS.—The table of contents of
8 this Act is as follows:

TITLE I—ACCESS TO HIGH QUALITY CARE

Sec. 101. Goals.

- Sec. 102. Authorization of appropriations.
- Sec. 103. Lead agency.
- Sec. 104. State plan requirements.
- Sec. 105. Child care quality improvements.
- Sec. 106. Improving parent access to quality child care.
- Sec. 107. Child care research and data.
- Sec. 108. Technical amendment.
- Sec. 109. Child care provider development.
- Sec. 110. Activities for infants and toddlers.
- Sec. 111. Technical and financial assistance grants.
- Sec. 112. Quality child care, development, and education incentive grants.
- Sec. 113. Conforming amendments.
- Sec. 114. Annual reports.
- Sec. 115. Definitions.

TITLE II—CHILD CARE CENTERS IN FEDERAL FACILITIES

- Sec. 201. Short title.
- Sec. 202. Definitions.
- Sec. 203. Providing quality child care in Federal facilities.
- Sec. 204. Enhancing security at child care centers in Federal facilities.
- Sec. 205. Federal child care evaluation.
- Sec. 206. Miscellaneous provisions relating to child care provided by Federal agencies.

TITLE III—CHILD CARE UNDER TANF

- Sec. 301. Mandatory funding for child care.
- Sec. 302. Restoration of authority to transfer up to 10 percent of TANF funds to the Social Services Block Grant.
- Sec. 303. Clarification of authority of States to use TANF funds carried over from prior years to provide TANF benefits and services and to transfer such funds for child care and social services.
- Sec. 304. Child care or other work support services not considered assistance.
- Sec. 305. Assessment of child care needs and needs for supervision and appropriate activities for children of TANF recipients.
- Sec. 306. Data collection regarding TANF funds spent directly on child care.
- Sec. 307. Application of Child Care and Development Block Grant health and safety standards to TANF funds spent on child care.
- Sec. 308. Training and coordination of staff to increase use of child care assistance.
- Sec. 309. Sense of the Senate regarding retaining authority to deem certain single parents with young children as meeting the TANF work requirement.
- Sec. 310. Sense of the Senate regarding retaining prohibition and penalty for State sanction of single parents with young children who are unable to find or afford child care.
- Sec. 311. Effective date.

TITLE I—ACCESS TO HIGH QUALITY CARE

SEC. 101. GOALS.

Section 658A(b) of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9801 note) is amended—

(1) in paragraph (4), by striking “assistance; and” and inserting “assistance, and to low-income parents struggling to meet child care costs;”;

(2) in paragraph (5)—

(A) by inserting “training,” after “safety,”; and

(B) by striking the period and inserting “; and”; and

(3) by adding at the end the following:

“(6) to assist States to provide access to high quality child care that promotes early learning and facilitates school readiness.”.

SEC. 102. AUTHORIZATION OF APPROPRIATIONS.

Section 658B of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858) is amended by striking “\$1,000,000,000” and all that follows and inserting “such sums as may be necessary for each of fiscal years 2003 through 2007.”.

1 **SEC. 103. LEAD AGENCY.**

2 Section 658D(b) of the Child Care and Development
3 Block Grant Act of 1990 (42 U.S.C. 9858b(b)) is amend-
4 ed by striking paragraph (2) and inserting the following:

5 “(2) CONSULTATION IN DEVELOPMENT OF
6 PLAN.—

7 “(A) PARTIES CONSULTED.—In the devel-
8 opment of the State plan described in para-
9 graph (1)(B), the lead agency shall consult
10 with—

11 “(i) appropriate representatives of
12 units of general purpose local government;

13 “(ii) parents and child care providers
14 (including center-based child care pro-
15 viders, group home child care providers,
16 and family child care providers);

17 “(iii) representatives of State agencies
18 responsible for children and families, in-
19 cluding agencies with jurisdiction over edu-
20 cation programs, health services, child pro-
21 tective services, the program of block
22 grants to States to provide temporary as-
23 sistance to needy families under part A of
24 title IV of the Social Security Act (42
25 U.S.C. 601 et seq.), and employment and
26 training activities;

1 “(iv) businesses, community-based or-
2 ganizations (including faith-based organi-
3 zations), and philanthropic organizations;

4 “(v) institutions of higher education
5 and other entities that provide professional
6 development for early childhood educators
7 and child care providers; and

8 “(vi) other public and private pro-
9 viders of child and family support services,
10 such as providers of services through Head
11 Start programs, family literacy programs,
12 institutions of higher education, and child
13 care resource and referral organizations,
14 and other organizations and individuals.

15 “(B) GOALS OF CONSULTATION.—The lead
16 agency shall engage in consultation, as de-
17 scribed in subparagraph (A), in order to—

18 “(i) develop a State plan under sec-
19 tion 658E that meets the needs of working
20 parents and the social, emotional, physical,
21 and cognitive developmental needs of chil-
22 dren;

23 “(ii) enable the lead agency, and the
24 organizations and individuals described in
25 subparagraph (A), to coordinate and utilize

resources for early childhood development and child care for school-age children in a manner that provides a continuum of quality services for children and families;

“(iii) enable the lead agency, organizations, and individuals to provide for resources for children with special needs and their families in planning and delivering services for children and families, in order to improve access to integrated community-based services for all children and families; and

“(iv) promote inclusion of organizations or individuals that provide direct services for children and families, and parents, in the design and delivery of such services.”.

SEC. 104. STATE PLAN REQUIREMENTS.

Section 658E(c) of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858c(c)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (A)(i)(II), by striking “658P(2)” and inserting “658V(2)”;

1 (B) by striking subparagraph (D) and in-
2 serting the following:

3 “(D) CONSUMER EDUCATION INFORMA-
4 TION.—Certify that the State will collect and
5 disseminate to parents of eligible children and
6 the general public, consumer education informa-
7 tion that will promote informed child care
8 choices, including information about quality
9 child care that meets the social, emotional,
10 physical, and cognitive development needs of
11 children, and describe how the State will inform
12 parents receiving assistance under a State pro-
13 gram funded under part A of title IV of the So-
14 cial Security Act (42 U.S.C. 601 et seq.) and
15 low-income parents about eligibility for assist-
16 ance under this subchapter.”;

17 (C) in subparagraph (G), by inserting “,
18 and that the procedures include unannounced
19 visits, not more than twice each year, for each
20 such child care provider (other than a relative
21 of the child who is a provider described in sec-
22 tion 658V(5)(B)) and the facility in which the
23 provider provides child care” before the period;
24 and

1 (D) by adding at the end the following new
 2 subparagraphs:

3 “(I) QUALITY CHILD DEVELOPMENT AND
 4 EDUCATION.—In the case of a State that re-
 5 ceives a grant under section 658L, certify that
 6 the State has established indicators of school
 7 readiness described in section 658L(b)(2)(B)
 8 and requires eligible child care providers (other
 9 than a relative of the child involved who is a
 10 provider described in section 658V(5)(B)) de-
 11 scribed in subparagraph (G) to use the indica-
 12 tors to improve school readiness.

13 “(J) COORDINATION AND INTEGRATION OF
 14 SERVICES.—Describe how the State will—

15 “(i) coordinate the provision of serv-
 16 ices under this subchapter with other Fed-
 17 eral, State, and local child care and early
 18 childhood development programs; and

19 “(ii) increase coordination between,
 20 and improve the ability of children to make
 21 transitions between—

22 “(I) early childhood care, devel-
 23 opment, and education programs; and

24 “(II) elementary schools.

1 “(K) AVAILABILITY OF STAFF.—Describe
2 how the State will ensure that staff from the
3 lead agency described in section 658D will co-
4 ordinate activities with the staff of the State
5 program funded under part A of title IV of the
6 Social Security Act, and be available to the par-
7 ticipants in the program to provide information
8 about eligibility for assistance under this sub-
9 chapter.

10 “(L) ELIGIBILITY REDETERMINATION.—
11 Demonstrate that each child that receives as-
12 sistance under this subchapter in the State will
13 receive such assistance for not less than 1 year
14 before the State redetermines the eligibility of
15 the child under this subchapter.

16 “(M) TRAINING IN EARLY LEARNING AND
17 CHILDHOOD DEVELOPMENT.—Certify that there
18 are in effect within the State training require-
19 ments, designed to enable child care providers
20 to promote the social, emotional, physical, and
21 cognitive development of children, that are ap-
22 plicable to child care providers that provide
23 services for which assistance is made available
24 under this subchapter (except relatives of the

1 children involved who are providers described in
 2 section 658V(5)(B)).

3 “(N) INFORMATION ON FOOD PRO-
 4 GRAMS.—Certify that the State will collect and
 5 disseminate, to each child care provider that
 6 provides services for which assistance is made
 7 available under this subparagraph, materials
 8 that include—

9 “(i) an explanation of the benefits,
 10 and the importance to children and pro-
 11 viders, of the child and adult care food
 12 program established under section 17 of
 13 the Richard B. Russell National School
 14 Lunch Act (42 U.S.C. 1766); and

15 “(ii) information concerning how ben-
 16 efits under the program may be obtained.”;

17 (2) in paragraph (4)—

18 (A) by redesignating subparagraph (B) as
 19 subparagraph (C); and

20 (B) by inserting after subparagraph (A)
 21 the following:

22 “(B) MARKET RATES.—In submitting the
 23 State plan, the State shall meet the applicable
 24 requirements of paragraphs (1) and (2) of sec-
 25 tion 658H(b).”; and

1 (3) by adding at the end the following:

2 “(6) CHILD CARE PROVIDER DEVELOPMENT.—

3 In submitting the State plan, the State shall meet
4 the applicable requirements of section 658I(d).”.

5 **SEC. 105. CHILD CARE QUALITY IMPROVEMENTS.**

6 Section 658G of the Child Care and Development
7 Block Grant Act of 1990 (42 U.S.C. 9858e) is amended
8 to read as follows:

9 **“SEC. 658G. ACTIVITIES TO IMPROVE THE QUALITY OF**
10 **CHILD CARE.**

11 “(a) IN GENERAL.—A State that receives funds to
12 carry out this subchapter for a fiscal year shall reserve
13 and use not less than 5 percent of the funds for 1 or more
14 activities consisting of—

15 “(1) providing child care resource and referral
16 services directly, or providing financial assistance to
17 private nonprofit organizations or public entities (in-
18 cluding units of general purpose local government)
19 for the development, establishment, expansion, oper-
20 ation, and coordination of, child care resource and
21 referral services;

22 “(2) making grants or providing loans to eligi-
23 ble child care providers to assist the providers in
24 meeting applicable State and local relating to child

1 care licensing or regulation and recognized accredi-
2 tation standards;

3 “(3) making grants to support training of fam-
4 ily child care providers and relatives who are pro-
5 viders described in section 658V(5)(B), with respect
6 to the social, emotional, physical, and cognitive de-
7 velopment of children, including activities to promote
8 preliteracy and oral language development;

9 “(4) improving the ability of State or local gov-
10 ernment, as applicable, to monitor compliance with,
11 and to enforce, State and local licensing, regulatory,
12 and registration requirements applicable to child
13 care providers;

14 “(5) providing training and technical assistance
15 in areas relating to the provision of child care serv-
16 ices, such as training relating to the social, emo-
17 tional, physical, and cognitive development of chil-
18 dren, the promotion of health and safety, parent in-
19 volvement, promotion of good nutrition, provision of
20 first aid, recognition of communicable diseases, child
21 abuse detection and prevention, care of children with
22 special needs, and program and business manage-
23 ment;

24 “(6) improving salaries and other compensation
25 paid to full-time and part-time staff who provide

1 child care services for which assistance is made
2 available under this subchapter;

3 “(7) improving payment rates for child care
4 providers who provide such services, to ensure that
5 parents have real choices among child care providers
6 in their communities;

7 “(8) improving and expanding positive youth
8 development activities for school-age children; or

9 “(9) carrying out such other activities to im-
10 prove the quality of child care as the State may de-
11 termine to be appropriate, including providing emer-
12 gency child care.

13 “(b) CHILD CARE RESOURCE AND REFERRAL SYS-
14 TEM.—The State may use a portion of the funds reserved
15 under subsection (a) to establish or support a system of
16 local child care resource and referral organizations coordi-
17 nated by a statewide private, nonprofit, community-based
18 lead child care resource and referral organization. The
19 local child care resource and referral organizations shall—

20 “(1) provide parents in the State with informa-
21 tion, consumer education, and support concerning
22 child care options, including child care provided
23 through emergency child care centers, in their com-
24 munities;

1 “(2)(A) collect and analyze data on the supply
 2 of and demand for child care in political subdivisions
 3 within the State; and

4 “(B) submit reports to the Secretary containing
 5 data and analysis described in subparagraph (A);

6 “(3) engage businesses, community-based orga-
 7 nizations (including faith-based organizations), labor
 8 organizations, educational organizations (including
 9 schools), and philanthropic organizations in expand-
 10 ing quality child care services, including providing
 11 emergency child care, in the State and in political
 12 subdivisions in the State;

13 “(4) provide, or facilitate the provision of, as
 14 appropriate, health care services, mental health serv-
 15 ices, early literacy services, services for children with
 16 special needs, and child care for infants and tod-
 17 dlers, to support and supplement the services pro-
 18 vided by child care providers in the communities in-
 19 volved; and

20 “(5) provide training related to the social, emo-
 21 tional, physical, and cognitive development of chil-
 22 dren, or facilitate connections to such training, for
 23 child care providers in the communities involved.

24 “(c) RESERVATIONS FOR RESOURCE AND REFERRAL
 25 AND OTHER ACTIVITIES.—

1 “(1) IN GENERAL.—A State that receives funds
2 to carry out this subchapter for a fiscal year shall
3 reserve and use, from the amount reserved under
4 subsection (a)—

5 “(A) not less than the State covered activi-
6 ties amount for that fiscal year for child care
7 resource and referral services and school-age
8 child care activities; and

9 “(B) not less than the State hotline
10 amount for that fiscal year for the Child Care
11 Aware toll-free hotline.

12 “(2) DEFINITIONS.—In this subsection:

13 “(A) STATE COVERED ACTIVITIES
14 AMOUNT.—The term ‘State covered activities
15 amount’, used with respect to a fiscal year,
16 means the product of—

17 “(i) \$18,000,000; and

18 “(ii) the State percentage for that fis-
19 cal year.

20 “(B) STATE HOTLINE AMOUNT.—The term
21 ‘State hotline amount’, used with respect to a
22 fiscal year, means the product of—

23 “(i) \$1,000,000; and

24 “(ii) the State percentage for that fis-
25 cal year.

1 “(C) STATE PERCENTAGE.—The term
 2 ‘State percentage’, used with respect to a fiscal
 3 year, means the percentage received by the
 4 State of the funds allotted to States under sec-
 5 tion 658O for that fiscal year.”.

6 **SEC. 106. IMPROVING PARENT ACCESS TO QUALITY CHILD**
 7 **CARE.**

8 The Child Care and Development Block Grant Act
 9 of 1990 (42 U.S.C. 9858 et seq.) is amended by inserting
 10 after section 658G the following:

11 **“SEC. 658H. IMPROVING PARENT ACCESS TO QUALITY**
 12 **CHILD CARE.**

13 “(a) IN GENERAL.—A State that receives funds to
 14 carry out this subchapter for a fiscal year shall reserve
 15 and use not less than 5 percent of the funds for activities
 16 described in this section.

17 “(b) ELIGIBILITY.—

18 “(1) STATE PLAN REQUIREMENT.—To be eligi-
 19 ble to receive funds to carry out this subchapter, a
 20 State shall submit a State plan under section 658E
 21 that—

22 “(A) demonstrates that the State has con-
 23 ducted a statistically valid survey of the market
 24 rates for child care services in the State within

1 the 2 years preceding the date of the submis-
2 sion of the application;

3 “(B) details the methodology and results
4 of the State market rates survey conducted pur-
5 suant to subparagraph (A);

6 “(C) describes the State’s plan to increase
7 payment rates from the initial baseline deter-
8 mined under subparagraph (B); and

9 “(D) describes how the State will increase
10 payment rates in accordance with the market
11 rates survey results.

12 “(2) CONTINUING ELIGIBILITY REQUIRE-
13 MENT.—In submitting a State plan under section
14 658E for fiscal year 2004 or a subsequent fiscal
15 year, each State shall demonstrate that the State
16 has made progress, through the activities assisted
17 under this subchapter, in increasing payment rates
18 for child care providers to rates that reflect the mar-
19 ket rates, including the market rates for various
20 types of child care providers and market rates for
21 child care of children at various ages.

22 “(c) USE OF FUNDS.—

23 “(1) PRIORITY USE.—An eligible State that re-
24 ceives funds under this subchapter to carry out this
25 section shall use the funds to increase the payment

1 rate for the provision of child care assistance in ac-
2 cordance with this subchapter to a rate at not less
3 than the 80th percentile, and not more than the
4 100th percentile, of the market rate determined
5 under the survey described in subsection (b)(1)(A),
6 except as provided in paragraph (2).

7 “(2) TIERED REIMBURSEMENT.—An eligible
8 State that demonstrates to the Secretary that the
9 State has achieved a payment rate for such assist-
10 ance at not less than the 80th percentile of the mar-
11 ket rate determined under the survey described in
12 subsection (b)(1)(A) may use funds described in
13 paragraph (1) to provide tiered reimbursement to
14 child care providers. Such tiered reimbursement
15 shall consist of regular compensation plus additional
16 compensation for child care that is in limited supply,
17 such as care of infants, care at unusual hours, care
18 for children with special needs, care for children in
19 low-income or rural communities, and care provided
20 by accredited child care providers. In providing the
21 tiered reimbursement, the State may provide a pay-
22 ment rate that exceeds the 100th percentile of the
23 market rate.

24 “(3) SUPPLEMENT NOT SUPPLANT.—Amounts
25 paid to a State under this subchapter to carry out

1 this section shall be used to supplement and not
 2 supplant other Federal, State, or local funds pro-
 3 vided to the State under this subchapter or any
 4 other provision of law.

5 “(d) EVALUATIONS AND REPORTS.—

6 “(1) STATE EVALUATIONS.—Each State de-
 7 scribed in subsection (c)(1) shall submit to the Sec-
 8 retary, at such time and in such form and manner
 9 as the Secretary may require, information regarding
 10 the State’s efforts to increase payment rates and the
 11 impact increased rates are having on the quality of,
 12 and accessibility to, child care in the State.

13 “(2) REPORTS TO CONGRESS.—The Secretary
 14 shall submit biennial reports to Congress on the in-
 15 formation described in paragraph (1). Such reports
 16 shall include data from the applications described in
 17 subsection (b) as a baseline for determining the
 18 progress of each eligible State in maintaining in-
 19 creased payment rates.

20 “(e) PAYMENT RATE.—In this section, the term ‘pay-
 21 ment rate’ means the rate of reimbursement to providers
 22 for subsidized child care.

23 “(f) TRIGGER.—This section takes effect on October
 24 1 of the first fiscal year for which the amount made avail-
 25 able under section 418 of the Social Security Act (42

1 U.S.C. 618) exceeds 105 percent of the amount made
 2 available under that section for fiscal year 2002.”.

3 **SEC. 107. CHILD CARE RESEARCH AND DATA.**

4 Section 658I of the Child Care and Development
 5 Block Grant Act of 1990 (42 U.S.C. 9858g) is amended
 6 by adding at the end the following:

7 “(c) CHILD CARE RESEARCH AND DATA SYSTEM.—

8 “(1) RESERVATION.—Of the funds appro-
 9 priated to carry out this subchapter for a fiscal year,
 10 the Secretary shall reserve not more than 2 percent
 11 to carry out this section.

12 “(2) SYSTEM.—

13 “(A) IN GENERAL.—The Secretary shall
 14 provide for the establishment of a national child
 15 care research and data system to collect infor-
 16 mation and develop data on the supply of, de-
 17 mand for, and quality of child care programs,
 18 early education programs, and before- and
 19 after-school programs. The system shall include
 20 information collected through child care re-
 21 source and referral organizations at the na-
 22 tional, State, and local levels.

23 “(B) QUICK RESPONSE REPORTS.—At the
 24 request of the Secretary, the States that receive
 25 allotments under section 658O shall prepare

and submit to the Secretary reports that provide immediate information on the supply of, gaps in the supply of, price of, and quality of child care, early education, and before- and after-school care.

“(C) ANNUAL REPORTS.—Using information and data that include information and data from the system described in subparagraph (A) and the reports described in subparagraph (B), the Secretary shall prepare and submit to Congress annual reports on the supply, gaps, price, and quality described in subparagraph (B).

“(3) TRAINING AND TECHNICAL ASSISTANCE.—

In providing for the system, the Secretary shall provide training and technical assistance to States, units of general purpose local government, and child care providers that provide services for which assistance is made available under this subchapter, to assist the States, units, and providers in collecting, analyzing, and reporting useful information, and developing appropriate data, for the system.”.

SEC. 108. TECHNICAL AMENDMENT.

Section 658K(a)(2)(A) of the Child Care and Development Block Grant Act of 1990 (42 U.S.C.

1 9858i(a)(2)(A)) is amended by striking “658P(5)” and in-
 2 serting “658V(5)”.

3 **SEC. 109. CHILD CARE PROVIDER DEVELOPMENT.**

4 The Child Care and Development Block Grant Act
 5 of 1990 (42 U.S.C. 9858 et seq.) is amended—

6 (1)(A) by redesignating section 658P as section
 7 658V; and

8 (B) by inserting section 658V (as so redesign-
 9 nated) after section 658S;

10 (2)(A) by redesignating section 658J as section
 11 658P; and

12 (B) by inserting section 658P (as so redesign-
 13 nated) after section 658O;

14 (3)(A) in section 658L, by striking the section
 15 heading and all that follows through “Not” and in-
 16 serting the following:

17 “(c) REPORT BY SECRETARY.—”; and

18 (B) by moving subsection (c) (as so redesign-
 19 nated) to the end of section 658K;

20 (4)(A) by redesignating sections 658I and 658K
 21 as sections 658T and 658U, respectively; and

22 (B) by inserting sections 658T and 658U (as so
 23 redesignated) after section 658S; and

24 (5) by inserting after section 658H (as added
 25 in section 106) the following:

1 **“SEC. 658I. CHILD CARE PROVIDER DEVELOPMENT.**

2 “(a) DEFINITIONS.—In this section:

3 “(1) CHILD CARE PROVIDER.—The term ‘child
4 care provider’ means an individual who provides a
5 service directly to a child on a person to person basis
6 for compensation for—

7 “(A) a center-based child care provider
8 that is licensed, regulated, or registered under
9 State or local law and that satisfies the State
10 and local requirements applicable to the child
11 care services provided;

12 “(B) a licensed, regulated, or registered
13 family child care provider that satisfies the
14 State and local requirements applicable to the
15 child care services provided; or

16 “(C) an out-of-school time program that is
17 licensed, regulated, or registered under State or
18 local law and that satisfies the State and local
19 requirements applicable to the child care serv-
20 ices provided.

21 “(2) STATE.—The term ‘State’ means any of
22 the several States, the District of Columbia, the
23 Commonwealth of Puerto Rico, Guam, American
24 Samoa, or the Commonwealth of the Northern Mar-
25 iana Islands.

1 “(b) FUNDS FOR CHILD CARE PROVIDER DEVELOP-
 2 MENT.—A State that receives funds to carry out this sub-
 3 chapter for a fiscal year shall reserve and use not less than
 4 5 percent of the funds for career development systems de-
 5 scribed in subsection (c).

6 “(c) CAREER DEVELOPMENT SYSTEMS.—

7 “(1) IN GENERAL.—Each State shall use the
 8 funds reserved under subsection (b) to establish and
 9 carry out comprehensive, coordinated systems of ca-
 10 reer development for child care providers, including
 11 providers who provide child care for children from
 12 birth through age 3, provide child care for school-
 13 age children, or provide early childhood education.

14 “(2) SYSTEMS.—In establishing and carrying
 15 out such a system, a State may provide for—

16 “(A) child care provider development and
 17 retention grant programs, as described in sub-
 18 section (e);

19 “(B) child care provider scholarship pro-
 20 grams, as described in subsection (f);

21 “(C) career ladder programs for child care
 22 providers;

23 “(D) programs that provide training to
 24 child care providers through articulation agree-
 25 ments among training providers;

1 “(E) career counseling programs for child
2 care providers; and

3 “(F) other quality initiatives for child care
4 providers, such as accreditation support initia-
5 tives, wage incentive programs, training activi-
6 ties provided by child care resource and referral
7 organizations and institutions of higher edu-
8 cation, and director training and leadership de-
9 velopment programs.

10 “(3) TRAINING.—

11 “(A) APPROVAL.—In establishing and car-
12 rying out such a system, a State may establish
13 a system for approving training provided
14 through the system.

15 “(B) CHILD DEVELOPMENT.—Training
16 provided through the system with respect to
17 child development—

18 “(i) shall include training with respect
19 to the social, emotional, physical, and cog-
20 nitive development of children, health, safe-
21 ty, nutrition, preliteracy and oral language
22 development, identification and inclusion of
23 children with special needs, develop-
24 mentally appropriate practices, observation

and assessment of children’s development,
work with families, and professionalism;

“(ii) shall take into account the di-
verse nature of child care sectors, shall be
designed so that the training is appro-
priate for providers in a variety of child
care settings and is provided through a va-
riety of delivery systems, and shall be
based on best practices; and

“(iii) shall be provided in a manner
that ensures access by child care providers
with all levels of experience.

“(d) STATE PLAN.—

“(1) IN GENERAL.—To be eligible to receive
funds to carry out this subchapter, a State shall
submit a State plan under section 658E that satis-
fies the requirements of paragraph (2).

“(2) REQUIREMENTS OF PLAN.—

“(A) RECRUITMENT AND RETENTION OF
CHILD CARE PROVIDERS.—The State plan shall
describe how the lead agency designated under
section 658D will encourage both the recruit-
ment of eligible child care providers who are
new to the child care field and the retention of

1 eligible child care providers who have a dem-
 2 onstrated commitment to the child care field.

3 “(B) NOTIFICATION OF GRANT AVAIL-
 4 ABILITY.—The State plan shall describe how
 5 the lead agency will identify all eligible child
 6 care providers in the State and notify the pro-
 7 viders of the availability of assistance under
 8 this section.

9 “(C) DISTRIBUTION OF GRANTS.—For a
 10 State that elects to make grants under sub-
 11 section (e) or (f), the State plan shall describe
 12 how the lead agency will make the grants to
 13 child care providers in selected geographical
 14 areas in the State in compliance with the fol-
 15 lowing requirements:

16 “(i) SELECTION OF GEOGRAPHICAL
 17 AREAS.—For the purpose of making such
 18 grants for a fiscal year, the State shall se-
 19 lect a variety of geographical areas, deter-
 20 mined by the State, that, collectively—

21 “(I) include urban areas, subur-
 22 ban areas, and rural areas; and

23 “(II) are areas whose residents
 24 have diverse income levels.

1 “(ii) SELECTION OF CHILD CARE PRO-
 2 VIDERS TO RECEIVE GRANTS.—In making
 3 grants under subsection (e) for a fiscal
 4 year, the State may make grants only to
 5 eligible child care providers in geographical
 6 areas selected under clause (i), but may
 7 give special consideration in such areas to
 8 eligible child care providers who have at-
 9 tained a higher relevant educational cre-
 10 dential, who provide a specific kind of child
 11 care services, who provide child care serv-
 12 ices to populations who meet specific eco-
 13 nomic characteristics, or who meet such
 14 other criteria as the State may establish.

15 “(iii) LIMITATION.—The State shall
 16 ensure that grants made under subsection
 17 (e) to child care providers will not be used
 18 to offset reductions in the compensation of
 19 such providers.

20 “(iv) REPORTING REQUIREMENT.—
 21 With respect to each particular geo-
 22 graphical area selected under clause (i),
 23 the State shall ensure that the State will,
 24 for each fiscal year for which the State
 25 makes a grant under subsection (e)—

1 “(I) include in the report re-
2 quired by subsection (g), detailed in-
3 formation regarding—

4 “(aa) the continuity of em-
5 ployment of the grant recipients
6 as child care providers with the
7 same employer;

8 “(bb) with respect to each
9 employer that employed such a
10 grant recipient, whether such em-
11 ployer was accredited by a recog-
12 nized national or State accred-
13 iting body during the period of
14 employment; and

15 “(cc) to the extent prac-
16 ticable and available to the State,
17 the rate and frequency of employ-
18 ment turnover of qualified child
19 care providers throughout such
20 area,

21 during the 2-year period ending on
22 the deadline for submission of applica-
23 tions for grants under subsection (e)
24 for that fiscal year; and

1 “(II) provide a followup report,
2 not later than 90 days after the end
3 of the succeeding fiscal year, that
4 includes—

5 “(aa) information regarding
6 the continuity of employment of
7 the grant recipients as child care
8 providers with the same em-
9 ployer;

10 “(bb) with respect to each
11 employer that employed such a
12 grant recipient, information re-
13 garding whether such employer
14 was accredited by a recognized
15 national or State accrediting
16 body during the period of em-
17 ployment; and

18 “(cc) to the extent prac-
19 ticable and available to the State,
20 information regarding the rate
21 and frequency of employment
22 turnover of qualified child care
23 providers throughout such area,
24 during the 1-year period begin-
25 ning on the date on which the

1 grant was made by the State
2 under subsection (e).

3 “(D) CHILD CARE PROVIDER DEVELOP-
4 MENT AND RETENTION GRANT PROGRAM.—For
5 a State that elects to make grants under sub-
6 section (e), the State plan shall describe how
7 the lead agency will determine the amounts of
8 grants to be made under subsection (e) in ac-
9 cordance with the following requirements:

10 “(i) SUFFICIENT AMOUNTS.—The
11 State shall ensure that the amounts of in-
12 dividual grants to be made under sub-
13 section (e) will be sufficient—

14 “(I) to encourage child care pro-
15 viders to improve their qualifications;
16 and

17 “(II) to retain qualified child
18 care providers in the child care field.

19 “(ii) AMOUNTS TO CREDENTIALLED
20 PROVIDERS.—In making grants under sub-
21 section (e), the State shall provide funds
22 for tiered compensation, for child care pro-
23 viders in all child care settings described in
24 subsection (a)(1), to provide incentives for
25 the providers to obtain—

1 “(I) a child development asso-
2 ciate credential;

3 “(II) an associate of the arts de-
4 gree in the area of child development
5 or early childhood education; or

6 “(III) a baccalaureate degree in
7 the area of child development or early
8 childhood education.

9 “(iii) AMOUNTS TO FULL-TIME PRO-
10 VIDERS.—In making grants under sub-
11 section (e), the State shall make a grant to
12 a child care provider who works full-time
13 in a greater amount than the amount of
14 the grant that is made under subsection
15 (e) to a child care provider who works
16 part-time, based on the State definitions of
17 full-time and part-time work.

18 “(E) CHILD CARE PROVIDER SCHOLARSHIP
19 PROGRAM.—For a State that elects to make
20 grants under subsection (f), the State plan—

21 “(i) shall describe how the lead agency
22 will make grants in compliance with sub-
23 section (f) and shall specify the types of
24 educational and training programs for
25 which the scholarship grants made under

such subsection may be used, including only programs that—

“(I) are administered by institutions of higher education that are eligible to participate in student financial assistance programs under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.); and

“(II) lead to a State or nationally recognized credential in the area of child development or early childhood education, an associate of the arts degree in the area of child development or early childhood education, or a baccalaureate degree in the area of child development or early childhood education; and

“(ii) shall describe how the lead agency will encourage employers of child care providers to contribute to the attainment of education goals by child care providers who receive grants under subsection (f).

“(F) SUPPLEMENTATION.—The State plan shall provide assurances that amounts received by the State under this subchapter to carry out

1 this section will be used only to supplement,
 2 and not to supplant, Federal, State, and local
 3 funds otherwise available to support existing
 4 services and activities (as of the date the
 5 amounts are used) that encourage child care
 6 providers to improve their qualifications and
 7 that promote the retention of qualified child
 8 care providers in the child care field.

9 “(e) CHILD CARE PROVIDER DEVELOPMENT AND
 10 RETENTION GRANT PROGRAM.—

11 “(1) IN GENERAL.—A State that receives funds
 12 under this subchapter to carry out this section may
 13 expend such funds to make grants to eligible child
 14 care providers in accordance with this subsection, to
 15 improve the qualifications and promote the retention
 16 of qualified child care providers.

17 “(2) ELIGIBILITY TO RECEIVE GRANTS.—

18 “(A) IN GENERAL.—Except as provided in
 19 subparagraph (B), to be eligible to receive a
 20 grant under this subsection, a child care pro-
 21 vider shall be employed as a child care provider
 22 for not less than—

23 “(i) 1 calendar year, ending on the
 24 date of the application for such grant; or

1 “(ii) if the provider is employed on
 2 the date of the eligibility determination in
 3 a child care program that operates for less
 4 than a full calendar year, the program
 5 equivalent of 1 calendar year, ending on
 6 the date of the application for such grant.

7 “(B) EDUCATION.—Not more than 3
 8 months of education related to child develop-
 9 ment or to early childhood education obtained
 10 during the corresponding calendar year (or the
 11 program equivalent) may be treated as employ-
 12 ment that satisfies the requirements of sub-
 13 paragraph (A).

14 “(3) PRESERVATION OF ELIGIBILITY.—A State
 15 shall not take into consideration whether a child
 16 care provider is receiving, may receive, or may be eli-
 17 gible to receive any funds under subsection (f) for
 18 purposes of selecting eligible child care providers to
 19 receive grants under this subsection.

20 “(f) CHILD CARE PROVIDER SCHOLARSHIP PRO-
 21 GRAM.—

22 “(1) IN GENERAL.—A State that receives funds
 23 under this subchapter to carry out this section may
 24 expend such funds to make scholarship grants to eli-
 25 gible child care providers in accordance with this

1 subsection, to improve their educational qualifica-
2 tions to provide child care services.

3 “(2) ELIGIBILITY REQUIREMENT FOR SCHOLAR-
4 SHIP GRANTS.—To be eligible to receive a scholar-
5 ship grant under this subsection, a child care pro-
6 vider shall be employed as a child care provider for
7 not less than—

8 “(A) 1 calendar year, ending on the date
9 of the application for such grant; or

10 “(B) if the provider is employed on the
11 date of the eligibility determination in a child
12 care program that operates for less than a full
13 calendar year, the program equivalent of 1 cal-
14 endar year, ending on the date of the applica-
15 tion for such grant.

16 “(3) SELECTION OF GRANTEEES.—For purposes
17 of selecting eligible child care providers to receive
18 scholarship grants under this subsection and deter-
19 mining the amounts of such grants, a State shall
20 not—

21 “(A) take into consideration whether a
22 child care provider is receiving, may receive, or
23 may be eligible to receive any funds under any
24 other provision of this section, or under any

1 other Federal or State law that provides funds
2 for educational purposes; or

3 “(B) consider as resources of such provider
4 any funds such provider is receiving, may re-
5 ceive, or may be eligible to receive under any
6 other provision of this section, under any other
7 Federal or State law that provides funds for
8 educational purposes, or from a private entity.

9 “(4) COST-SHARING REQUIRED.—The amount
10 of a scholarship grant made under this subsection to
11 an eligible child care provider shall be less than the
12 cost of the educational or training program for
13 which such grant is made.

14 “(5) ANNUAL MAXIMUM SCHOLARSHIP GRANT
15 AMOUNT.—The maximum aggregate dollar amount
16 of a scholarship grant made by a State to an eligible
17 child care provider under this subsection in a fiscal
18 year shall be \$1,500.

19 “(g) ANNUAL REPORT.—A State that receives funds
20 under this subchapter to carry out this section for a fiscal
21 year shall submit to the Secretary, not later than 90 days
22 after the end of such fiscal year, a report—

23 “(1) specifying the uses for which the State ex-
24 pended such funds, and the aggregate amount of

1 funds (including State funds) expended for each of
2 such uses; and

3 “(2) containing available data relating to grants
4 made under subsection (e) or (f) with funds received
5 under this subchapter for such fiscal year,
6 including—

7 “(A) the number of child care providers
8 who received such grants;

9 “(B) the amounts of such grants;

10 “(C) any other information that describes
11 or evaluates the effectiveness of this section
12 with respect to such grants;

13 “(D) the particular geographical areas se-
14 lected under subsection (d) for the purpose of
15 making such grants;

16 “(E) with respect to grants made under
17 subsection (e)—

18 “(i) the number of years grant recipi-
19 ents have been employed as child care pro-
20 viders;

21 “(ii) the level of training and edu-
22 cation of grant recipients, before and after
23 receiving the grants;

24 “(iii) to the extent practicable and
25 available to the State, detailed information

1 regarding the salaries and other compensa-
2 tion received by grant recipients to provide
3 child care services before, during, and after
4 receiving the grants;

5 “(iv) the number of children who re-
6 ceived child care services provided by grant
7 recipients;

8 “(v) information on family demo-
9 graphics of such children;

10 “(vi) the types of settings described in
11 subparagraphs (A), (B), and (C) of sub-
12 section (a)(1) in which grant recipients are
13 employed; and

14 “(vii) the ages of the children who re-
15 ceived child care services provided by grant
16 recipients;

17 “(F) with respect to grants made under
18 subsection (f)—

19 “(i) the number of years grant recipi-
20 ents have been employed as child care pro-
21 viders;

22 “(ii) the level of training and edu-
23 cation of grant recipients, before and after
24 receiving the grants;

1 “(iii) to the extent practicable and
 2 available to the State, detailed information
 3 regarding the salaries and other compensa-
 4 tion received by grant recipients to provide
 5 child care services before, during, and after
 6 receiving the grants;

7 “(iv) the types of settings described in
 8 subparagraphs (A), (B), and (C) of sub-
 9 section (a)(1) in which grant recipients are
 10 employed;

11 “(v) the ages of the children who re-
 12 ceived child care services provided by grant
 13 recipients;

14 “(vi) the number of course credits or
 15 credentials obtained by grant recipients;
 16 and

17 “(vii) the amount of time taken for
 18 completion of the training and educational
 19 programs for which such grants were
 20 made; and

21 “(G) such other information as the Sec-
 22 retary may require by rule, with respect to
 23 grants made under subsection (e) or (f).

24 “(h) TRIGGER.—This section takes effect on October
 25 1 of the first fiscal year for which the amount made avail-

1 able under section 418 of the Social Security Act (42
 2 U.S.C. 618) exceeds 110 percent of the amount made
 3 available under that section for fiscal year 2002.”.

4 **SEC. 110. ACTIVITIES FOR INFANTS AND TODDLERS.**

5 The Child Care and Development Block Grant Act
 6 of 1990 (42 U.S.C. 9858 et seq.) is amended by inserting
 7 after section 658I (as added in section 109) the following:

8 **“SEC. 658J. ACTIVITIES FOR INFANTS AND TODDLERS.**

9 “(a) IN GENERAL.—A State that receives funds to
 10 carry out this subchapter for a fiscal year shall reserve
 11 and use not less than the State young child amount for
 12 that fiscal year for activities that improve and expand
 13 child care, including emergency child care, for infants and
 14 toddlers.

15 “(b) ACTIVITIES.—The activities described in sub-
 16 section (a) may include—

17 “(1) developing and implementing a health and
 18 safety licensing requirements plan for providers of
 19 child care for infants and toddlers;

20 “(2) developing specialized training for such
 21 providers that emphasizes the unique developmental
 22 needs of infants and toddlers;

23 “(3) creating a statewide network of specialists
 24 on infants and toddlers, to provide training and con-
 25 sultations for such providers who are—

1 “(A) center-based child care providers;

2 “(B) group home child care providers; or

3 “(C) relatives of the infants and toddlers

4 who are providers described in section

5 658V(5)(B); or

6 “(4) establishing local networks of support for

7 providers described in paragraph (1) who are family

8 child care providers.

9 “(c) DEFINITIONS.—In this section:

10 “(1) INFANTS AND TODDLERS.—The term ‘in-

11 fants and toddlers’ means children from birth

12 through age 3.

13 “(2) STATE YOUNG CHILD AMOUNT.—The term

14 ‘State young child amount’, used with respect to a

15 fiscal year, means the product of—

16 “(A) the overall young child amount for

17 that fiscal year; and

18 “(B) the State percentage for that fiscal

19 year.

20 “(3) OVERALL YOUNG CHILD AMOUNT.—The

21 term ‘overall young child amount’, used with respect

22 to—

23 “(A) fiscal year 2003, means

24 \$100,000,000;

1 “(B) fiscal year 2004, means
2 \$125,000,000;

3 “(C) fiscal year 2005, means
4 \$150,000,000;

5 “(D) fiscal year 2006, means
6 \$175,000,000; and

7 “(E) fiscal year 2007, means
8 \$200,000,000.

9 “(4) STATE PERCENTAGE.—The term ‘State
10 percentage’, used with respect to a fiscal year,
11 means the percentage received by the State of the
12 funds allotted to States under section 658O for that
13 fiscal year.”.

14 **SEC. 111. TECHNICAL AND FINANCIAL ASSISTANCE**
15 **GRANTS.**

16 The Child Care and Development Block Grant Act
17 of 1990 (42 U.S.C. 9858 et seq.) is amended by inserting
18 after section 658J (as added in section 110) the following:

19 **“SEC. 658K. TECHNICAL AND FINANCIAL ASSISTANCE**
20 **GRANTS.**

21 “(a) DEFINITIONS.—In this section:

22 “(1) CHILD CARE FACILITY.—The term ‘child
23 care facility’ means a center-based or home-based
24 child care facility.

1 “(2) ELIGIBLE INTERMEDIARY.—The term ‘eli-
 2 gible intermediary’ means a private, nonprofit inter-
 3 mediary organization that has demonstrated experi-
 4 ence in—

5 “(A) providing technical or financial assist-
 6 ance for the construction and renovation of
 7 physical facilities;

8 “(B) providing technical or financial assist-
 9 ance to child care providers; and

10 “(C) securing private sources for capital fi-
 11 nancing of child care or low-income community
 12 development.

13 “(3) ELIGIBLE RECIPIENT.—The term ‘eligible
 14 recipient’ means—

15 “(A) any existing or new center-based or
 16 home-based child care provider that provides
 17 services to eligible children under a program
 18 carried out under this subchapter, or another
 19 program serving low-income children as deter-
 20 mined by the Secretary; and

21 “(B) any organization in the process of es-
 22 tablishing a center-based or home-based child
 23 care program or otherwise seeking to provide
 24 child care services to children described in sub-
 25 paragraph (A).

1 “(b) GRANT AUTHORITY.—

2 “(1) RESERVATION.—Of the funds appro-
3 priated to carry out this subchapter for a fiscal year,
4 the Secretary shall reserve \$50,000,000 to carry out
5 this section.

6 “(2) AWARD OF GRANTS.—The Secretary may
7 award grants on a competitive basis in accordance
8 with this section to eligible intermediaries to assist
9 the intermediaries in carrying out the activities de-
10 scribed in subsection (e).

11 “(c) APPLICATIONS.—To be eligible to receive a grant
12 under this section an eligible intermediary shall submit to
13 the Secretary an application, in such form and containing
14 such information as the Secretary may require.

15 “(d) PRIORITY.—

16 “(1) IN GENERAL.—In awarding grants under
17 this section the Secretary shall give priority to appli-
18 cants under subsection (c) that propose to assist eli-
19 gible recipients that serve low-income areas, such
20 as—

21 “(A) a community that—

22 “(i) is in a metropolitan area; and

23 “(ii) has a median household income
24 that is not more than 80 percent of the

1 median household income of the metropoli-
 2 tan area; or

3 “(B) a community that—

4 “(i) is not in a metropolitan area; and

5 “(ii) has a median income that is not
 6 more than 80 percent of the median house-
 7 hold income of the State in which the com-
 8 munity is located.

9 “(2) DEFINITION.—In this subsection, the term
 10 ‘metropolitan area’ has the meaning given the term
 11 in section 102 of the Housing and Community De-
 12 velopment Act of 1974 (42 U.S.C. 5302).

13 “(e) USE OF FUNDS.—

14 “(1) REVOLVING FUND.—Each eligible inter-
 15 mediary that receives a grant under this section
 16 shall deposit the grant amount into a child care re-
 17 volving fund established by the eligible intermediary.

18 “(2) PAYMENTS FROM FUND.—Subject to sub-
 19 section (f), from amounts deposited into the revolv-
 20 ing fund under paragraph (1), each eligible inter-
 21 mediary shall provide technical and financial assist-
 22 ance (in the form of loans, grants, investments,
 23 guarantees, interest subsidies, and other appropriate
 24 forms of assistance) to eligible recipients to pay for
 25 the Federal share of the cost of the acquisition, con-

1 struction, or improvement of child care facilities or
 2 equipment, or for the improvement of related man-
 3 agement and business practices, for each such recipi-
 4 ent. The amounts may be used solely for the purpose
 5 of providing technical or financial assistance.

6 “(3) LOAN REPAYMENTS AND INVESTMENT
 7 PROCEEDS.—Any amount received by an eligible
 8 intermediary from an eligible recipient in the form
 9 of a loan repayment or investment proceeds shall be
 10 deposited into the child care revolving fund of the el-
 11 igible intermediary for redistribution to other eligible
 12 recipients in accordance with this section.

13 “(f) FEDERAL SHARE.—

14 “(1) IN GENERAL.—The Federal share of the
 15 cost described in subsection (e)(2) shall be not more
 16 than 50 percent.

17 “(2) NON-FEDERAL SHARE.—The non-Federal
 18 share of the cost may be provided in cash or in kind,
 19 fairly evaluated, including plant, equipment, or serv-
 20 ices.”.

21 **SEC. 112. QUALITY CHILD CARE, DEVELOPMENT, AND EDU-**
 22 **CATION INCENTIVE GRANTS.**

23 The Child Care and Development Block Grant Act
 24 of 1990 (42 U.S.C. 9858 et seq.) is amended by inserting
 25 after section 658K (as added in section 111) the following:

1 **“SEC. 658L. QUALITY CHILD CARE, DEVELOPMENT, AND**
 2 **EDUCATION INCENTIVE GRANTS.**

3 “(a) GRANT AUTHORITY.—

4 “(1) RESERVATION.—Of the funds appro-
 5 priated to carry out this subchapter for a fiscal year,
 6 the Secretary shall reserve \$100,000,000 to carry
 7 out this section.

8 “(2) USE OF FUNDS.—Of the funds reserved
 9 under paragraph (1) for a fiscal year, the Secretary
 10 shall use—

11 “(A) not less than \$50,000,000 to carry
 12 out subsection (b); and

13 “(B) any remainder to carry out sub-
 14 section (c).

15 “(b) INCENTIVE GRANTS.—

16 “(1) AWARD OF GRANTS.—The Secretary may
 17 award grants on a competitive basis in accordance
 18 with this subsection to eligible States to assist the
 19 States to promote quality child development and
 20 education.

21 “(2) APPLICATIONS.—To be eligible to receive a
 22 grant under this subsection, a State shall submit an
 23 application to the Secretary at such time, in such
 24 manner, and containing such information as the Sec-
 25 retary may require, including—

1 “(A) information describing the results of
2 a State needs assessment concerning gaps and
3 assets in the State relating to child development
4 and education;

5 “(B) information describing indicators of
6 school readiness (including indicators of child
7 and family wellbeing) established by the State,
8 such as indicators relating to—

9 “(i) child development and education,
10 including social, emotional, physical, and
11 cognitive development; and

12 “(ii) nutrition, health, and mental
13 health;

14 “(C) a certification that the State devel-
15 oped the indicators of school readiness with the
16 State educational agency and the organizations
17 and individuals described in section 658D(b)(2);

18 “(D) information describing how the State
19 will enhance and improve, and use the indica-
20 tors of school readiness to enhance and im-
21 prove, the level of school readiness for all chil-
22 dren in the State, with particular attention to
23 the readiness of children from low-income fami-
24 lies, children who are limited English proficient,
25 and children with special needs;

1 “(E) information describing how the State
 2 will ensure continuity of learning, and use the
 3 indicators of school readiness to ensure con-
 4 tinuity of learning, by children from preschool
 5 to kindergarten to elementary school;

6 “(F) information describing how the State
 7 will promote activities that support children’s
 8 preliteracy and oral language development;

9 “(G) information describing how the State
 10 will improve child care program licensing stand-
 11 ards, including standards for teacher qualifica-
 12 tions and health and safety standards; and

13 “(H) information describing how the State
 14 will work with institutions of higher education
 15 and other entities to ensure that professional
 16 development for child care providers is aligned
 17 with the indicators of school readiness described
 18 in subparagraph (B).

19 “(c) GRANTS FOR DEMONSTRATION PROGRAMS
 20 BASED ON A MILITARY MODEL.—

21 “(1) AWARD OF GRANTS.—The Secretary may
 22 award grants on a competitive basis in accordance
 23 with this subsection to eligible communities to assist
 24 the communities to establish and carry out dem-
 25 onstration programs that promote quality child care.

1 “(2) USE OF FUNDS.—A community that re-
2 ceives a grant under paragraph (1) shall use the
3 funds made available through the grant to establish
4 and carry out a demonstration program in which a
5 local agency—

6 “(A) establishes a single point of entry sys-
7 tem for child care, based on a military model,
8 through which the agency—

9 “(i) establishes links with child care
10 centers, family child care homes, providers
11 of after-school programs, and other child
12 care providers; and

13 “(ii) provides parents with a single lo-
14 cation to find licensed, regulated, or reg-
15 istered child care in the community;

16 “(B) establishes a community-wide train-
17 ing and professional development program that
18 is linked to compensation and recognition for
19 child care providers, including family child care
20 providers, whose services are available through
21 the system;

22 “(C) provides financial incentives and
23 other support for child care providers described
24 in subparagraph (B) to achieve accreditation by
25 a national organization; and

1 “(D) provides information to parents on
 2 the cost and quality of the various child care
 3 providers described in subparagraph (B).

4 “(3) APPLICATIONS.—To be eligible to receive a
 5 grant under this subsection, a community shall sub-
 6 mit an application to the Secretary at such time, in
 7 such manner, and containing such information as
 8 the Secretary may require.”.

9 **SEC. 113. CONFORMING AMENDMENTS.**

10 (a) TREATMENT OF RESERVATION.—Section 658O of
 11 the Child Care and Development Block Grant Act of 1990
 12 (42 U.S.C. 9858m) is amended—

13 (1) in subsection (a)—

14 (A) in paragraph (1), by inserting “(other
 15 than the portions reserved under sections
 16 658I(c), 658K, and 658L)” after “subchapter”;
 17 and

18 (B) in paragraph (2), by inserting “(other
 19 than the portions reserved under sections
 20 658I(c), 658K, and 658L)” after “658B”; and

21 (2) in subsection (b)(1), in the matter pre-
 22 ceding subparagraph (A), by striking “subsection
 23 (a)” and inserting “subsection (a) or section
 24 658I(c), 658K, or 658L”.

1 (b) REFERENCE.—Section 658U (as redesignated in
 2 section 109(a)(4)) is amended, in the first sentence, by
 3 striking “section 658K” and inserting “section 658T”.

4 **SEC. 114. ANNUAL REPORTS.**

5 Section 658U(a)(2) of the Child Care and Develop-
 6 ment Block Grant Act of 1990 (as redesignated in section
 7 109(a)(4)) is amended—

8 (1) in subparagraph (D), by striking “; and”
 9 and inserting a semicolon;

10 (2) in subparagraph (E), by striking the semi-
 11 colon and inserting “; and”; and

12 (3) by inserting after subparagraph (E) the fol-
 13 lowing:

14 “(F) the manner in which the materials
 15 described in section 658E(c)(2)(N) were dis-
 16 seminated to providers of child care services,
 17 and the number of the providers to whom the
 18 materials were disseminated;”.

19 **SEC. 115. DEFINITIONS.**

20 Paragraph (4) of section 658V of the Child Care and
 21 Development Block Grant Act of 1990 (42 U.S.C. 9858n)
 22 (as redesignated in section 109(a)(1)) is amended—

23 (1) by striking subparagraph (A) and inserting
 24 the following:

1 “(A)(i) who is less than 13 years of age;

2 or

3 “(ii) who is 13, if the individual was re-
4 ceiving assistance under this subchapter on the
5 individual’s 13th birthday, the birthday oc-
6 curred during a school year, and the school year
7 has not ended;” and

8 (2) in subparagraph (C)—

9 (A) in clause (i), by striking “or” at the
10 end;

11 (B) in clause (ii), by striking the period
12 and inserting “; or”; and

13 (C) by adding at the end the following:

14 “(iii) is a foster child.”.

15 **TITLE II—CHILD CARE CENTERS** 16 **IN FEDERAL FACILITIES**

17 **SEC. 201. SHORT TITLE.**

18 This title may be cited as the “Federal Employees
19 Child Care Act”.

20 **SEC. 202. DEFINITIONS.**

21 In this title:

22 (1) ADMINISTRATOR.—The term “Adminis-
23 trator” means the Administrator of General Serv-
24 ices.

1 (2) CHILD CARE ACCREDITATION ENTITY.—The
2 term “child care accreditation entity” means a non-
3 profit private organization or public agency that—

4 (A) is recognized by a State agency or by
5 a national organization that serves as a peer re-
6 view panel on the standards and procedures of
7 public and private child care or school accred-
8 iting bodies; and

9 (B) accredits a facility to provide child
10 care on the basis of—

11 (i) an accreditation or credentialing
12 instrument based on peer-validated re-
13 search;

14 (ii) compliance with applicable State
15 or local licensing requirements, as appro-
16 priate, for the facility;

17 (iii) outside monitoring of the facility;
18 and

19 (iv) criteria that provide assurances
20 of—

21 (I) use of developmentally appro-
22 priate health and safety standards at
23 the facility;

24 (II) use of developmentally ap-
25 propriate educational activities, as an

1 integral part of the child care pro-
2 gram carried out at the facility; and
3 (III) use of ongoing staff devel-
4 opment or training activities for the
5 staff of the facility, including related
6 skills-based testing.

7 (3) ENTITY SPONSORING A CHILD CARE FACIL-
8 ITY.—The term “entity sponsoring”, used with re-
9 spect to a child care facility, means a Federal agen-
10 cy that operates, or an entity that enters into a con-
11 tract or licensing agreement with a Federal agency
12 to operate, a child care facility primarily for the use
13 of Federal employees.

14 (4) EXECUTIVE AGENCY.—The term “Executive
15 agency” has the meaning given the term in section
16 105 of title 5, United States Code, except that the
17 term—

18 (A) does not include the Department of
19 Defense and the Coast Guard; and

20 (B) includes the General Services Adminis-
21 tration, with respect to the administration of a
22 facility described in paragraph (5)(B).

23 (5) EXECUTIVE FACILITY.—The term “execu-
24 tive facility”—

1 (A) means a facility that is owned or
2 leased by an Executive agency; and

3 (B) includes a facility that is owned or
4 leased by the General Services Administration
5 on behalf of a judicial office.

6 (6) FEDERAL AGENCY.—The term “Federal
7 agency” means an Executive agency, a legislative of-
8 fice, or a judicial office.

9 (7) JUDICIAL FACILITY.—The term “judicial fa-
10 cility” means a facility that is owned or leased by a
11 judicial office (other than a facility that is also a fa-
12 cility described in paragraph (5)(B)).

13 (8) JUDICIAL OFFICE.—The term “judicial of-
14 fice” means an entity of the judicial branch of the
15 Federal Government.

16 (9) LEGISLATIVE FACILITY.—The term “legisla-
17 tive facility” means a facility that is owned or leased
18 by a legislative office.

19 (10) LEGISLATIVE OFFICE.—The term “legisla-
20 tive office” means an entity of the legislative branch
21 of the Federal Government.

22 (11) STATE.—The term “State” has the mean-
23 ing given the term in section 658P of the Child Care
24 and Development Block Grant Act of 1990 (42
25 U.S.C. 9858n).

1 **SEC. 203. PROVIDING QUALITY CHILD CARE IN FEDERAL**
2 **FACILITIES.**

3 (a) **EXECUTIVE FACILITIES.**—

4 (1) **STATE AND LOCAL LICENSING REQUIRE-**
5 **MENTS.**—

6 (A) **IN GENERAL.**—Any entity sponsoring
7 a child care facility in an executive facility
8 shall—

9 (i) comply with child care standards
10 described in paragraph (2) that are no less
11 stringent than applicable State or local li-
12 censing requirements that are related to
13 the provision of child care in the State or
14 locality involved; or

15 (ii) obtain the applicable State or local
16 licenses, as appropriate, for the facility.

17 (B) **COMPLIANCE.**—Not later than 6
18 months after the date of enactment of this
19 Act—

20 (i) the entity shall comply, or make
21 substantial progress (as determined by the
22 Administrator) toward complying, with
23 subparagraph (A); and

24 (ii) any contract or licensing agree-
25 ment used by an Executive agency for the
26 provision of child care services in the child

1 care facility shall include a condition that
2 the child care be provided by an entity that
3 complies with the standards described in
4 subparagraph (A)(i) or obtains the licenses
5 described in subparagraph (A)(ii).

6 (2) HEALTH, SAFETY, AND FACILITY STAND-
7 ARDS.—The Administrator shall by regulation estab-
8 lish standards relating to health, safety, facilities, fa-
9 cility design, and other aspects of child care that the
10 Administrator determines to be appropriate for child
11 care in executive facilities, and require child care fa-
12 cilities, and entities sponsoring child care facilities,
13 in executive facilities to comply with the standards.
14 The standards shall include requirements that child
15 care facilities be inspected for, and be free of, lead
16 hazards.

17 (3) ACCREDITATION STANDARDS.—

18 (A) IN GENERAL.—The Administrator
19 shall issue regulations requiring, to the max-
20 imum extent possible, any entity sponsoring an
21 eligible child care facility (as defined by the Ad-
22 ministrator) in an executive facility to comply
23 with standards of a child care accreditation en-
24 tity.

1 (B) COMPLIANCE.—The regulations shall
2 require that, not later than 3 years after the
3 date of enactment of this Act—

4 (i) the entity shall comply, or make
5 substantial progress (as determined by the
6 Administrator) toward complying, with the
7 standards; and

8 (ii) any contract or licensing agree-
9 ment used by an Executive agency for the
10 provision of child care services in the child
11 care facility shall include a condition that
12 the child care be provided by an entity that
13 complies with the standards.

14 (4) EVALUATION AND COMPLIANCE.—

15 (A) IN GENERAL.—The Administrator
16 shall evaluate the compliance, with the require-
17 ments of paragraph (1) and the regulations
18 issued pursuant to paragraphs (2) and (3), as
19 appropriate, of child care facilities, and entities
20 sponsoring child care facilities, in executive fa-
21 cilities. The Administrator may conduct the
22 evaluation of such a child care facility or entity
23 directly, or through an agreement with another
24 Federal agency or private entity, other than the
25 Federal agency for which the child care facility

1 is providing services. If the Administrator de-
2 termines, on the basis of such an evaluation,
3 that the child care facility or entity is not in
4 compliance with the requirements, the Adminis-
5 trator shall notify the Executive agency.

6 (B) EFFECT OF NONCOMPLIANCE.—On re-
7 ceipt of the notification of noncompliance issued
8 by the Administrator, the head of the Executive
9 agency shall—

10 (i) if the entity operating the child
11 care facility is the agency—

12 (I) not later than 2 business days
13 after the date of receipt of the notifi-
14 cation, correct any deficiencies that
15 are determined by the Administrator
16 to be life threatening or to present a
17 risk of serious bodily harm;

18 (II) not later than 4 months
19 after the date of receipt of the notifi-
20 cation, develop and provide to the Ad-
21 ministrator a plan to correct any
22 other deficiencies in the operation of
23 the facility and bring the facility and
24 entity into compliance with the re-
25 quirements;

1 (III) provide the parents of the
2 children receiving child care services
3 at the child care facility and employ-
4 ees of the facility with a notification
5 detailing the deficiencies described in
6 subclauses (I) and (II) and actions
7 that will be taken to correct the defi-
8 ciencies, and post a copy of the notifi-
9 cation in a conspicuous place in the
10 facility for 5 working days or until the
11 deficiencies are corrected, whichever is
12 later;

13 (IV) bring the child care facility
14 and entity into compliance with the
15 requirements and certify to the Ad-
16 ministrator that the facility and entity
17 are in compliance, based on an onsite
18 evaluation of the facility conducted by
19 an individual with expertise in child
20 care health and safety; and

21 (V) in the event that deficiencies
22 determined by the Administrator to be
23 life threatening or to present a risk of
24 serious bodily harm cannot be cor-
25 rected within 2 business days after

1 the date of receipt of the notification,
2 close the child care facility, or the af-
3 fected portion of the facility, until the
4 deficiencies are corrected and notify
5 the Administrator of the closure; and
6 (ii) if the entity operating the child
7 care facility is a contractor or licensee of
8 the Executive agency—

9 (I) require the contractor or li-
10 censee, not later than 2 business days
11 after the date of receipt of the notifi-
12 cation, to correct any deficiencies that
13 are determined by the Administrator
14 to be life threatening or to present a
15 risk of serious bodily harm;

16 (II) require the contractor or li-
17 censee, not later than 4 months after
18 the date of receipt of the notification,
19 to develop and provide to the head of
20 the agency a plan to correct any other
21 deficiencies in the operation of the
22 child care facility and bring the facil-
23 ity and entity into compliance with
24 the requirements;

1 (III) require the contractor or li-
2 censee to provide the parents of the
3 children receiving child care services
4 at the child care facility and employ-
5 ees of the facility with a notification
6 detailing the deficiencies described in
7 subclauses (I) and (II) and actions
8 that will be taken to correct the defi-
9 ciencies, and to post a copy of the no-
10 tification in a conspicuous place in the
11 facility for 5 working days or until the
12 deficiencies are corrected, whichever is
13 later;

14 (IV) require the contractor or li-
15 censee to bring the child care facility
16 and entity into compliance with the
17 requirements and certify to the head
18 of the agency that the facility and en-
19 tity are in compliance, based on an
20 onsite evaluation of the facility con-
21 ducted by an independent entity with
22 expertise in child care health and
23 safety; and

24 (V) in the event that deficiencies
25 determined by the Administrator to be

1 life threatening or to present a risk of
2 serious bodily harm cannot be cor-
3 rected within 2 business days after
4 the date of receipt of the notification,
5 close the child care facility, or the af-
6 fected portion of the facility, until the
7 deficiencies are corrected and notify
8 the Administrator of the closure,
9 which closure may be grounds for the
10 immediate termination or suspension
11 of the contract or license of the con-
12 tractor or licensee.

13 (C) COST REIMBURSEMENT.—The Execu-
14 tive agency shall reimburse the Administrator
15 for the costs of carrying out subparagraph (A)
16 for child care facilities located in an executive
17 facility other than an executive facility of the
18 General Services Administration. If an entity is
19 sponsoring a child care facility for 2 or more
20 Executive agencies, the Administrator shall allo-
21 cate the reimbursement costs with respect to
22 the entity among the agencies in a fair and eq-
23 uitable manner, based on the extent to which
24 each agency is eligible to place children in the
25 facility.

1 (5) DISCLOSURE OF PRIOR VIOLATIONS TO PAR-
2 ENTS AND FACILITY EMPLOYEES.—

3 (A) IN GENERAL.—The Administrator
4 shall issue regulations that require that each
5 entity sponsoring a child care facility in an ex-
6 ecutive facility, upon receipt by the child care
7 facility or the entity (as applicable) of a request
8 by any individual who is—

9 (i) a parent of any child enrolled at
10 the facility;

11 (ii) a parent of a child for whom an
12 application has been submitted to enroll at
13 the facility; or

14 (iii) an employee of the facility;
15 shall provide to the individual the copies and
16 description described in subparagraph (B).

17 (B) COPIES AND DESCRIPTION.—The enti-
18 ty shall provide—

19 (i) copies of all notifications of defi-
20 ciencies that have been provided in the
21 past with respect to the facility under
22 clause (i)(III) or (ii)(III), as applicable, of
23 paragraph (4)(B); and

24 (ii) a description of the actions that
25 were taken to correct the deficiencies.

1 (b) LEGISLATIVE FACILITIES.—

2 (1) ACCREDITATION.—The Chief Administra-
3 tive Officer of the House of Representatives, the Li-
4 brarian of Congress, and the head of a designated
5 entity in the Senate shall ensure that, not later than
6 1 year after the date of enactment of this Act, the
7 corresponding child care facility obtains accredita-
8 tion by a child care accreditation entity, in accord-
9 ance with the accreditation standards of the entity.

10 (2) REGULATIONS.—

11 (A) IN GENERAL.—If the corresponding
12 child care facility does not maintain accredita-
13 tion status with a child care accreditation enti-
14 ty, the Chief Administrative Officer of the
15 House of Representatives, the Librarian of Con-
16 gress, or the head of the designated entity in
17 the Senate shall issue regulations governing the
18 operation of the corresponding child care facil-
19 ity, to ensure the safety and quality of care of
20 children placed in the facility. The regulations
21 shall be no less stringent in content and effect
22 than the requirements of subsection (a)(1) and
23 the regulations issued by the Administrator
24 under paragraphs (2) and (3) of subsection (a),
25 except to the extent that appropriate adminis-

trative officers make the determination described in subparagraph (B).

(B) MODIFICATION MORE EFFECTIVE.—

The determination referred to in subparagraph (A) is a determination, for good cause shown and stated together with the regulations, that a modification of the regulations would be more effective for the implementation of the requirements and standards described in subsection (a) for the corresponding child care facilities, and entities sponsoring the corresponding child care facilities, in legislative facilities.

(3) CORRESPONDING CHILD CARE FACILITY.—

In this subsection, the term “corresponding child care facility”, used with respect to the Chief Administrative Officer, the Librarian, or the head of a designated entity described in paragraph (1), means a child care facility operated by, or under a contract or licensing agreement with, an office of the House of Representatives, the Library of Congress, or an office of the Senate, respectively.

(c) JUDICIAL BRANCH STANDARDS AND COMPLIANCE.—

(1) STATE AND LOCAL LICENSING REQUIREMENTS HEALTH, SAFETY, AND FACILITY STAND-

1 ARDS, AND ACCREDITATION STANDARDS.—The Di-
 2 rector of the Administrative Office of the United
 3 States Courts shall issue regulations for child care
 4 facilities, and entities sponsoring child care facilities,
 5 in judicial facilities, which shall be no less stringent
 6 in content and effect than the requirements of sub-
 7 section (a)(1) and the regulations issued by the Ad-
 8 ministrator under paragraphs (2) and (3) of sub-
 9 section (a), except to the extent that the Director
 10 may determine, for good cause shown and stated to-
 11 gether with the regulations, that a modification of
 12 such regulations would be more effective for the im-
 13 plementation of the requirements and standards de-
 14 scribed in paragraphs (1), (2), and (3) of subsection
 15 (a) for child care facilities, and entities sponsoring
 16 child care facilities, in judicial facilities.

17 (2) EVALUATION AND COMPLIANCE.—

18 (A) DIRECTOR OF THE ADMINISTRATIVE
 19 OFFICE OF THE UNITED STATES COURTS.—The
 20 Director of the Administrative Office of the
 21 United States Courts shall have the same au-
 22 thorities and duties with respect to the evalua-
 23 tion of, compliance of, and cost reimbursement
 24 for child care facilities, and entities sponsoring
 25 child care facilities, in judicial facilities as the

1 Administrator has under subsection (a)(4) with
 2 respect to the evaluation of, compliance of, and
 3 cost reimbursement for such centers and enti-
 4 ties sponsoring such centers, in executive facili-
 5 ties.

6 (B) HEAD OF A JUDICIAL OFFICE.—The
 7 head of a judicial office shall have the same au-
 8 thorities and duties with respect to the compli-
 9 ance of and cost reimbursement for child care
 10 facilities, and entities sponsoring child care fa-
 11 cilities, in judicial facilities as the head of an
 12 Executive agency has under subsection (a)(4)
 13 with respect to the compliance of and cost reim-
 14 bursement for such centers and entities spon-
 15 soring such centers, in executive facilities.

16 (d) APPLICATION.—Notwithstanding any other provi-
 17 sion of this section, if 8 or more child care facilities are
 18 sponsored in facilities owned or leased by an Executive
 19 agency, the Administrator shall delegate to the head of
 20 the agency the evaluation and compliance responsibilities
 21 assigned to the Administrator under subsection (a)(4)(A).

22 (e) TECHNICAL ASSISTANCE, STUDIES, AND RE-
 23 VIEWS.—The Administrator may provide technical assist-
 24 ance, and conduct and provide the results of studies and
 25 reviews, for Executive agencies, and entities sponsoring

1 child care facilities in executive facilities, on a reimburs-
 2 able basis, in order to assist the entities in complying with
 3 this section. The Chief Administrative Officer of the
 4 House of Representatives, the Librarian of Congress, the
 5 head of the designated Senate entity described in sub-
 6 section (b), and the Director of the Administrative Office
 7 of the United States Courts, may provide technical assist-
 8 ance, and conduct and provide the results of studies and
 9 reviews, or request that the Administrator provide tech-
 10 nical assistance, and conduct and provide the results of
 11 studies and reviews, for legislative offices and judicial of-
 12 fices, as appropriate, and entities operating child care fa-
 13 cilities in legislative facilities or judicial facilities, as ap-
 14 propriate, on a reimbursable basis, in order to assist the
 15 entities in complying with this section.

16 (f) INTERAGENCY COUNCIL.—

17 (1) COMPOSITION.—The Administrator shall es-
 18 tablish an interagency council, comprised of—

19 (A) representatives of all Executive agen-
 20 cies described in subsection (d) and other Exec-
 21 utive agencies at the election of the heads of the
 22 agencies;

23 (B) a representative of the Chief Adminis-
 24 trative Officer of the House of Representatives,

1 at the election of the Chief Administrative Offi-
 2 cer;

3 (C) a representative of the head of the des-
 4 ignated Senate entity described in subsection
 5 (b), at the election of the head of the entity;

6 (D) a representative of the Librarian of
 7 Congress, at the election of the Librarian; and

8 (E) a representative of the Director of the
 9 Administrative Office of the United States
 10 Courts, at the election of the Director.

11 (2) FUNCTIONS.—The council shall facilitate
 12 cooperation and sharing of best practices, and de-
 13 velop and coordinate policy, regarding the provision
 14 of child care, including the provision of areas for
 15 nursing mothers and other lactation support facili-
 16 ties and services, in the Federal Government.

17 (g) AUTHORIZATION OF APPROPRIATIONS.—There is
 18 authorized to be appropriated to carry out this section
 19 \$900,000 for fiscal year 2003 and such sums as may be
 20 necessary for each subsequent fiscal year.

21 **SEC. 204. ENHANCING SECURITY AT CHILD CARE CENTERS**
 22 **IN FEDERAL FACILITIES.**

23 (a) COVERAGE.—

24 (1) EXECUTIVE BRANCH.—The Administrator
 25 shall issue the regulations described in subsection

1 (b) for child care facilities, and entities sponsoring
 2 child care facilities, in Executive facilities.

3 (2) LEGISLATIVE BRANCH.—The Chief Admin-
 4 istrative Officer of the House of Representatives, the
 5 Librarian of Congress, and the head of a designated
 6 entity in the Senate shall issue the regulations de-
 7 scribed in subsection (b) for corresponding child care
 8 facilities (as defined in section 203(b)(3)), and enti-
 9 ties sponsoring the corresponding child care facili-
 10 ties, in legislative facilities.

11 (3) JUDICIAL BRANCH.—The Director of the
 12 Administrative Office of the United States Courts
 13 shall issue the regulations described in subsection
 14 (b) for child care facilities, and entities sponsoring
 15 child care facilities, in judicial facilities.

16 (b) REGULATIONS.—The officers and designated en-
 17 tity described in subsection (a) shall issue, in addition to
 18 any other regulations required to be issued under this title,
 19 regulations that concern—

20 (1) matters relating to an occupant emergency
 21 plan and evacuations, such as—

22 (A) providing for building security com-
 23 mittee membership for each director of a child
 24 care facility described in subsection (a);

1 (B) establishing a separate section in an
2 occupant emergency plan for each such facility;

3 (C) promoting familiarity with procedures
4 and evacuation routes for different types of
5 emergencies (such as emergencies caused by
6 hazardous materials, a fire, a bomb threat, a
7 power failure, or a natural disaster);

8 (D) strengthening on-site relationships be-
9 tween security personnel and the personnel of
10 such a facility, such as by ensuring that the
11 post orders of guards reflect responsibility for
12 the facility;

13 (E) providing specific, clear, and concise
14 evacuation instructions for a facility, including
15 instructions specifying who authorizes an evacu-
16 ation;

17 (F) providing for good evacuation equip-
18 ment, especially cribs; and

19 (G) promoting the ability to evacuate with-
20 out outside assistance;

21 (2) matters relating to relocation sites, such
22 as—

23 (A) promoting an informed parent body
24 that is knowledgeable about evacuation proce-
25 dures and relocation sites;

1 (B) providing regularly updated parent
2 contact information (regarding matters such as
3 names, locations, e-mail addresses, and cell
4 phone and other telephone numbers);

5 (C) establishing remote telephone contact
6 for parents, to and from areas that are not less
7 than 10 miles from such a facility; and

8 (D) providing for an alternate site (in ad-
9 dition to regular sites) in the event of a catas-
10 trophe, which site may include—

11 (i) a site that would be an unreason-
12 able distance from the facility under nor-
13 mal circumstances; and

14 (ii) a facility with 24-hour operations,
15 such as a hotel or law school library; and

16 (3) other important concerns, such as—

17 (A) providing for background checks for all
18 employees of such a facility;

19 (B) addressing shoeless environments, in-
20 cluding providing shoe covers or special infant
21 room shoes for caregivers that are worn outside
22 only in emergencies;

23 (C) ensuring that children sleep in shoes or
24 in slipper socks;

1 (D) requiring a director of such a facility
2 to improve management controls, including im-
3 proving the controls by removing pictures on vi-
4 sion panels, controlling access to the facility,
5 and practicing safety and other procedures; and

6 (E) requiring child care providers to con-
7 sult with the Administrator prior to closing
8 such a facility.

9 **SEC. 205. FEDERAL CHILD CARE EVALUATION.**

10 (a) IN GENERAL.—Not later than 1 year after the
11 date of enactment of this Act, the Administrator and the
12 Director of the Office of Personnel Management shall
13 jointly prepare and submit to Congress a report that eval-
14 uates child care provided by entities sponsoring child care
15 facilities in executive facilities, legislative facilities, or judi-
16 cial facilities.

17 (b) CONTENTS.—The evaluation shall contain, at a
18 minimum—

19 (1) information on the number of children re-
20 ceiving child care described in subsection (a), ana-
21 lyzed by age, including information on the number
22 of those children who are age 6 through 12;

23 (2) information on the number of families not
24 using child care described in subsection (a) because
25 of the cost of the child care; and

1 (3) recommendations for improving the quality
2 and cost-effectiveness of child care described in sub-
3 section (a), including recommendations of options
4 for creating an optimal organizational structure and
5 using best practices for the delivery of the child
6 care.

7 **SEC. 206. MISCELLANEOUS PROVISIONS RELATING TO**
8 **CHILD CARE PROVIDED BY FEDERAL AGEN-**
9 **CIES.**

10 (a) AVAILABILITY OF FEDERAL CHILD CARE CEN-
11 TERS FOR ONSITE CONTRACTORS; PERCENTAGE GOAL.—
12 Section 616 of the Act of December 22, 1987 (40 U.S.C.
13 490b) is amended—

14 (1) in subsection (a)—

15 (A) by striking “officer or agency of the
16 United States” and inserting “Federal agency
17 or officer of a Federal agency”; and

18 (B) by striking paragraphs (2) and (3) and
19 inserting the following:

20 “(2) the officer or agency determines that the
21 space will be used to provide child care and related
22 services to—

23 “(A) children of Federal employees or on-
24 site Federal contractors; or

1 “(B) dependent children who live with
2 Federal employees or onsite Federal contrac-
3 tors; and

4 “(3) the officer or agency determines that the
5 individual or entity will give priority for available
6 child care and related services in the space to Fed-
7 eral employees and onsite Federal contractors.”; and

8 (2) by adding at the end the following:

9 “(f)(1)(A) The Administrator of General Services
10 shall confirm that at least 50 percent of aggregate enroll-
11 ment in Federal child care centers governmentwide are
12 children of Federal employees or onsite Federal contrac-
13 tors, or dependent children who live with Federal employ-
14 ees or onsite Federal contractors.

15 “(B) Each provider of child care services at an indi-
16 vidual Federal child care center shall maintain 50 percent
17 of the enrollment at the center of children described under
18 subparagraph (A) as a goal for enrollment at the center.

19 “(C)(i) If enrollment at a center does not meet the
20 percentage goal under subparagraph (B), the provider
21 shall develop and implement a business plan with the
22 sponsoring Federal agency to achieve the goal within a
23 reasonable timeframe.

24 “(ii) The plan shall be approved by the Administrator
25 of General Services based on—

1 “(I) compliance of the plan with standards es-
2 tablished by the Administrator; and

3 “(II) the effect of the plan on achieving the ag-
4 gregate Federal enrollment percentage goal.

5 “(2) The Administrator of General Services may
6 enter into public-private partnerships or contracts with
7 nongovernmental entities to increase the capacity, quality,
8 affordability, or range of child care and related services
9 and may, on a demonstration basis, waive subsection
10 (a)(3) and paragraph (1) of this subsection.”.

11 (b) PAYMENT OF COSTS OF TRAINING PROGRAMS.—
12 Section 616(b)(3) of such Act (40 U.S.C. 490b(b)(3)) is
13 amended to read as follows:

14 “(3) If a Federal agency has a child care facility in
15 a Federal space, or is a sponsoring agency for a child care
16 facility in a Federal space, the agency or the General Serv-
17 ices Administration may pay accreditation fees, including
18 renewal fees, for that center to be accredited. Any Federal
19 agency that provides or proposes to provide child care
20 services for children referred to in subsection (a)(2), may
21 reimburse any Federal employee or any person employed
22 to provide the services for the costs of training programs,
23 conferences, and meetings and related travel, transpor-
24 tation, and subsistence expenses incurred in connection
25 with those activities. Any per diem allowance made under

1 this section shall not exceed the rate specified in regula-
2 tions prescribed under section 5707 of title 5, United
3 States Code.”.

4 (c) TECHNICAL AND CONFORMING AMENDMENTS.—
5 Section 616(c) of such Act (40 U.S.C. 490b(c)) is
6 amended—

7 (1) by inserting “Federal” before “child care
8 centers”; and

9 (2) by striking “Federal workers” and inserting
10 “Federal employees”.

11 (d) PROVISION OF CHILD CARE BY PRIVATE ENTI-
12 TIES.—Section 616(d) of such Act (40 U.S.C. 490b(d))
13 is amended to read as follows:

14 “(d)(1) If a Federal agency has a child care facility
15 in a Federal space, or is a sponsoring agency for a child
16 care facility in a Federal space, the agency, the child care
17 center board of directors, or the General Services Adminis-
18 tration may enter into an agreement with 1 or more pri-
19 vate entities under which the private entities would assist
20 in defraying the general operating expenses of the child
21 care providers including salaries and tuition assistance
22 programs at the facility.

23 “(2)(A) Notwithstanding any other provision of law,
24 if a Federal agency does not have a child care program,
25 or if the Administrator of General Services has identified

1 a need for child care for Federal employees at a Federal
2 agency providing child care services that do not meet the
3 requirements of subsection (a), the agency or the Adminis-
4 trator may enter into an agreement with a non-Federal,
5 licensed, and accredited child care facility, or a planned
6 child care facility that will become licensed and accredited,
7 for the provision of child care services for children of Fed-
8 eral employees.

9 “(B) Before entering into an agreement, the head of
10 the Federal agency shall determine that child care services
11 to be provided through the agreement are more cost-effec-
12 tively provided through the arrangement than through es-
13 tablishment of a Federal child care facility.

14 “(C) The Federal agency may provide any of the
15 services described in subsection (b)(3) if, in exchange for
16 the services, the facility reserves child care spaces for chil-
17 dren referred to in subsection (a)(2), as agreed to by the
18 parties. The cost of any such services provided by a Fed-
19 eral agency to a Federal child care facility on behalf of
20 another Federal agency shall be reimbursed by the receiv-
21 ing agency.

22 “(3) This subsection does not apply to residential
23 child care programs.”.

1 (e) PILOT PROJECTS.—Section 616 of such Act (40
2 U.S.C. 490b) is further amended by adding at the end
3 the following:

4 “(g)(1) Upon approval of the agency head, a Federal
5 agency may conduct a pilot project not otherwise author-
6 ized by law for no more than 2 years to test innovative
7 approaches to providing alternative forms of quality child
8 care assistance for Federal employees. A Federal agency
9 head may extend a pilot project for an additional 2-year
10 period. Before any pilot project may be implemented, a
11 determination shall be made by the agency head that initi-
12 ating the pilot project would be more cost-effective than
13 establishing a new Federal child care facility. Costs of any
14 pilot project shall be paid solely by the agency conducting
15 the pilot project.

16 “(2) The Administrator of General Services shall
17 serve as an information clearinghouse for pilot projects
18 initiated by other Federal agencies to disseminate infor-
19 mation concerning the pilot projects to the other Federal
20 agencies.

21 “(3) Within 6 months after completion of the initial
22 2-year pilot project period, a Federal agency conducting
23 a pilot project under this subsection shall provide for an
24 evaluation of the impact of the project on the delivery of
25 child care services to Federal employees, and shall submit

1 the results of the evaluation to the Administrator of Gen-
 2 eral Services. The Administrator shall share the results
 3 with other Federal agencies.”.

4 (f) DEFINITIONS.—Section 616 of such Act (40
 5 U.S.C. 490b) is further amended by adding at the end
 6 the following:

7 “(h) In this section:

8 “(1) The term ‘Federal agency’ has the mean-
 9 ing given the term ‘Executive agency’ in section 202
 10 of the Federal Employees Child Care Act.

11 “(2) The terms ‘Federal building’ and ‘Federal
 12 space’ have the meanings given the term ‘executive
 13 facility’ in such section 202.

14 “(3) The term ‘Federal child care center’
 15 means a child care center in an executive facility, as
 16 defined in such section 202.

17 “(4) The terms ‘Federal contractor’ and ‘Fed-
 18 eral employee’ mean a contractor and an employee,
 19 respectively, of an Executive agency, as defined in
 20 such section 202.”.

21 **TITLE III—CHILD CARE UNDER** 22 **TANF**

23 **SEC. 301. MANDATORY FUNDING FOR CHILD CARE.**

24 Section 418(a)(3) of the Social Security Act (42
 25 U.S.C. 618(a)(3)) is amended—

1 (1) by striking “and” at the end of subpara-
 2 graph (E);

3 (2) by striking the period at the end of sub-
 4 paragraph (F) and inserting “; and”; and

5 (3) by adding at the end the following:

6 “(G) \$_____ for each of fiscal years 2003
 7 through 2007.”.

8 **SEC. 302. RESTORATION OF AUTHORITY TO TRANSFER UP**
 9 **TO 10 PERCENT OF TANF FUNDS TO THE SO-**
 10 **CIAL SERVICES BLOCK GRANT.**

11 (a) RESTORATION OF AUTHORITY.—Section
 12 404(d)(2) of the Social Security Act (42 U.S.C.
 13 604(d)(2)) is amended to read as follows:

14 “(2) LIMITATION ON AMOUNT TRANSFERABLE
 15 TO TITLE XX PROGRAMS.—A State may use not
 16 more than 10 percent of the amount of any grant
 17 made to the State under section 403(a) for a fiscal
 18 year to carry out State programs pursuant to title
 19 XX.”.

20 (b) SENSE OF THE SENATE REGARDING RETAINING
 21 AUTHORITY TO TRANSFER UP TO 30 PERCENT OF TANF
 22 FUNDS TO THE CHILD CARE AND DEVELOPMENT BLOCK
 23 GRANT.—It is the sense of the Senate that any legislation
 24 enacted during the second session of the 107th Congress
 25 that reauthorizes the program of block grants to States

1 to provide temporary assistance to needy families under
 2 part A of title IV of the Social Security Act (42 U.S.C.
 3 601 et seq.) should retain the authority provided to a
 4 State in section 404(d) of such Act (42 U.S.C. 604(d))
 5 to transfer up to 30 percent (10 percent, in the case of
 6 a program under title XX of such Act) of the amount of
 7 any grant made to the State under section 403(a) of such
 8 Act (42 U.S.C. 603(a)) for a fiscal year to carry out a
 9 State program pursuant to the Child Care and Develop-
 10 ment Block Grant Act of 1990 (42 U.S.C. 9858 et seq.)
 11 or title XX of the Social Security Act (42 U.S.C. 1397
 12 et seq.).

13 **SEC. 303. CLARIFICATION OF AUTHORITY OF STATES TO**
 14 **USE TANF FUNDS CARRIED OVER FROM**
 15 **PRIOR YEARS TO PROVIDE TANF BENEFITS**
 16 **AND SERVICES AND TO TRANSFER SUCH**
 17 **FUNDS FOR CHILD CARE AND SOCIAL SERV-**
 18 **ICES.**

19 Section 404(e) of the Social Security Act (42 U.S.C.
 20 604(e)) is amended—

- 21 (1) in the subsection heading, by striking “AS-
 22 SISTANCE” and inserting “BENEFITS OR SERVICES”;
 23 (2) by striking “assistance” and inserting “any
 24 benefit or service that may be provided”; and

1 (3) by inserting before the period the following:
 2 “, including the use of such amounts for benefits or
 3 services of the type provided for under the provisions
 4 described in subsection (d)(1)”.

5 **SEC. 304. CHILD CARE OR OTHER WORK SUPPORT SERV-**
 6 **ICES NOT CONSIDERED ASSISTANCE.**

7 Section 408 of the Social Security Act (42 U.S.C.
 8 608) is amended by adding at the end the following:

9 “(h) CHILD CARE AND OTHER WORK SUPPORT
 10 SERVICES NOT CONSIDERED ASSISTANCE.—Amounts ex-
 11 pended under this part for child care or other work sup-
 12 port services shall not be considered assistance under a
 13 State program under this part for any purpose.”.

14 **SEC. 305. ASSESSMENT OF CHILD CARE NEEDS AND NEEDS**
 15 **FOR SUPERVISION AND APPROPRIATE AC-**
 16 **TIVITIES FOR CHILDREN OF TANF RECIPI-**
 17 **ENTS.**

18 (a) REQUIREMENT TO INCLUDE IN ASSESSMENT.—
 19 Section 408(b)(1) of the Social Security Act (42 U.S.C.
 20 608(b)(1)) is amended by striking “and employability”
 21 and inserting “employability, child care needs (including
 22 the needs for supervision and appropriate activities for any
 23 child of the recipient)”.

1 (b) INCLUSION IN CONTENTS OF PLAN.—Section
 2 408(b)(2)(A) of the Social Security Act (42 U.S.C.
 3 608(b)(2)(A)) is amended—

4 (1) in clause (iv), by striking “and” at the end;

5 (2) in clause (v), by striking the period and in-
 6 serting “; and”; and

7 (3) by adding at the end the following:

8 “(vi) describes the child care needs
 9 (including the needs for supervision and
 10 appropriate activities for any child of the
 11 recipient) and identifies how such needs
 12 will be met.”.

13 **SEC. 306. DATA COLLECTION REGARDING TANF FUNDS**
 14 **SPENT DIRECTLY ON CHILD CARE.**

15 Section 411(a) of the Social Security Act (42 U.S.C.
 16 611(a)) is amended—

17 (1) by redesignating paragraph (7) as para-
 18 graph (8); and

19 (2) by inserting after paragraph (6), the fol-
 20 lowing:

21 “(7) REPORT ON TANF FUNDS EXPENDED FOR
 22 CHILD CARE.—The report required by paragraph (1)
 23 for a fiscal quarter shall include the total amount
 24 expended by the State during the quarter to provide
 25 child care (other than amounts transferred pursuant

1 to section 404(d) to carry out a State program pur-
 2 suant to the Child Care and Development Block
 3 Grant Act of 1990), along with a description of how
 4 such amount was expended under such Act.”.

5 **SEC. 307. APPLICATION OF CHILD CARE AND DEVELOP-**
 6 **MENT BLOCK GRANT HEALTH AND SAFETY**
 7 **STANDARDS TO TANF FUNDS SPENT ON**
 8 **CHILD CARE.**

9 Section 408 of the Social Security Act (42 U.S.C.
 10 608), as amended by section 304, is amended by adding
 11 at the end the following:

12 “(i) APPLICATION OF CHILD CARE AND DEVELOP-
 13 MENT BLOCK GRANT HEALTH AND SAFETY STANDARDS
 14 TO FUNDS SPENT ON CHILD CARE.—A State to which
 15 a grant is made under section 403 shall ensure that any
 16 amounts provided under such section that are expended
 17 for child care are subject to the same health and safety
 18 requirements that apply in the State to amounts expended
 19 to carry out a State program pursuant to the Child Care
 20 and Development Block Grant Act of 1990, including the
 21 health and safety requirements referred to in section
 22 658E(c)(2)(F) of such Act (42 U.S.C. 9858c(c)(2)(F)).

1 **SEC. 308. TRAINING AND COORDINATION OF STAFF TO IN-**
 2 **CREASE USE OF CHILD CARE ASSISTANCE.**

3 Section 408 of the Social Security Act (42 U.S.C.
 4 608), as amended by section 306, is further amended by
 5 adding at the end the following:

6 “(i) TRAINING AND COORDINATION OF STATE TO IN-
 7 CREASE USE OF CHILD CARE ASSISTANCE.—Each State
 8 to which a grant is made under section 403 shall ensure
 9 that families of recipients of assistance under the State
 10 program funded under this part and families of former
 11 recipients of such assistance who are transitioning from
 12 welfare to work have access to information about local
 13 child care options and subsidies, including emergency child
 14 care centers, for such families by—

15 “(1) locating staff from the lead agency with
 16 responsibility to administer the State plan under the
 17 Child Care and Development Block Grant Act of
 18 1990 at local offices responsible for administering
 19 the State program funded under this part for the
 20 purpose of having such staff work in coordination
 21 with staff responsible for administering the State
 22 program funded under this part at the local level; or

23 “(2) training staff responsible for administering
 24 the State program funded under this part at the
 25 local level with regard to the availability of child care
 26 assistance and programs (including any local re-

1 source and referral services) for such recipients and
 2 former recipients of such assistance, and ensuring
 3 that such staff inform recipients and former recipi-
 4 ents of such assistance of the available child care as-
 5 sistance and programs.”.

6 **SEC. 309. SENSE OF THE SENATE REGARDING RETAINING**
 7 **AUTHORITY TO DEEM CERTAIN SINGLE PAR-**
 8 **ENTS WITH YOUNG CHILDREN AS MEETING**
 9 **THE TANF WORK REQUIREMENT.**

10 It is the sense of the Senate that any legislation en-
 11 acted during the second session of the 107th Congress
 12 that reauthorizes the program of block grants to States
 13 to provide temporary assistance to needy families under
 14 part A of title IV of the Social Security Act (42 U.S.C.
 15 601 et seq.) should retain the authority provided to a
 16 State in subsections (b)(5) and (c)(2)(B) of section 407
 17 of such Act (42 U.S.C. 607) to—

- 18 (1) not require an individual who is a single
 19 custodial parent caring for a child who has not at-
 20 tained 12 months of age to engage in work, and to
 21 disregard such an individual in determining the par-
 22 ticipation rates under section 407(a) of such Act (42
 23 U.S.C. 607(a)) for not more than 12 months; and
- 24 (2) deem a recipient who is the only parent or
 25 caretaker relative in the family of a child who has

1 not attained 6 years of age as being engaged in work
 2 for a month if the recipient is engaged in work for
 3 an average of at least 20 hours per week during the
 4 month.

5 **SEC. 310. SENSE OF THE SENATE REGARDING RETAINING**
 6 **PROHIBITION AND PENALTY FOR STATE**
 7 **SANCTION OF SINGLE PARENTS WITH YOUNG**
 8 **CHILDREN WHO ARE UNABLE TO FIND OR AF-**
 9 **FORD CHILD CARE.**

10 (a) SENSE OF THE SENATE REGARDING RETENTION
 11 OF PROHIBITION AGAINST SANCTION.—It is the sense of
 12 the Senate that any legislation enacted during the second
 13 session of the 107th Congress that reauthorizes the pro-
 14 gram of block grants to States to provide temporary as-
 15 sistance to needy families under part A of title IV of the
 16 Social Security Act (42 U.S.C. 601 et seq.) should retain
 17 the prohibition on a State under section 407(e)(2) of such
 18 Act (42 U.S.C. 607(e)(2)) from reducing or terminating
 19 assistance under that State program based on a refusal
 20 of an individual to engage in work if the individual is a
 21 single custodial parent caring for a child who has not at-
 22 tained 6 years of age, and the individual proves that the
 23 individual has a demonstrated inability (as determined by
 24 the State) to obtain needed child care, for 1 or more of
 25 the following reasons:

1 (1) Unavailability of appropriate child care
 2 within a reasonable distance from the individual's
 3 home or work site.

4 (2) Unavailability or unsuitability of informal
 5 child care by a relative or under other arrangements.

6 (3) Unavailability of appropriate and affordable
 7 formal child care arrangements.

8 (b) SENSE OF THE SENATE REGARDING RETENTION
 9 OF PENALTY.—It is the sense of the Senate that any legis-
 10 lation enacted during the second session of the 107th Con-
 11 gress that reauthorizes the program of block grants to
 12 States to provide temporary assistance to needy families
 13 under part A of title IV of the Social Security Act (42
 14 U.S.C. 601 et seq.) should retain the penalty under section
 15 409(a)(11) of such Act (42 U.S.C. 611(a)(11)) for vio-
 16 lating section 407(e)(2) of such Act (42 U.S.C. 607(e)(2))
 17 that permits the Secretary of Health and Human Services
 18 to reduce the State family assistance grant payable to a
 19 State under section 403(a)(1) of such Act (42 U.S.C.
 20 603(a)(1)) for the immediately succeeding fiscal year by
 21 an amount equal to not more than 5 percent of such grant.

22 **SEC. 311. EFFECTIVE DATE.**

23 The amendments made by this title take effect on Oc-
 24 tober 1, 2002.

