

109<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 3797

To establish demonstration projects to provide at-home infant care benefits.

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## IN THE SENATE OF THE UNITED STATES

AUGUST 3, 2006

Mrs. CLINTON (for herself and Mr. JOHNSON) introduced the following bill;  
which was read twice and referred to the Committee on Health, Edu-  
cation, Labor, and Pensions

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## A BILL

To establish demonstration projects to provide at-home infant  
care benefits.

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

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Choices in Child Care  
5 Act”.

6       **SEC. 2. FINDINGS.**

7       Congress finds the following:

8               (1) Currently, child care assistance for children  
9       from low-income working families is severely under-  
10       funded, allowing only 1 in 7 eligible children to re-

1       ceive child care assistance for children from birth to  
2       age 13.

3               (2) Funding for the Child Care and Develop-  
4       ment Block Grant Act of 1990 has remained rel-  
5       atively flat for 5 years, making it more difficult for  
6       children from eligible families to receive child care  
7       assistance.

8               (3) In the majority of United States families,  
9       parents, whether married or single, must work to  
10      provide economic security for their families and, not  
11      the least, for the infants newly welcomed into the  
12      families. Fifty-five percent of women with children  
13      less than 1 year of age are part of the workforce,  
14      while 73 percent of women with children 1 year of  
15      age or older are in the workforce.

16              (4) Research shows that the quality and nature  
17      of caretaking in the first months and years of life  
18      are critical to a young child's subsequent brain de-  
19      velopment, social development, and well-being.  
20      Healthy early development depends on nurturing  
21      and responsible relationships.

22              (5) Research also shows that there is an ex-  
23      treme shortage of quality, affordable child care for  
24      infants. Numerous studies document lack of infant  
25      care and, in particular, affordable care that meets

1 basic health and safety standards, particularly in  
2 rural areas. The current number of infant slots of  
3 licensed child care providers can only meet 18 per-  
4 cent of the potential need. The shortage is even  
5 more acute in rural areas, especially those with a  
6 high percentage of low-wage residents.

7 (6) For the well-being of United States chil-  
8 dren, and for the economic security of the families  
9 on which the children depend, working parents  
10 should be able to provide child care for infants them-  
11 selves without undermining family economic sta-  
12 bility.

13 **SEC. 3. AT-HOME INFANT CARE.**

14 The Child Care and Development Block Grant Act  
15 of 1990 is amended by inserting after section 658G (42  
16 U.S.C. 9858e) the following:

17 **“SEC. 658H. DEMONSTRATION PROJECTS TO PROVIDE AT-  
18 HOME INFANT CARE BENEFITS.**

19 **“(a) AUTHORITY TO AWARD GRANTS.—**

20 **“(1) IN GENERAL.—**The Secretary shall award  
21 grants to not less than 5 and not more than 7  
22 States to enable such States to carry out demonstra-  
23 tion projects to provide at-home infant care benefits  
24 to eligible low-income families.

1           “(2) INDIAN TRIBES.—The Secretary may  
2           award grants to Indian tribes under this subsection.  
3           An Indian tribe that receives a grant under this sub-  
4           section shall carry out a demonstration project to  
5           provide at-home infant care benefits to eligible low-  
6           income families. The Indian tribe shall carry out the  
7           demonstration project in the same manner, and to  
8           the same extent, as a State that receives a grant  
9           under this subsection, except that the Secretary may  
10          modify the requirements of this section as appro-  
11          priate with respect to the Indian tribe.

12           “(3) CALCULATION.—Any grant awarded to an  
13          Indian tribe under paragraph (2) shall not be count-  
14          ed in determining the number of grants awarded to  
15          States under paragraph (1).

16          “(b) DEMONSTRATION PROJECTS.—

17           “(1) APPLICATION FOR PARTICIPATION AND SE-  
18          LECTION OF STATES.—

19           “(A) IN GENERAL.—To be eligible to par-  
20          ticipate in the program carried out under this  
21          section and receive a grant under subsection (a)  
22          to carry out a demonstration project, a State  
23          shall submit an application to the Secretary at  
24          such time, in such manner, and containing such  
25          information as the Secretary may require.

1           “(B) NOTICE.—Not later than 90 days  
2 after the date of enactment of Choices in Child  
3 Care Act, the Secretary shall publish in the  
4 Federal Register a notice of opportunity to par-  
5 ticipate in the program and receive such a  
6 grant, specifying the contents of an application  
7 described in subparagraph (A). The notice shall  
8 include a timeframe for States to submit such  
9 an application, and shall provide that all such  
10 applications shall be submitted not later than  
11 270 days after such date of enactment.

12           “(C) SELECTION.—

13           “(i) IN GENERAL.—The Secretary  
14 shall review the applications and select the  
15 participating States not later than 1 year  
16 after such date of enactment.

17           “(ii) CRITERIA.—In selecting the par-  
18 ticipating States, the Secretary shall—

19                   “(I) seek to ensure geographic di-  
20 versity; and

21                   “(II) give priority to States—

22                           “(aa) whose applications  
23 demonstrate a strong commit-  
24 ment to improving the quality of

1 infant care and the choices avail-  
2 able to parents of infants;

3 “(bb) with experience rel-  
4 evant to the operation of at-home  
5 infant care programs; and

6 “(cc) in which there are de-  
7 monstrable shortages of infant  
8 care.

9 “(2) REQUIRED CERTIFICATIONS.—A State se-  
10 lected to be a participating State shall provide cer-  
11 tifications to the Secretary, with respect to the dem-  
12 onstration project to be carried out by the State,  
13 that—

14 “(A) during the period during which the  
15 State carries out the demonstration project, the  
16 State will not reduce expenditures for child care  
17 services below the level of such expenditures  
18 made by the State in the fiscal year preceding  
19 the fiscal year in which the State began to  
20 carry out the project;

21 “(B) the State, in carrying out the dem-  
22 onstration project—

23 “(i) will not give priority or preference  
24 to—

1                   “(I) eligible low-income families  
2                   seeking to receive at-home infant care  
3                   benefits through the demonstration  
4                   project; over

5                   “(II) other eligible low-income  
6                   families on a waiting list for child  
7                   care assistance through another pro-  
8                   gram in the State; but

9                   “(ii) will select a combination of fami-  
10                  lies described in clause (i)(I) and families  
11                  described in (i)(II) to receive at-home in-  
12                  fant care benefits;

13                  “(C) the State will—

14                  “(i) provide parents applying to re-  
15                  ceive at-home infant care benefits with in-  
16                  formation on the range of options for child  
17                  care available to the parents;

18                  “(ii) ensure that approved applicants  
19                  for at-home infant care benefits are per-  
20                  mitted to choose between receipt of at-  
21                  home infant care benefit subsidies, and re-  
22                  ceipt of certificates that may be used with  
23                  an eligible child care provider for child care  
24                  needed for employment; and

1           “(iii) provide that a family receiving  
2           at-home infant care benefit subsidies may  
3           exchange the subsidies for certificates de-  
4           scribed in clause (ii) at any time during  
5           the family’s participation in the dem-  
6           onstration project;

7           “(D) the State will develop or update, and  
8           implement, a plan to improve the quality of in-  
9           fant care in the State, and provide parent edu-  
10          cation and support services to participants in  
11          the demonstration project; and

12          “(E) the State will cooperate with informa-  
13          tion collection and evaluations conducted by the  
14          Secretary.

15          “(3) FAMILY ELIGIBILITY.—

16          “(A) IN GENERAL.—To be eligible to re-  
17          ceive at-home infant care benefits through a  
18          demonstration project under this section, a  
19          family shall—

20                 “(i) have a family income that does  
21                 not exceed the limit specified in section  
22                 658P(4)(B);

23                 “(ii) include a child under the age of  
24                 12 months (or, at the election of the State



1 carrying out the demonstration project, 24  
2 months);

3 “(iii) include a parent who had a re-  
4 cent work history (as determined in ac-  
5 cordance with the State’s requirements for  
6 such a work history) prior to application  
7 for the at-home infant care benefits; and

8 “(iv) meet such other eligibility re-  
9 quirements as the State may establish.

10 “(B) TWO-PARENT FAMILIES.—A State se-  
11 lected to carry out a demonstration project  
12 under this section shall permit 2-parent families  
13 to participate in the project but may not limit  
14 participation in the project to such families.

15 “(4) AMOUNT OF ASSISTANCE.—The amount of  
16 an at-home infant care benefit provided to an eligi-  
17 ble low-income family under this section for a month  
18 shall not exceed the monthly amount obtained by ap-  
19 plying 100 percent of the State’s maximum rate for  
20 a licensed family child care provider for full-time in-  
21 fant care.

22 “(5) TANF ASSISTANCE.—The receipt of an at-  
23 home infant care benefit under this section shall not  
24 be considered to be assistance for any purpose under  
25 the program of block grants to States for temporary

1 assistance for needy families established under part  
2 A of title IV of the Social Security Act (42 U.S.C.  
3 601 et seq.).

4 “(6) BENEFIT NOT TREATED AS INCOME.—  
5 Notwithstanding any other provision of law, the  
6 value of an at-home infant care benefit shall not be  
7 treated as income for purposes of any Federal or  
8 federally-assisted program that bases eligibility, or  
9 the amount of benefits or services provided, on need.

10 “(c) EVALUATION AND REPORT TO CONGRESS.—

11 “(1) IN GENERAL.—The Secretary shall con-  
12 duct an evaluation of the demonstration projects  
13 carried out under this section and submit a report  
14 to Congress containing the results of such evaluation  
15 not later than 4 years after the date of enactment  
16 of Choices in Child Care Act.

17 “(2) REQUIREMENTS.—In conducting the eval-  
18 uation, the Secretary shall examine the following:

19 “(A) Implementation experiences of the  
20 States carrying out the demonstration projects  
21 in developing and operating projects providing  
22 at-home infant care benefits, including design  
23 issues and issues in coordinating at-home infant  
24 care benefits provided under this section with

1 benefits provided or funded under another pro-  
2 vision of this Act in the State.

3 “(B) The characteristics of families seek-  
4 ing to participate and participating in the dem-  
5 onstration projects providing at-home infant  
6 care benefits funded under this section.

7 “(C) The length of participation by fami-  
8 lies in such demonstration projects and the rea-  
9 sons for the families ceasing to participate in  
10 the demonstration projects.

11 “(D) The prior and subsequent employ-  
12 ment of the participating families and the effect  
13 of the demonstration project participation on  
14 subsequent employment of the families.

15 “(E) The costs and benefits of the dem-  
16 onstration projects.

17 “(F) The effectiveness of State efforts (in-  
18 cluding tribal efforts) to improve the quality of  
19 infant care during the periods in which the  
20 demonstration projects are carried out.

21 “(3) RESERVATION OF FUNDS.—From the  
22 amount appropriated under section 658B(b) for a  
23 fiscal year, the Secretary shall reserve \$1,000,000  
24 for purposes of conducting the evaluation required  
25 under this subsection.”.

1 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS AND CON-**  
2 **FORMING AMENDMENTS.**

3 (a) AUTHORIZATION OF APPROPRIATIONS.—Section  
4 658B of the Child Care and Development Block Grant Act  
5 of 1990 (42 U.S.C. 9858) is amended—

6 (1) by inserting: “(a) IN GENERAL.—” before  
7 “There is”;

8 (2) by inserting “(other than section 658H)”  
9 after “this subchapter”; and

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

11 “(b) DEMONSTRATION PROJECTS TO PROVIDE AT-  
12 HOME INFANT CARE BENEFITS.—There is authorized to  
13 be appropriated to carry out section 658H \$75,000,000  
14 for fiscal year 2007 and each subsequent fiscal year.”.

15 (b) CONFORMING AMENDMENTS.—

16 (1) RESERVATIONS.—Section 658O(a) of the  
17 Child Care and Development Block Grant Act of  
18 1990 (42 U.S.C. 9858m(a)) is amended—

19 (A) in paragraph (1), by striking “under  
20 this subchapter” and inserting “under section  
21 658B(a)”; and

22 (B) in paragraph (2), by striking “under  
23 section 658B” and inserting “under section  
24 658B(a)”.

25 (2) ALLOTMENTS.—Section 658O(b)(1) of such  
26 Act (42 U.S.C. 9858m(b)(1)) is amended by striking

- 1 “under section 658B” and inserting “under section
- 2 658B(a)”.

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