

117TH CONGRESS
2D SESSION

S. 3899

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

IN THE SENATE OF THE UNITED STATES

MARCH 22, 2022

Mr. SCOTT of South Carolina (for himself, Mr. BURR, Ms. MURKOWSKI, Ms. COLLINS, Mr. SULLIVAN, Mr. SASSE, Mr. GRASSLEY, Mr. YOUNG, and Mrs. CAPITO) 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 and update 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.**

4 This Act may be cited as the “Child Care and Devel-
5 opment Block Grant Reauthorization Act of 2022”.

6 **SEC. 2. PURPOSES.**

7 (a) REDESIGNATION.—Section 658A of the Child
8 Care and Development Block Grant Act of 1990 (42
9 U.S.C. 9857) is redesignated as section 658 of such Act.

1 (b) AMENDMENT.—Subsection (b) of that section 658
2 is amended to read as follows:

3 “(b) PURPOSES.—The purposes of this subchapter
4 are—

5 “(1) to allow each State maximum flexibility in
6 developing a mixed delivery system to provide child
7 care that best suits the needs of children and work-
8 ing parents within that State;

9 “(2) to promote parental choice to empower
10 working parents to make their own decisions regard-
11 ing the child care services that best suit their fam-
12 ily’s needs;

13 “(3) to encourage States to provide consumer
14 education information to help parents make in-
15 formed choices about child care services and to pro-
16 mote involvement by parents and family members in
17 the development of their children in child care set-
18 tings;

19 “(4) to assist States in delivering high-quality,
20 coordinated child care services to maximize parents’
21 options to cover the full workday and full work year,
22 to support continuity of care for children, and to
23 support parents trying to achieve independence from
24 public assistance;

1 “(5) to assist States in improving the overall
 2 quality of child care by implementing the health,
 3 safety, licensing, early learning and development,
 4 professional, and oversight standards established in
 5 this subchapter and in State law (including State
 6 regulations);

7 “(6) to assist States—

8 “(A) in supporting the education and pro-
 9 fessional development of child care staff; and

10 “(B) in supporting child care providers in
 11 the recruitment of, professional development
 12 for, and retention of a qualified child care work-
 13 force; and

14 “(7) to increase the number and percentage of
 15 low-income children in high-quality child care set-
 16 tings.”.

17 (c) RULE OF CONSTRUCTION.—The term “child
 18 care” as used in this subchapter includes preschool, pre-
 19 kindergarten, and early childhood education for children
 20 birth to 5 and before school, after school, and summer
 21 care for school-age children.

22 **SEC. 3. DEFINITIONS.**

23 (a) IN GENERAL.—Section 658P of the Child Care
 24 and Development Block Grant Act of 1990 (42 U.S.C.
 25 9858n) is amended—

1 (1) by redesignating paragraphs (2) and (3),
 2 (4) through (7), (8) and (9), and (10) through (15),
 3 as paragraphs (3) and (4), (6) through (9), (11) and
 4 (12), and (14) through (19), respectively;

5 (2) by inserting after paragraph (1) the fol-
 6 lowing:

7 “(2) CHILD CARE.—The term ‘child care’ in-
 8 cludes preschool, prekindergarten, and early child-
 9 hood education for children from birth through age
 10 5, and before school, after school, and summer care
 11 for school-age children.”;

12 (3) in paragraph (4), as so redesignated—

13 (A) in subparagraph (B), by inserting
 14 “and” at the end;

15 (B) in subparagraph (C), by striking “;
 16 and” at the end and inserting a period; and

17 (C) by striking subparagraph (D);

18 (4) by striking paragraph (6), as so redesign-
 19 ated, and inserting the following:

20 “(5) ELIGIBLE ACTIVITY.—The term ‘eligible
 21 activity’, means an activity consisting of—

22 “(A) full-time or part-time employment;

23 “(B) self-employment;

24 “(C) job search activities;

25 “(D) job training;

1 “(E) secondary, postsecondary, or adult
2 education, including education through a pro-
3 gram of high school classes, a course of study
4 at an institution of higher education, classes to-
5 wards an equivalent of a high school diploma
6 recognized by State law, or English as a second
7 language classes;

8 “(F) health treatment (including mental
9 health and substance use treatment) for a con-
10 dition that prevents the parent involved from
11 participating in other eligible activities;

12 “(G) activities to prevent child abuse or
13 neglect, or family violence prevention or inter-
14 vention activities;

15 “(H) employment and training activities
16 under the supplemental nutrition assistance
17 program established under section 6(d)(4) of
18 the Food and Nutrition Act of 2008 (7 U.S.C.
19 2015(d)(4));

20 “(I) employment and training activities
21 under the Workforce Innovation and Oppor-
22 tunity Act (29 U.S.C. 3101 et seq.);

23 “(J) a work activity described in sub-
24 section (d) of section 407 of the Social Security
25 Act (42 U.S.C. 607) for which, consistent with

1 clauses (ii) and (iii) of section 402(a)(1)(A) of
 2 such Act (42 U.S.C. 602(a)(1)(A)), a parent is
 3 treated as being engaged in work for a month
 4 in a fiscal year for purposes of the program of
 5 block grants to States for temporary assistance
 6 for needy families established under part A of
 7 title IV of the Social Security Act (42 U.S.C.
 8 601 et seq.); or

9 “(K) taking leave under the Family and
 10 Medical Leave Act of 1993 (29 U.S.C. 2601 et
 11 seq.) (or equivalent provisions for Federal em-
 12 ployees), a State or local paid or unpaid leave
 13 law, or a program of employer-provided leave.

14 “(6) ELIGIBLE CHILD.—The term ‘eligible
 15 child’ means an individual—

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

17 “(B)(i)(I) whose family income does not
 18 exceed 85 percent of the State median income
 19 for a family of the same size; or

20 “(II) in the case of a State that has deter-
 21 mined it is necessary to serve additional chil-
 22 dren, after ensuring that all eligible children de-
 23 scribed in subclause (I) have had an appro-
 24 priate opportunity to receive services under this
 25 subchapter, whose family income does not ex-

ceed a State limit that is not more than 150 percent of the State median income for a family of the same size; and

“(ii) whose family assets do not exceed \$1,000,000 (as certified by a member of such family); and

“(C) who—

“(i) resides with a parent or parents who are participating in an eligible activity;

“(ii) is a child experiencing homelessness, a child in kinship care, or a child who is receiving, or needs to receive, child protective services; or

“(iii) resides with a parent who is more than 65 years of age.”;

(5) in paragraph (8), as so redesignated—

(A) in subparagraph (A), by striking “or” at the end;

(B) in subparagraph (B)—

(i) by inserting “the child (if the spouse of such provider is engaged in an eligible activity),” after “decree,”; and

(ii) by striking the period at the end and inserting “; or”; and

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

2 “(C) notwithstanding section 645(a)(1)(B)
3 of the Head Start Act (42 U.S.C.
4 9840(a)(1)(B)), a Head Start agency.”;

5 (6) by striking paragraph (9), as so redesign-
6 nated, and inserting the following:

7 “(9) FAMILY CHILD CARE PROVIDER.—The
8 term ‘family child care provider’ means an individual
9 who provides child care services in a private resi-
10 dence—

11 “(A) for fewer than 24 hours per day per
12 child; or

13 “(B) for 24 hours per day per child due to
14 the nature of the work of the parent involved.

15 “(10) HOMELESS CHILD.—The term ‘homeless
16 child’ means an individual described in section
17 725(2) of the McKinney-Vento Homeless Assistance
18 Act (42 U.S.C. 11434a(2)).”;

19 (7) in paragraph (11), as so redesignated, by
20 striking “(11)” and all that follows through “mean-
21 ing” and inserting the following:

22 “(11) INDIAN TRIBE; INDIAN TRIBE.—The term
23 ‘Indian Tribe’ or ‘Indian tribe’ has the meaning”;

24 (8) by inserting after paragraph (12), as so re-
25 designated, the following:

1 “(13) MIXED DELIVERY SYSTEM.—The term
2 ‘mixed delivery system’ means a system of child care
3 services that—

4 “(A) promotes parental choice to empower
5 working parents to make their own decisions re-
6 garding the child care services that best suit
7 their family’s needs;

8 “(B) delivers services through a combina-
9 tion of programs offered by eligible child care
10 providers (including faith-based and commu-
11 nity-based child care providers) in a variety of
12 settings (including family child care homes,
13 child care centers, Head Start centers, and pub-
14 lic and private schools); and

15 “(C) is supported with a combination of
16 public and private funds.”;

17 (9) in paragraph (16), as so redesignated, by
18 striking “unless the context specifies otherwise” and
19 inserting “except as otherwise specified”; and

20 (10) in paragraph (19), as so redesignated, by
21 striking “(19)” and all that follows through “has the
22 meaning” and inserting the following:

23 “(19) TRIBAL ORGANIZATION; TRIBAL ORGANI-
24 ZATION.—

1 “(A) IN GENERAL.—The term ‘Tribal or-
 2 ganization’ or ‘tribal organization’ has the
 3 meaning”.

4 (b) REDESIGNATION.—The Child Care and Develop-
 5 ment Block Grant Act of 1990 (42 U.S.C. 9857 et seq.)
 6 is amended—

7 (1) by redesignating section 658P as section
 8 658A; and

9 (2) by moving section 658A, as so redesignated,
 10 to follow section 658, as redesignated by section 2.

11 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

12 (a) PART.—The Child Care and Development Block
 13 Grant Act of 1990 is amended by inserting before section
 14 658B the following:

15 **“PART I—CHILD CARE SERVICES”.**

16 (b) IN GENERAL.—Section 658B of the Child Care
 17 and Development Block Grant Act of 1990 (42 U.S.C.
 18 9858) is amended to read as follows:

19 **“SEC. 658B. AUTHORIZATION OF APPROPRIATIONS.**

20 “‘There is authorized to be appropriated to carry out
 21 this subchapter (other than section 658T) \$6,165,330,000
 22 for fiscal year 2022, and such sums as may be necessary
 23 for each of fiscal years 2023 through 2026.”.

1 **SEC. 5. 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) DEVELOPMENT OF PLAN.—The lead agen-
6 cy shall develop the State plan described in para-
7 graph (1)(B) in meaningful consultation with—

8 “(A) parents of children eligible for serv-
9 ices under this subchapter, which shall include
10 parents of children in a priority population de-
11 scribed in section 658E(c)(2)(M);

12 “(B) eligible child care providers that rep-
13 resent the various geographic areas and types
14 of providers in the State;

15 “(C) employers of various sizes and with
16 various hours and days of operations whose em-
17 ployees rely on reliable and accessible child care
18 to work; and

19 “(D) appropriate representatives of units
20 of general purpose local government and, as ap-
21 propriate, of Indian Tribes and Tribal organiza-
22 tions.”.

23 **SEC. 6. APPLICATION AND PLAN.**

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

1 (1) in subsection (b), by striking “3-year” and
 2 inserting “5-year”; and

3 (2) in subsection (c)—

4 (A) in paragraph (2)—

5 (i) in subparagraph (A)(i)—

6 (I) in subclause (I), by striking
 7 “a child” and inserting “an eligible
 8 child”; and

9 (II) in subclause (II), by striking
 10 “section 658P(2)” and inserting “sec-
 11 tion 658A(3)”;

12 (ii) in subparagraph (D), by striking
 13 “, not later” and all that follows through
 14 “subparagraph (K)(i),”;

15 (iii) in subparagraph (E)(i)—

16 (I) in the matter preceding sub-
 17 clause (I), by inserting “, offered
 18 through a mixed delivery system,”
 19 after “full diversity of child care serv-
 20 ices”;

21 (II) in subclause (I), by inserting
 22 “(including information on the hours
 23 and days of operation and ages
 24 served)” after “of child care services”;

- 1 (III) in subclause (II), by insert-
- 2 ing before the semicolon the following:
- 3 “or a national accrediting body with
- 4 demonstrated, valid, and reliable pro-
- 5 gram standards for high quality”; and
- 6 (IV) in subclause (IV)—
- 7 (aa) by striking “and” be-
- 8 fore “the Medicaid”; and
- 9 (bb) by inserting before the
- 10 semicolon the following: “, and
- 11 the Maternal, Infant, and Early
- 12 Childhood Home Visiting Pro-
- 13 grams under section 511 of the
- 14 Social Security Act (42 U.S.C.
- 15 711)”;
- 16 (iv) in subparagraph (G)—
- 17 (I) in the subparagraph heading,
- 18 by striking “TRAINING AND PROFES-
- 19 SIONAL” and inserting “PROFES-
- 20 SIONAL”;
- 21 (II) in clause (i) and clause (ii)
- 22 (in the matter preceding subclause
- 23 (I)), by striking “training and” before
- 24 “professional development”;

1 (III) in clause (ii)(II), by striking
 2 “, and may engage” and all that fol-
 3 lows through “training framework”;
 4 and

5 (IV) in clause (iii), by striking
 6 “training” and inserting “professional
 7 development”;

8 (v) in subparagraph (I)(i)—

9 (I) in subclause (VII)—

10 (aa) by striking “for emer-
 11 gencies” and inserting the fol-
 12 lowing: “for—

13 “(aa) emergencies”;

14 (bb) by striking the semi-
 15 colon at the end and inserting “;
 16 and”; and

17 (cc) by adding at the end
 18 the following:

19 “(bb) a public health emer-
 20 gency declared by the Secretary
 21 pursuant to section 319 of the
 22 Public Health Service Act (42
 23 U.S.C. 247d);”; and

24 (II) in subclause (IX), by strik-
 25 ing “if applicable,”;

1 (vi) in subparagraph (J)—

2 (I) by striking “that procedures”
 3 and inserting the following: “that—
 4 “(i) procedures”;

5 (II) by striking the period at the
 6 end and inserting “; and”; and

7 (III) by adding at the end the
 8 following:

9 “(ii) the State will undertake a review
 10 of State and local health and safety re-
 11 quirements (including requirements for in-
 12 spections under this subchapter and the
 13 child and adult care food program estab-
 14 lished under section 17 of the Richard B.
 15 Russell National School Lunch Act (42
 16 U.S.C. 1766)) to determine redundancies
 17 and oversights that may exist, to ensure—

18 “(I) children receive child care
 19 services in healthy and safe environ-
 20 ments; and

21 “(II) child care providers can
 22 easily identify, understand, and com-
 23 ply with applicable health and safety
 24 requirements.”;

25 (vii) in subparagraph (K)(i)—

1 (I) in the matter preceding sub-
 2 clause (I), by striking “, not later”
 3 and all that follows through “2014,”;
 4 and

5 (II) in subclause (IV), by striking
 6 “section 658P(6)(B)” and inserting
 7 “section 658A(8)(B)”;
 8 (viii) in subparagraph (M)—

9 (I) by redesignating clauses (ii)
 10 through (iv) as clauses (iii) through
 11 (v), respectively;

12 (II) by striking clause (i) and in-
 13 serting the following:

14 “(i) children in underserved areas, in-
 15 cluding areas that have significant con-
 16 centrations of poverty and unemployment
 17 and that do not have a supply of eligible
 18 child care providers;

19 “(ii) children in rural areas;”; and

20 (III) in clause (iv), as so redesign-
 21 ated, by striking “, as defined by the
 22 State”;

23 (ix) in subparagraph (N)—

1 (I) in clauses (i)(I) and (iv), by
 2 striking “85 percent” and inserting
 3 “150 percent”; and

4 (II) in clause (iii), by striking
 5 “At the option of the State, the” and
 6 inserting “The”;

7 (x) in subparagraph (O)(i), by strik-
 8 ing “full-day services” and inserting “full
 9 workday and full work year services”;

10 (xi) in subparagraph (S)(ii), by strik-
 11 ing “, to the extent” and all that follows
 12 through “fixed costs” and inserting “im-
 13 plement enrollment and eligibility policies
 14 that support the fixed and operational
 15 costs”;

16 (xii) in subparagraph (T)(i), by strik-
 17 ing “or implement” and all that follows
 18 through “of 2014)” and inserting “and im-
 19 plement early learning and developmental
 20 guidelines”;

21 (xiii) in subparagraph (U)—

22 (I) in clause (i)—

23 (aa) by striking “Governor
 24 or” and inserting “Governor,”;
 25 and

1 (bb) by inserting before the
2 period the following: “, or a pub-
3 lic health emergency declared by
4 the Secretary pursuant to section
5 319 of the Public Health Service
6 Act (42 U.S.C. 247d)”;

7 (II) in clause (ii), by inserting
8 “State and local health agencies,”
9 after “licensing of child care pro-
10 viders,”; and

11 (III) in clause (iii)(II), by strik-
12 ing “following the emergency or dis-
13 aster, which may include” and insert-
14 ing “during and following the emer-
15 gency or disaster, which shall include
16 guidelines for the”; and

17 (xiv) in subparagraph (V), by striking
18 “develop” and all that follows through
19 “services.” and inserting “support child
20 care business technical assistance including
21 supporting—

22 “(I) provision of strategies to
23 support management coaching and
24 the use of core best business prac-
25 tices;

1 “(II) development and use of
 2 shared services initiatives including
 3 initiatives involving provider networks
 4 such as child care center alliances and
 5 family child care provider networks;
 6 and

7 “(III) coordination of activities
 8 with programs of the Small Business
 9 Administration, programs of the De-
 10 partment of Agriculture, and other
 11 Federal, State, and local programs
 12 supporting child care businesses.”;

13 (B) in paragraph (3)—

14 (i) in subparagraph (B)(ii), by strik-
 15 ing “Not later” and all that follows
 16 through “shall prepare” and inserting
 17 “Not later than September 30 of each fis-
 18 cal year, the Secretary shall prepare”; and

19 (ii) in subparagraph (D)—

20 (I) by striking “with respect to”
 21 and all that follows through “2020”
 22 and inserting “with respect to each
 23 fiscal year”); and

24 (II) by striking “described in
 25 clause (i), (ii), (iii), or (iv) of” and in-

1 serting “in priority populations de-
2 scribed in”;

3 (C) in paragraph (4)—

4 (i) by striking subparagraphs (A) and
5 (B) and inserting the following:

6 “(A) IN GENERAL.—The State plan shall
7 certify, not later than October 1, 2024, that
8 payment rates, for the provision of child care
9 services for which assistance is provided in ac-
10 cordance with this subchapter, are sufficient to
11 meet the cost of providing the child care serv-
12 ices, including the fixed and operational costs of
13 providing the child care services, and are set
14 and paid in accordance with a cost estimation
15 model described in subparagraph (B).

16 “(B) COST ESTIMATION MODEL.—The
17 State plan shall—

18 “(i) demonstrate that the State, after
19 consulting with eligible child care pro-
20 viders, the State Advisory Council on Early
21 Childhood Education and Care designated
22 or established in section 642B(b)(1)(A)(i)
23 of the Head Start Act (42 U.S.C.
24 9837b(b)(1)(A)(i)), local child care pro-
25 gram administrators, local child care re-

1 source and referral agencies, and other ap-
2 propriate entities, has developed and uses
3 a statistically valid and reliable cost esti-
4 mation model for the payment rates for
5 providers of child care services in the
6 State, that—

7 “(I) reflects the costs of service
8 delivery, including fixed costs, oper-
9 ating expenses, and staff salaries and
10 benefits necessary to recruit, train,
11 and retain qualified staff;

12 “(II) reflects variations in the
13 costs of service delivery by submarket,
14 type of provider, and children served,
15 including by—

16 “(aa) geographic area (such
17 as location in an urban or rural
18 area);

19 “(bb) ages of children;

20 “(cc) whether the children
21 have particular needs (such as
22 needs of children with disabilities
23 and children served by child pro-
24 tective services);

1 “(dd) whether the providers
2 provide services during weekend
3 and other nontraditional hours;
4 and

5 “(ee) quality of child care
6 provider as determined by the
7 State; and

8 “(III) is reviewed not less often
9 than once every 2 years and adjusted
10 as may be necessary to—

11 “(aa) ensure payment rates
12 remain sufficient to meet the re-
13 quirements of this subchapter;
14 and

15 “(bb) provide a cost of living
16 increase to maintain the level of
17 services provided during the year
18 prior to the review; and

19 “(ii) describe how the State will pro-
20 vide for timely payments, set in accordance
21 with the model described in clause (i), for
22 child care services provided under this sub-
23 chapter.”;

24 (ii) in subparagraph (C)—

25 (I) by striking clause (ii); and

1 (II) by striking “(C)” and all
 2 that follows through “Nothing” and
 3 inserting the following:

4 “(C) CONSTRUCTION.—Nothing”; and

5 (iii) by adding at the end the fol-
 6 lowing:

7 “(D) NO FEDERAL CONTROL.—The Sec-
 8 retary may offer guidance to States on cost es-
 9 timation models described in subparagraph (B),
 10 but shall not require a State to adopt a par-
 11 ticular cost estimation model or element of a
 12 particular cost estimation model.”; and

13 (D) by striking paragraph (5) and insert-
 14 ing the following:

15 “(5) SLIDING FEE SCALE.—

16 “(A) IN GENERAL.—The State plan shall
 17 provide that the State will establish and peri-
 18 odically revise a sliding fee scale to determine
 19 a full copayment for a family receiving assist-
 20 ance under this subchapter (or, for a family re-
 21 ceiving part-time care, a reduced copayment
 22 that is the proportionate amount of the full co-
 23 payment) that shall be set in accordance with
 24 subparagraph (B) and that is not a barrier to

1 families receiving assistance under this sub-
2 chapter.

3 “(B) COPAYMENT.—

4 “(i) FULL COPAYMENT.—The State
5 shall ensure that the sliding fee scale re-
6 sults in a full copayment, toward the cost
7 of the child care involved for all eligible
8 children in the family for a family receiv-
9 ing assistance under the subchapter, that
10 shall be set, for a family with a family in-
11 come—

12 “(I) of not more than 75 percent
13 of the State median income for a fam-
14 ily of the same size, to be 0 percent
15 of that family income;

16 “(II) of more than 75 percent
17 but not more than 100 percent of the
18 State median income for a family of
19 the same size, to be more than 0 but
20 not more than 2 percent of that fam-
21 ily income;

22 “(III) of more than 100 percent
23 but not more than 125 percent of the
24 State median income for a family of
25 the same size, to be more than 2 but

1 not more than 4 percent of that fam-
 2 ily income; and

3 “(IV) of more than 125 percent
 4 but not more than 150 percent of the
 5 State median income for a family of
 6 the same size, to be more than 4 but
 7 not more than 7 percent of that fam-
 8 ily income.

9 “(ii) REDUCED COPAYMENT.—The
 10 State shall ensure that the sliding fee scale
 11 results in a reduced copayment toward the
 12 cost specified in clause (i), for a family re-
 13 ceiving part-time care, that shall be the
 14 proportionate amount of the full copay-
 15 ment under clause (i).”.

16 **SEC. 7. ACTIVITIES TO IMPROVE THE QUALITY OF CHILD**
 17 **CARE.**

18 Section 658G of the Child Care and Development
 19 Block Grant Act of 1990 (42 U.S.C. 9858e) is amended—

20 (1) in subsection (a)(2)—

21 (A) by striking subparagraph (A) and in-
 22 serting the following:

23 “(A) to carry out the activities described in
 24 paragraph (1), not less than 9 percent of the

1 funds described in paragraph (1) for each fiscal
 2 year; and”; and

3 (B) in subparagraph (B)—

4 (i) by striking “received not later”
 5 and all that follows through “succeeding
 6 full fiscal year” and inserting “received for
 7 each fiscal year”; and

8 (ii) by striking “and subsection
 9 (b)(4)”;

10 (2) in subsection (b)—

11 (A) in the matter preceding paragraph (1),
 12 by inserting “(which shall include activities se-
 13 lected by the State to carry out paragraph (1))”
 14 after “following activities”;

15 (B) by striking paragraphs (1) and (2) and
 16 inserting the following:

17 “(1) Supporting the education and professional
 18 development of child care staff and supporting child
 19 care providers in the recruitment of, professional de-
 20 velopment for, and retention of a qualified child care
 21 workforce, through activities selected by the State
 22 such as—

23 “(A) the development and expansion of ini-
 24 tiatives to assist child care staff in the attain-
 25 ment of postsecondary credentials and degrees;

1 “(B) the provision of financial assistance
2 (including through bonuses, retention grants,
3 and wage supplements)—

4 “(i) for child care staff to pursue a
5 postsecondary credential or degree; and

6 “(ii) for child care providers to re-
7 cruit, provide professional development for,
8 and retain child care staff who have at-
9 tained such credentials or degrees;

10 “(C) the development and implementation
11 of apprenticeship programs that equip appren-
12 tices with specialized knowledge, skills, and
13 competencies required to work in child care,
14 which programs may include activities to—

15 “(i) increase the number of individ-
16 uals (including the number of individuals
17 seeking to work with priority populations
18 of children described in section
19 658E(c)(2)(M)) who complete an appren-
20 ticeship program and obtain a credential or
21 degree;

22 “(ii) promote the recruitment and re-
23 tention of apprentices through strategies
24 for—

1 “(I) supervising and mentoring
2 apprentices; and

3 “(II) providing pathways to ca-
4 reer advancement for apprentices; and

5 “(iii) support partnerships between in-
6 stitutions of higher education, eligible child
7 care providers (or a consortium of eligible
8 child care providers), and other entities
9 participating in an apprenticeship program
10 to provide for—

11 “(I) the award of postsecondary
12 academic credit for related instruction
13 or on-the-job training provided
14 through the apprenticeship; and

15 “(II) the application of such
16 credit toward a credential or degree
17 from an institution in the partnership;
18 or

19 “(D) professional development opportuni-
20 ties for child care providers that relate to—

21 “(i) the use of scientifically based, de-
22 velopmentally appropriate and age-appro-
23 priate strategies to promote the social,
24 emotional, physical, and cognitive develop-
25 ment of children, including specialized pro-

1 professional development for child care pro-
2 viders caring for those priority populations
3 of children described in section
4 658E(c)(2)(M);

5 “(ii) the use of effective behavior
6 management strategies, including positive
7 behavior interventions and support models,
8 that promote positive social and emotional
9 development and reduce challenging behav-
10 iors, including reducing expulsions of pre-
11 school-aged children for such behaviors;

12 “(iii) the nutritional and physical ac-
13 tivity needs of young children to promote
14 healthy development; and

15 “(iv) the use of strategies for engag-
16 ing parents and families in culturally and
17 linguistically appropriate ways to expand
18 their knowledge, skills, and capacity to
19 support their children’s development;”;

20 (C) by redesignating paragraph (3) as
21 paragraph (2);

22 (D) in paragraph (2), as so redesignated—

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

1 “(A) support and assess the quality of
2 child care providers in the State, which may in-
3 clude supporting child care providers in the vol-
4 untary pursuit of accreditation by a national
5 accrediting body with demonstrated, valid, and
6 reliable program standards of high quality;”;
7 and

8 (ii) by striking subparagraph (C) and
9 inserting the following:

10 “(C) be designed to improve the quality of
11 different types of child care providers and serv-
12 ices, including child care centers and family
13 child care providers, and which shall be appro-
14 priate for providers serving different age groups
15 of children and for providers serving children
16 during nontraditional hours of operation;”;

17 (E) by inserting after paragraph (2), as so
18 redesignated, the following:

19 “(3) Establishing or expanding a statewide sys-
20 tem of child care resource and referral services to
21 help parents make informed choices about child care
22 services through transparent and easy-to-understand
23 consumer information about high-quality care and
24 education.”;

1 (F) by striking paragraphs (4) through
 2 (6);
 3 (G) by redesignating paragraph (7) as
 4 paragraph (4);
 5 (H) by striking paragraphs (8) and (9);
 6 and
 7 (I) by redesignating paragraph (10) as
 8 paragraph (5); and
 9 (3) in subsection (c), by striking “Beginning
 10 with fiscal year 2016, at” and inserting “At”.

11 **SEC. 8. REPORTS AND AUDITS.**

12 Section 685K(a)(2) of the Child Care and Develop-
 13 ment Block Grant Act of 1990 (42 U.S.C. 9858i(a)(2))
 14 is amended—

15 (1) in the matter preceding subparagraph (A)—
 16 (A) by striking “Not later than” and all
 17 that follows through “a State” and inserting “A
 18 State”; and
 19 (B) by inserting “annually” before “pre-
 20 pare”;
 21 (2) in subparagraph (A), by striking “section
 22 658P(6)” and inserting “section 658A(8)”; and
 23 (3) in subparagraph (F), by striking “section
 24 658P(6)(B)” and inserting “section 658A(8)(B)”.

1 **SEC. 9. REPORTS, HOTLINE, AND WEBSITE.**

2 Section 658L of the Child Care and Development
3 Block Grant Act of 1990 (42 U.S.C. 9858j) is amended—

4 (1) in subsection (a), by striking “Not later”
5 and all that follows through “the Secretary shall”
6 and inserting “The Secretary shall biennially”; and

7 (2) in subsection (b)(2)(B)(ii), by inserting “,
8 or a national accrediting body with demonstrated,
9 valid, and reliable program standards for high qual-
10 ity,” after “System”.

11 **SEC. 10. TECHNICAL AMENDMENTS.**

12 Section 658O(a) of the Child Care and Development
13 Block Grant Act of 1990 (42 U.S.C. 9858m(a)) is amend-
14 ed—

15 (1) in paragraphs (1), (3), and (4) by striking
16 “this subchapter” and inserting “section 658B”;
17 and

18 (2) in paragraph (5) by striking “this sub-
19 chapter” the first place it appears and inserting
20 “section 658B”.

21 **SEC. 11. CHILD CARE SUPPLY AND FACILITIES GRANTS.**

22 The Child Care and Development Block Grant Act
23 of 1990 (42 U.S.C. 9857 et seq.) is amended by adding
24 at the end the following:

1 **“PART II—CHILD CARE SUPPLY AND FACILITIES**

2 **“SEC. 658T. CHILD CARE SUPPLY AND FACILITIES GRANTS.**

3 “(a) PURPOSES.—The purposes of this section are to
 4 provide grants to States, territories described in section
 5 658O(a)(1) (referred to individually in this part as a ‘ter-
 6 ritory’), Indian Tribes, and Tribal organizations to—

7 “(1) expand the supply and capacity of child
 8 care providers so that working parents have multiple
 9 high-quality child care options to choose from in
 10 making their own decisions regarding the child care
 11 and early education services that best suit their fam-
 12 ily’s needs; and

13 “(2) ensure child care facilities are designed
 14 and equipped to keep children healthy and safe and
 15 to enhance children’s physical, cognitive, and behav-
 16 ioral development.

17 “(b) QUALIFIED CHILD CARE PROVIDER.—In this
 18 section, the term ‘qualified child care provider’ means—

19 “(1) an eligible child care provider as defined in
 20 section 658A(8)(A) that is providing, or seeking to
 21 provide, child care services to children eligible for
 22 services under this subchapter; or

23 “(2) a child care provider that has applied
 24 under this subchapter to become an eligible child
 25 care provider as defined in section 658A(8)(A) and

1 that commits to provide child care services to chil-
2 dren eligible for services under this subchapter.

3 “(c) AUTHORIZATION OF APPROPRIATIONS.—There
4 is authorized to be appropriated to carry out this section
5 such sums as may be necessary for each of fiscal years
6 2023 through 2025.

7 “(d) GRANTS AUTHORIZED; ALLOTMENTS.—

8 “(1) IN GENERAL.—From funds made available
9 under subsection (c), the Secretary shall make
10 grants to States, territories, Indian Tribes, and
11 Tribal organizations to carry out the activities de-
12 scribed in subsection (f).

13 “(2) RESERVATION.—The Secretary shall re-
14 serve not more than 1 percent of the amount appro-
15 priated under subsection (c) for a fiscal year to
16 carry out this section to pay for the costs of the
17 Federal administration of this section.

18 “(3) ALLOTMENTS.—From the amount appro-
19 priated to carry out this section for a fiscal year
20 that remains after the Secretary makes the reserva-
21 tion under paragraph (2), the Secretary shall award
22 to each lead agency with an approved plan under
23 subsection (e), a child care supply and facilities
24 grant in accordance with paragraphs (1) and (2) of
25 subsection (a), and subsection (b), of section 6580,

1 for the grants authorized under paragraph (1). A
2 grant made under this paragraph in accordance with
3 paragraph (1) or (2) of that subsection shall be for
4 the purpose of carrying out the program described
5 in this section, consistent, to the extent practicable
6 as determined by the Secretary, with the require-
7 ments applicable to States.

8 “(e) STATE PLAN.—

9 “(1) IN GENERAL.—In order to receive a grant
10 under this section, a State shall submit a plan to the
11 Secretary, at such time and in such manner as the
12 Secretary may reasonably require.

13 “(2) CONTENTS.—Each plan submitted by a
14 State under this section shall include each of the fol-
15 lowing:

16 “(A) A description of how the State will
17 use funds received under this section for State-
18 level activities under subsection (f)(1).

19 “(B) A description of how the State will
20 ensure that qualified child care providers in
21 urban, suburban, and rural areas can readily
22 apply for and access funding under this section,
23 which shall include providing technical assist-
24 ance either directly or through a third party
25 which may include a resource and referral agen-

1 cy or a staffed family child care provider net-
2 work.

3 “(C) A description of how the State will
4 determine the prioritization of subgrants to
5 qualified child care providers in accordance with
6 subsection (f)(5).

7 “(D) An assurance that the State will
8 make available to the public, which shall in-
9 clude, at a minimum, posting to an internet
10 website of the lead agency—

11 “(i) a notice of funding availability
12 through subgrants for qualified child care
13 providers under this section; and

14 “(ii) the criteria for awarding sub-
15 grants for qualified child care providers,
16 including the methodology the lead agency
17 will use to determine the amounts of such
18 subgrants for qualified child care pro-
19 viders.

20 “(f) STATE USE OF FUNDS.—

21 “(1) RESERVATION.—A lead agency that re-
22 ceives a grant under subsection (d) shall reserve not
23 more than 10 percent of the grant funds for State-
24 level activities, consisting of administering subgrants

1 and providing technical assistance and support, for
 2 activities supported under this section.

3 “(2) SUBGRANTS.—The lead agency shall use
 4 the remainder of the grant funds awarded pursuant
 5 to subsection (d) to make subgrants as described in
 6 paragraphs (3) and (4).

7 “(3) STARTUP AND SUPPLY EXPANSION SUB-
 8 GRANTS.—

9 “(A) IN GENERAL.—The lead agency shall
 10 make startup and supply expansion subgrants
 11 to qualified child care providers that are pro-
 12 viding, or seeking to provide, child care services
 13 under this subchapter to eligible children, to—

14 “(i) support the providers in paying
 15 for startup and expansion costs;

16 “(ii) assist such providers in meet-
 17 ing—

18 “(I) the health and safety re-
 19 quirements (including the require-
 20 ments referred to in section
 21 658E(c)(2)(I)) of the State, territory,
 22 Indian Tribe, or local government in-
 23 volved, as the case may be;

24 “(II) licensing and other regu-
 25 latory standards of the State, terri-

1 tory, Indian Tribe, or local govern-
 2 ment involved, as the case may be, for
 3 child care providers; and

4 “(III) as applicable, the require-
 5 ments of a State’s tiered quality rat-
 6 ing system for child care providers;
 7 and

8 “(iii) establishing or expanding the
 9 operation of community- or neighborhood-
 10 based family child care networks.

11 “(B) REQUIREMENT.—As a condition of
 12 receiving a startup or supply expansion
 13 subgrant under this paragraph, a qualified child
 14 care provider shall commit to meeting the re-
 15 quirements for an eligible child care provider
 16 under this subchapter and to providing child
 17 care services under this subchapter to eligible
 18 children, on an ongoing basis.

19 “(4) FACILITIES SUBGRANTS.—

20 “(A) IN GENERAL.—The lead agency shall
 21 make facilities subgrants to qualified child care
 22 providers that are providing, or seeking to pro-
 23 vide, child care services under this subchapter
 24 to eligible children, for, notwithstanding section
 25 658F(b)—

1 “(i) remodeling, renovation, or repair
2 of a building or facility used for providing
3 direct child care services; and

4 “(ii) construction, permanent improve-
5 ment, or major renovation of a building or
6 facility used for providing direct child care
7 services.

8 “(B) REQUIREMENT.—As a condition of
9 receiving a facilities subgrant under this para-
10 graph, a child care provider shall commit to
11 meeting the requirements for an eligible child
12 care provider under this subchapter and to pro-
13 viding child care services under this subchapter
14 to eligible children on an ongoing basis.

15 “(C) FEDERAL INTEREST.—

16 “(i) FAMILY CHILD CARE HOMES.—
17 Federal law regarding a Federal interest in
18 real property shall not apply to the renova-
19 tion, remodeling, repair, or permanent im-
20 provement of privately owned family child
21 care homes with funds provided under this
22 paragraph, and the Secretary shall develop
23 parameters for the use of such funds for
24 family child care homes.

1 “(ii) RETENTION.—If the Secretary
2 retains a Federal interest in any facility
3 constructed, renovated, remodeled, re-
4 paired, or permanently improved with
5 funds provided under this paragraph, the
6 Secretary shall not retain the Federal in-
7 terest for more than 10 years.

8 “(5) PRIORITY.—In awarding subgrants under
9 paragraphs (3) and (4), the lead agency shall give
10 priority to qualified child care providers providing or
11 seeking to provide child care services to priority pop-
12 ulations of children described in section
13 658E(c)(2)(M).

14 “(g) SUPPLEMENT NOT SUPPLANT.—Amounts made
15 available to carry out this section shall be used to supple-
16 ment and not supplant other Federal, State, and local
17 public funds expended to increase the supply of child care
18 and to improve child care facilities.

19 “(h) DOCUMENTATION AND REPORTING REQUIRE-
20 MENTS.—

21 “(1) DOCUMENTATION.—A State receiving a
22 grant under subsection (d) shall provide documenta-
23 tion of any State expenditures from grant funds re-
24 ceived under subsection (d) in accordance with sec-

tion 658K(b), to the independent entity described in that section.

“(2) REPORTS.—

“(A) LEAD AGENCY REPORT.—A lead agency receiving a grant under subsection (d) shall, not later than 12 months after receiving such grant, submit a report to the Secretary that includes, for the State involved, a description of each lead agency program of subgrants carried out to meet the objectives of this section, including—

“(i) the number of eligible child care providers in operation at the start of the grant period, and the number of such providers 11 months later, disaggregated by age of children served, geographic region, and child care setting (including whether the provider was in a center-based or family child care setting);

“(ii) the number of child care slots, in the capacity of eligible child care providers given applicable group size limits and staff-to-child ratios, that were open for attendance of children at the start of the grant period and the number of such slots

1 11 months later, disaggregated by age of
2 children served, geographic region, and
3 child care setting (including whether the
4 slot was in a center-based or family child
5 care setting), and each priority population
6 of children described in section
7 658E(c)(2)(M);

8 “(iii)(I) the number and percentage of
9 qualified child care providers that received
10 a subgrant under subsection (f)(3),
11 disaggregated by age of children served,
12 geographic region, and child care setting
13 (including whether the provider was in a
14 center-based or family child care setting),
15 and the average and range of the amounts
16 of the subgrants awarded; and

17 “(II) the number and percentage of
18 qualified child care providers that received
19 a subgrant under subsection (f)(4),
20 disaggregated by age of children served,
21 geographic region, and child care setting
22 (including whether the provider was in a
23 center-based or family child care setting),
24 and the average and range of the amounts
25 of the subgrants awarded; and

1 “(iv) information concerning how
 2 qualified child care providers receiving sub-
 3 grants under subsection (f)(3) or (f)(4)
 4 used the subgrant funding received.

5 “(B) REPORT TO CONGRESS.—The Sec-
 6 retary shall transmit annually to the Committee
 7 on Education and Labor of the House of Rep-
 8 resentatives and the Committee on Health,
 9 Education, Labor, and Pensions of the Senate
 10 a report that provides national and State-level
 11 data for the information collected under sub-
 12 paragraph (A).

13 “(i) CONSTRUCTION.—No reference in part 1 to ‘this
 14 subchapter’ shall be considered to refer to a provision of
 15 this part.’’.

16 **SEC. 12. DEPARTMENT OF AGRICULTURE LOAN RESTRIC-**
 17 **TIONS.**

18 The Secretary of Agriculture shall revise section
 19 3555.102(c) of title 7, Code of Federal Regulations, to ex-
 20 clude a business that is licensed, regulated, or registered
 21 as a child care provider under State law.

