

118TH CONGRESS  
1ST SESSION

# H. R. 5876

To amend part A of title IV of the Social Security Act to provide funding to sustain and increase the supply and quality of child care, access to child care, and the child care workforce, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 3, 2023

Mr. DAVIS of Illinois (for himself, Ms. BONAMICI, Ms. MOORE of Wisconsin, Ms. PLASKETT, and Mr. HORSFORD) introduced the following bill; which was referred to the Committee on Ways and Means

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## A BILL

To amend part A of title IV of the Social Security Act to provide funding to sustain and increase the supply and quality of child care, access to child care, and the child care workforce, 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 “Building Child Care  
5 for a Better Future Act”.

1 **SEC. 2. INCREASED FUNDING FOR THE CHILD CARE ENTI-**  
2 **TLEMENT TO STATES.**

3 (a) IN GENERAL.—Section 418(a)(3) of the Social  
4 Security Act (42 U.S.C. 618(a)(3)) is amended to read  
5 as follows:

6 “(3) APPROPRIATION.—

7 “(A) IN GENERAL.—For grants under this  
8 section, there are appropriated—

9 “(i) for fiscal year 2024,  
10 \$10,000,000,000; and

11 “(ii) for each fiscal year after fiscal  
12 year 2024, the greater of—

13 “(I) the amount appropriated  
14 under this subparagraph for the pre-  
15 vious fiscal year, increased by the per-  
16 centage increase (if any) in the con-  
17 sumer price index for all urban con-  
18 sumers (all items; United States city  
19 average) for the most recent 12-  
20 month period for which data is avail-  
21 able; and

22 “(II) the amount appropriated  
23 under this subparagraph for the pre-  
24 vious fiscal year.

1           “(B) AMOUNTS RESERVED.—Of the  
2 amount appropriated under subparagraph (A)  
3 for a fiscal year—

4           “(i) an amount equal to 5 percent of  
5 such amount shall be available for grants  
6 to Indian Tribes and Tribal organizations;

7           “(ii) an amount equal to 4 percent of  
8 such amount shall be available for grants  
9 to territories;

10          “(iii) an amount, not to exceed  $\frac{1}{2}$  of  
11 1 percent of such amount, shall be re-  
12 served by the Secretary to support tech-  
13 nical assistance and dissemination activi-  
14 ties under paragraphs (3) and (4) of sec-  
15 tion 658I(a) of the Child Care and Devel-  
16 opment Block Grant Act of 1990; and

17          “(iv) an amount equal to  $\frac{1}{2}$  of 1 per-  
18 cent of such amount appropriated may be  
19 reserved by the Secretary to conduct re-  
20 search and demonstration activities, as well  
21 as periodic external, independent evalua-  
22 tions of the impact of the Child Care and  
23 Development Block Grant program estab-  
24 lished under subchapter C of chapter 8 of  
25 title VI of the Omnibus Budget Reconcili-

1           ation Act of 1981 (Public Law 97–35), as  
2           carried out under this subsection and  
3           under such subchapter, on increasing ac-  
4           cess to child care services and improving  
5           the safety and quality of child care serv-  
6           ices, using scientifically valid research  
7           methodologies, and to disseminate the key  
8           findings of those evaluations widely and on  
9           a timely basis.”.

10       (b) REDISTRIBUTION OF FUNDS RESERVED FOR  
11 TRIBAL GRANTS.—Section 418(a) of such Act (42 U.S.C.  
12 618(a)) is amended—

13           (1) by redesignating paragraph (5) as para-  
14           graph (6); and

15           (2) by inserting after paragraph (4), the fol-  
16           lowing:

17           “(5) REDISTRIBUTION OF UNUSED TRIBAL  
18           GRANTS.—

19           “(A) IN GENERAL.—The Secretary shall  
20           determine an appropriate procedure for redis-  
21           tributing the amounts described in subpara-  
22           graph (B) for each fiscal year to each Indian  
23           Tribe and Tribal organization that applies for  
24           such amounts, to the extent the Secretary de-  
25           termines that the Indian Tribe or Tribal orga-

1 nization will be able to use such additional  
2 amounts to provide child care assistance.

3 “(B) AMOUNTS DESCRIBED.—The  
4 amounts described in this subparagraph are,  
5 with respect to a fiscal year, the unused  
6 amounts of any payment made to an Indian  
7 Tribe or Tribal organization under this sub-  
8 section for the fiscal year which the Secretary  
9 determines will not be used by the Indian Tribe  
10 or Tribal organization during the period in  
11 which such payments are available to be obli-  
12 gated.”.

13 (c) REMOVAL OF RESTRICTION ON APPLICATION OF  
14 UPDATED FMAP.—Section 418(a)(2)(C) of such Act (42  
15 U.S.C. 618(a)(2)(C)) is amended by striking “, as such  
16 section was in effect on September 30, 1995”.

17 (d) TECHNICAL AND CONFORMING AMENDMENTS.—  
18 Section 418 of such Act (42 U.S.C. 618(a)) is amended—

19 (1) in subsection (a)—

20 (A) in paragraph (1), in the matter pre-  
21 ceding subparagraph (A), by striking “para-  
22 graph (3)” and inserting “paragraph (3)(A)  
23 and remaining after the application of para-  
24 graph (3)(B),”;

1 (B) in paragraph (2)(A), by striking  
2 “paragraph (3)(A),” and inserting “paragraph  
3 (3)(A) and remaining after the application of  
4 paragraph (3)(B) and”;

5 (C) in paragraph (4)—

6 (i) in subparagraph (A), by striking  
7 “paragraph (3)(C)” and inserting “para-  
8 graph (3)(B)(ii)”;

9 (ii) by striking subparagraph (E); and

10 (D) in paragraph (6), (as redesignated by  
11 subsection (b)(1)), by inserting “(as in effect on  
12 June 29, 2003)” after “section 403(a)(1)(D)”;

13 (2) in subsection (b)(1), by striking “by a State  
14 under this section” and inserting “by a State, a ter-  
15 ritory, or an Indian Tribe or Tribal organization  
16 under subsection (a)”;

17 (3) by striking subsection (c) and inserting the  
18 following:

19 “(c) APPLICATION OF CHILD CARE AND DEVELOP-  
20 MENT BLOCK GRANT ACT of 1990.—Notwithstanding any  
21 other provision of law, amounts provided to a State, a ter-  
22 ritory, or a Indian Tribe or Tribal organization under sub-  
23 section (a) shall be transferred to the lead agency under  
24 the Child Care and Development Block Grant Act of 1990,  
25 integrated by the State, territory, or Indian Tribe or Trib-

1 al organization into the programs established by the State,  
2 territory, Indian Tribe or Tribal organization under such  
3 Act, and be subject to requirements and limitations of  
4 such Act.”; and

5 (4) by striking subsection (d) and inserting the  
6 following:

7 “(d) DEFINITIONS.—In this section:

8 “(1) INDIAN TRIBE.—The term ‘Indian Tribe’  
9 means entities included on the list published pursu-  
10 ant to section 104(a) of the Federally Recognized  
11 Indian Tribe List Act of 1994 (25 U.S.C. 5131(a)).

12 “(2) STATE.—The term ‘State’ means each of  
13 the 50 States and the District of Columbia.

14 “(3) TERRITORY.—The term ‘territory’ means  
15 the Commonwealth of Puerto Rico, the United  
16 States Virgin Islands, Guam, American Samoa, and  
17 the Commonwealth of the Northern Mariana Is-  
18 lands.

19 “(4) TRIBAL ORGANIZATION.—The term ‘Tribal  
20 organization’ means—

21 “(A) the recognized governing body of any  
22 Indian Tribe, and any legally established orga-  
23 nization of Indians which is controlled, sanc-  
24 tioned, or chartered by such governing body or  
25 which is democratically elected by the adult

1 members of the Indian community to be served  
2 by such organization and which includes the  
3 maximum participation of Indians in all phases  
4 of its activities, except that in any case where  
5 a contract is let or grant made to an organiza-  
6 tion to perform services benefitting more than  
7 one Indian Tribe, the approval of each such In-  
8 dian Tribe shall be a prerequisite to the letting  
9 or making of such contract or grant; and

10 “(B) includes a Native Hawaiian organiza-  
11 tion, as defined in section 6207 of the Elemen-  
12 tary and Secondary Education Act of 1965 (20  
13 U.S.C. 7517) and a private nonprofit organiza-  
14 tion established for the purpose of serving  
15 youth who are Indians or Native Hawaiians.”.

16 (e) EFFECTIVE DATE.—The amendments made by  
17 this section take effect on October 1, 2023.

18 **SEC. 3. GRANTS TO IMPROVE CHILD CARE WORKFORCE,**  
19 **SUPPLY, QUALITY, AND ACCESS IN AREAS OF**  
20 **PARTICULAR NEED.**

21 (a) IN GENERAL.—Section 418 of the Social Security  
22 Act (42 U.S.C. 618), as amended by section 2, is further  
23 amended by adding at the end the following:



1       “(e) GRANTS TO IMPROVE CHILD CARE WORK-  
2 FORCE, SUPPLY, QUALITY, AND ACCESS IN AREAS OF  
3 PARTICULAR NEED.—

4           “(1) IN GENERAL.—Except as otherwise pro-  
5 vided in this subsection, the preceding provisions of  
6 this section shall not apply to this subsection.

7           “(2) APPROPRIATIONS.—

8           “(A) IN GENERAL.—For grants under this  
9 subsection to improve child care workforce, sup-  
10 ply, quality, and access in areas of particular  
11 need, there are appropriated \$5,000,000,000  
12 for each fiscal year.

13           “(B) AMOUNTS RESERVED.—Of the  
14 amount appropriated under subparagraph (A)  
15 for a fiscal year, the Secretary shall reserve—

16           “(i) an amount equal to 5 percent of  
17 such amount for grants to Indian Tribes  
18 and Tribal organizations;

19           “(ii) an amount equal to 4 percent of  
20 such amount for grants to territories;

21           “(iii) an amount, not to exceed  $\frac{1}{2}$  of  
22 1 percent of such amount, to support tech-  
23 nical assistance and dissemination activi-  
24 ties related to improving child care work-  
25 force, supply, quality, and access, including

1 in areas of particular need, under para-  
2 graphs (3) and (4), respectively, of section  
3 658I(a) of the Child Care and Develop-  
4 ment Block Grant Act of 1990;

5 “(iv) an amount equal to  $\frac{1}{2}$  of 1 per-  
6 cent of such amount to carry out the eval-  
7 uation required under paragraph (8); and

8 “(v) an amount, not to exceed 3 per-  
9 cent of such amount, for administrative ex-  
10 penses of the Secretary in administering  
11 this subsection.

12 “(3) GRANTS.—

13 “(A) INDIAN TRIBES AND TRIBAL ORGANI-  
14 ZATIONS.—The Secretary shall use the amount  
15 reserved under paragraph (2)(B)(i) for a fiscal  
16 year to make grants under this subsection for  
17 the fiscal year to Indian Tribes and Tribal or-  
18 ganizations in amounts that shall be allotted  
19 among Indian Tribes and Tribal organizations  
20 in proportion to their respective needs.

21 “(B) TERRITORIES.—The Secretary shall  
22 use the amount reserved under paragraph  
23 (2)(B)(ii) for a fiscal year to make grants  
24 under this subsection for the fiscal year to each  
25 territory in amounts that shall be allotted

1 among the territories in proportion to their re-  
2 spective needs.

3 “(C) STATES.—The Secretary shall use the  
4 amount appropriated under subparagraph (A)  
5 of paragraph (2) for a fiscal year that remains  
6 after the application of subparagraph (B) of  
7 that paragraph, to make grants for the fiscal  
8 year under this subsection to each State in  
9 amounts that bear the same proportion to the  
10 amount so remaining as the sum of the amount  
11 granted under paragraph (1) of subsection (a)  
12 and the amount allotted and paid under para-  
13 graph (2) of subsection (a) to each such State  
14 for the fiscal year (without regard to amounts  
15 redistributed under subparagraph (D) of sub-  
16 section (a)(2) for the fiscal year) bears to the  
17 total amounts granted and allotted to all of the  
18 States under paragraphs (1) and (2) of that  
19 subsection for such fiscal year.

20 “(4) INCORPORATION INTO CCDBG PLAN.—

21 “(A) CONTENTS.—In order to be paid a  
22 grant under this subsection for a fiscal year,  
23 the lead agency of a State, territory, Indian  
24 Tribe, or Tribal organization shall submit to  
25 the Secretary, as part of the initial submission

1 of the Child Care and Development Block  
2 Grant plan for the period that includes such fis-  
3 cal year, or as an amendment to that plan, a  
4 description of the planned use of grant funds  
5 that—

6 “(i) describes the demographic and  
7 economic data and other criteria the lead  
8 agency proposes to use to determine  
9 whether an area is in particular need of  
10 child care;

11 “(ii) describes how community mem-  
12 bers were engaged to identify community-  
13 specific needs such as diverse types of care  
14 delivery, care for infant and toddlers, mul-  
15 tilingual care, and nontraditional oper-  
16 ational hours;

17 “(iii) identifies specific areas deter-  
18 mined to be in particular need of child  
19 care, where such areas are located, the size  
20 and scope of such areas, and the age  
21 groups of children in need of child care in  
22 such areas;

23 “(iv) outlines how the lead agency  
24 proposes to use the grant funds to increase  
25 child care workforce, supply, quality, and

1 access for all families, including families  
2 who are eligible for subsidies under the  
3 Child Care and Development Block Grant  
4 Act of 1990, in the areas determined to be  
5 in particular need of child care through ac-  
6 tivities such as—

7 “(I) contracting and providing  
8 grants to child care providers to pay  
9 for specified numbers of child care  
10 slots (including slots in family child  
11 care homes) and to build supply and  
12 stability by including expectations for  
13 compensation in the contracts and  
14 grants;

15 “(II) establishing or expanding  
16 the operation of community or neigh-  
17 borhood-based family child care net-  
18 works by providing grants and con-  
19 tracts for training and other activities  
20 that increase the supply and quality of  
21 family child care;

22 “(III) furnishing child care pro-  
23 viders with start-up funding, technical  
24 assistance, support for improving  
25 business practices, and support navi-

1           gating real estate financing and devel-  
2           opment processes, including leveraging  
3           additional facilities financing re-  
4           sources;

5           “(IV) providing guidance to child  
6           care providers on negotiating with  
7           landlords or applying for land or  
8           home ownership;

9           “(V) providing technical assist-  
10          ance to child care providers through-  
11          out the child care licensing process;

12          “(VI) recruiting child care pro-  
13          viders and staff;

14          “(VII) supporting the training  
15          and professional development of the  
16          child care workforce including through  
17          apprenticeships, partnerships with  
18          labor unions or labor-management  
19          partnerships, and partnerships with  
20          public and nonprofit institutions of  
21          higher education to provide com-  
22          prehensive scholarships that support  
23          equitable access to, and completion of,  
24          credentials and degrees in early child-  
25          hood education;

1           “(VIII) attracting and maintain-  
2           ing an effective and diverse early care  
3           workforce by increasing total com-  
4           pensation, providing wage supple-  
5           ments or bonuses, or offering wage  
6           and retention rewards and ensuring  
7           adequate wages for staff of child care  
8           providers, including sole proprietors  
9           and independent contractors, that, at  
10          a minimum—

11                   “(aa) provide a living wage  
12                   for all staff of such child care  
13                   providers; and

14                   “(bb) are adjusted on an an-  
15                   nual basis for cost of living in-  
16                   creases to ensure payment rates  
17                   remain sufficient to meet the re-  
18                   quirements of this subsection;

19           “(IX) subject to subparagraph  
20           (C), providing financial support (with-  
21           out regard to limitations on expendi-  
22           tures imposed under section 658F(b)  
23           of the Child Care and Development  
24           Block Grant Act of 1990) for projects  
25           involving the purchase or improve-

1                   ment of land, a major renovation,  
2                   repurposing facilities, the purchase,  
3                   acquisition, construction, or perma-  
4                   nent improvement of any building or  
5                   facility, including major renovation  
6                   and minor remodeling, indoor or out-  
7                   door modifications, including such  
8                   modifications to support accessibility  
9                   for children with disabilities,  
10                  predevelopment or soft costs, and for  
11                  projects to upgrade child care facili-  
12                  ties to assure that providers meet  
13                  State and local child care standards,  
14                  including applicable health, safety,  
15                  and quality requirements; or

16                  “(X) subject to subparagraph  
17                  (C), contracting with an intermediary  
18                  with experience securing private  
19                  sources of capital financing for child  
20                  care facilities or other low-income  
21                  community development projects to  
22                  provide financial or managerial assist-  
23                  ance, technical support through the  
24                  real estate process, including success-  
25                  ful execution of Federal interest docu-



1                   mentation, or furnishing an evaluation  
2                   of sustainability or operational capac-  
3                   ity of providers;

4                   “(v) in the case of a State or terri-  
5                   tory, contains an assurance that the State  
6                   or territory shall collaborate with respect  
7                   to the use of grant funds to improve child  
8                   care workforce, supply, quality, and access  
9                   in areas of particular need identified with-  
10                  in the State or territory with each Indian  
11                  Tribe and Tribal organization in such area;  
12                  and

13                  “(vi) contains such other information  
14                  as the Secretary may require.

15                  “(B) APPROVAL.—The Secretary shall ap-  
16                  prove a planned use of funds submission that  
17                  contains the information required under sub-  
18                  paragraph (A), and, with respect to the pro-  
19                  posed criteria required under subparagraph  
20                  (A)(i), shall accept any reasonable criteria that  
21                  are based on internal analyses by a lead agency  
22                  of a State, territory, Indian Tribe, or Tribal or-  
23                  ganization or analyses by organizations with ex-  
24                  perience in evaluating research on various ap-  
25                  proaches to identifying areas where there is a

1 low supply of child care that is affordable and  
2 that is in particular need of child care.

3 “(C) SPECIAL RULES.—

4 “(i) IN GENERAL.—The Secretary  
5 shall develop parameters on the use of  
6 funds from an allotment paid under this  
7 subsection for projects described in sub-  
8 clause (IX) or (X) of subparagraph  
9 (A)(iv).

10 “(ii) REQUIREMENT.—The param-  
11 eters developed under clause (i) shall pro-  
12 vide that, in the case of funds from an al-  
13 lotment paid under this subsection that are  
14 used for projects described in subclause  
15 (IX) or (X) of subparagraph (A)(iv)—

16 “(I) for such projects involving a  
17 privately owned family child care  
18 home, the Secretary shall not retain  
19 any Federal interest; and

20 “(II) for all other such projects,  
21 the Secretary shall not retain a Fed-  
22 eral interest after a period of 10  
23 years.

24 “(5) OTHER FUNDING AND PAYMENT RULES.—

1           “(A) APPROVAL AND PAYMENT DEAD-  
2           LINE.—The Secretary shall make quarterly pay-  
3           ments to the lead agency of each State, terri-  
4           tory, Indian Tribe, and Tribal organization with  
5           a planned use of funds submission approved  
6           under paragraph (4) from the grant determined  
7           for the State, territory, Indian Tribe, or Tribal  
8           organization under paragraph (3) for a fiscal  
9           year.

10           “(B) NO MATCHING REQUIREMENT.—Nei-  
11           ther subparagraph (C) of subsection (a)(2) nor  
12           any other cash or in-kind matching requirement  
13           shall apply to the grants paid under this sub-  
14           section.

15           “(C) MAINTENANCE OF EFFORT.—

16           “(i) CERTIFICATION FUNDS WILL  
17           SUPPLEMENT, NOT SUPPLANT, GENERAL  
18           REVENUE EXPENDITURES.—Each State  
19           paid a grant under this subsection for a  
20           fiscal year shall certify that the grant  
21           funds will be used to supplement and not  
22           supplant the level of general revenue ex-  
23           penditures from State, local, and other  
24           non-Federal sources that are used to pro-

1           vide child care assistance for low-income  
2           families.

3           “(ii) STATE MINIMUM EXPENDITURES  
4           REQUIREMENT.—

5                   “(I) IN GENERAL.—Each State  
6                   paid a grant under this subsection for  
7                   a fiscal year shall certify that the  
8                   State shall satisfy the required min-  
9                   imum general revenue expenditures  
10                  for child care assistance for low-in-  
11                  come families dollar amount applica-  
12                  ble to the State for the fiscal year.

13                  “(II) STATE MINIMUM GENERAL  
14                  REVENUE EXPENDITURES FOR CHILD  
15                  CARE ASSISTANCE FOR LOW-INCOME  
16                  FAMILIES DOLLAR AMOUNT.—With  
17                  respect to a State and a fiscal year,  
18                  the minimum general revenue expend-  
19                  itures for child care assistance for  
20                  low-income families dollar amount for  
21                  the State and fiscal year is—

22                           “(aa) in the case of the first  
23                           fiscal year for which the State is  
24                           paid a grant under this sub-  
25                           section, the aggregate dollar

1 amount of general revenue ex-  
2 penditures for child care assist-  
3 ance for low-income families for  
4 the most recent State fiscal year  
5 for which data is available; and

6 “(bb) in the case of any suc-  
7 ceeding fiscal year, the greater  
8 of—

9 “(AA) the minimum  
10 baseline dollar amount of  
11 general revenue expenditures  
12 for child care assistance for  
13 low-income families applica-  
14 ble to the State for the pre-  
15 ceding year; and

16 “(BB) the minimum  
17 baseline dollar amount of  
18 general revenue expenditures  
19 for child care assistance for  
20 low-income families for the  
21 most recent State fiscal year  
22 for which data is available.

23 “(III) ANNUAL GUIDANCE.—The  
24 Secretary shall issue annual guidance  
25 to States specifying—

1           “(aa) the data and reporting  
2           that will be required for purposes  
3           of enforcing the State minimum  
4           general revenue expenditures for  
5           child care assistance for low-in-  
6           come families dollar amount re-  
7           quirement under this subpara-  
8           graph; and

9           “(bb) for each fiscal year  
10          and State for which a grant is  
11          paid under this subsection, the  
12          minimum general revenue ex-  
13          penditures for child care assist-  
14          ance for low-income families dol-  
15          lar amount that is required for  
16          the State and fiscal year.

17                   “(D) PERIOD FOR AVAILABILITY; REDIS-  
18                   TRIBUTION OF UNUSED FUNDS.—

19                   “(i) IN GENERAL.—Except as pro-  
20                   vided in clause (ii), the period in which the  
21                   funds from grants paid under this sub-  
22                   section for a fiscal year are available for  
23                   expenditure, the determination as to  
24                   whether funds from the grant will not be  
25                   used, and the procedure for redistributing

1 unused funds, shall be made in the same  
2 manner as if—

3 “(I) in the case of 1 of the 50  
4 States or the District of Columbia,  
5 the funds were considered amounts al-  
6 lotted to the State or District under  
7 subsection (a)(2)(B) for a fiscal year;

8 “(II) in the case of a territory,  
9 the funds were considered a grant  
10 made to the territory under subsection  
11 (a)(4) for such fiscal year; and

12 “(III) in the case of an Indian  
13 Tribe or Tribal organization, the  
14 funds were considered a grant made  
15 to the Indian Tribe or Tribal organi-  
16 zation under subsection (a) for such  
17 fiscal year.

18 “(ii) EXTENSION OF AVAILABILITY OF  
19 FUNDS USED FOR CERTAIN PROJECTS.—If  
20 funds from a grant paid under this sub-  
21 section are used to provide financial sup-  
22 port for a project described in subclause  
23 (IX) or (X) of paragraph (4)(A)(iv), the  
24 funds shall remain available for expendi-  
25 ture by the lead agency of a State, terri-

1           tory, Indian Tribe, or Tribal organization  
2           (as applicable) for a period of 5 years.

3           “(E) INAPPLICABILITY OF TERRITORIAL  
4           PAYMENT LIMITATION.—Section 1108(a) shall  
5           not apply with respect to any funds paid under  
6           this subsection.

7           “(6) USE OF FUNDS.—

8           “(A) IN GENERAL.—To the extent per-  
9           mitted under this paragraph, section 658G(b)  
10          of the Child Care and Development Block  
11          Grant Act of 1990, and the approved planned  
12          use of funds submission of the lead agency of  
13          a State, territory, Indian Tribe, or Tribal orga-  
14          nization under paragraph (4), each such lead  
15          agency shall use funds from a grant paid under  
16          this subsection to increase child care workforce,  
17          supply, quality, and access in areas determined  
18          to be in particular need of child care (with ac-  
19          tivities provided directly, or through grants or  
20          contracts with local child care resource and re-  
21          ferral organizations or other appropriate enti-  
22          ties). Activities carried out with such funds  
23          shall be—

24                           “(i) designed to improve the quality of  
25                           child care services, including improving the



1 quality of the child care workforce, and in-  
2 crease parental options for, and access to,  
3 high-quality child care, especially in areas  
4 of concentrated poverty; and

5 “(ii) in alignment with the most re-  
6 cent statewide or Tribal assessment of the  
7 State’s or Indian Tribe’s or Tribal organi-  
8 zation’s needs to carry out such services  
9 and care.

10 “(B) PRIORITY.—If a lead agency chooses  
11 to make grants from the funds paid under this  
12 subsection, each such lead agency shall give pri-  
13 ority to funding child care services that will use  
14 the grant to provide or coordinate services in  
15 order to—

16 “(i) provide child care services during  
17 nontraditional hours;

18 “(ii) serve dual language learners,  
19 children with disabilities, children experi-  
20 encing homelessness, children in foster  
21 care, children from low-income families, or  
22 infants and toddlers;

23 “(iii) serve a high proportion of chil-  
24 dren whose families are eligible for sub-  
25 sidies under the Child Care and Develop-

1           ment Block Grant Act of 1990 for the  
2           child care;

3           “*(iv)* operate in rural communities  
4           with a low supply of child care;

5           “*(v)* support child care services pro-  
6           vided by public entities, non-profit entities,  
7           and small businesses that are at least 51  
8           percent owned and controlled by individ-  
9           uals who are socially and economically dis-  
10          advantaged, as defined by the Adminis-  
11          trator of the Small Business Administra-  
12          tion; or

13          “*(vi)* provide competitive wages and  
14          support the recruitment and retention of a  
15          high-quality child care workforce, including  
16          through increased compensation (including  
17          wages and benefits), bonuses, tuition or fee  
18          support for educational attainment or pro-  
19          fessional development, child care appren-  
20          ticeship programs, or other financial incen-  
21          tives.

22          “(C) HEAD START AND EARLY HEAD  
23          START PROGRAMS.—A lead agency may use  
24          funds from a grant paid under this subsection  
25          for activities or assistance under a Head Start

1 program (including an Early Head Start pro-  
2 gram) carried out under the Head Start Act  
3 (42 U.S.C. 9831 et seq.).

4 “(D) ADMINISTRATION THROUGH THE  
5 CHILD CARE AND DEVELOPMENT BLOCK GRANT  
6 ACT of 1990.—

7 “(i) IN GENERAL.—Except as pro-  
8 vided in clause (ii) or to the extent other-  
9 wise provided in this subsection, subsection  
10 (c) shall apply to the grants paid under  
11 this subsection in the same manner as that  
12 subsection applies to amounts paid under  
13 subsection (a).

14 “(ii) NONAPPLICATION OF CERTAIN  
15 USE OF FUNDS REQUIREMENTS.—The re-  
16 quirements of subparagraphs (D) and (E)  
17 of section 658E(c)(3) of the Child Care  
18 and Development Block Grant Act of 1990  
19 shall not apply to the grants paid under  
20 this subsection.

21 “(7) REPORTS.—

22 “(A) CCDBG REPORTS.—The lead agency  
23 of each State, territory, Indian Tribe, and Trib-  
24 al organization paid a grant under this sub-  
25 section for a fiscal year shall include informa-

1           tion regarding how the lead agency spent the  
2           grant in each monthly, quarterly, or annual re-  
3           port, as applicable, submitted under section  
4           658K(a)(2) of the Child Care and Development  
5           Block Grant Act of 1990. The information re-  
6           quired to be collected and reported under this  
7           paragraph shall be—

8                   “(i) in addition to, and shall not af-  
9                   fect, reporting and data collection require-  
10                  ments imposed under the Child Care and  
11                  Development Block Grant Act of 1990, in-  
12                  cluding to the extent any information spec-  
13                  ified under this paragraph also is required  
14                  to be included in a report submitted under  
15                  that Act; and

16                   “(ii) made publicly available.

17                  “(B) 1-YEAR POST-AWARD REPORT.—Not  
18                  later than 6 months after receipt of the first  
19                  payment from a grant under this subsection,  
20                  the lead agency of the State, territory, Indian  
21                  Tribe, or Tribal organization (as applicable)  
22                  shall submit a report to the Secretary that in-  
23                  cludes information and data (reported on such  
24                  basis as the Secretary shall specify) regard-  
25                  ing—

1           “(i) the supply of child care in the  
2           areas determined to be in particular need  
3           of child care by the lead agency, including  
4           with respect to the pre-grant award assess-  
5           ment of the number of Child Care and De-  
6           velopment Block Grant-eligible child care  
7           slots reserved by grants or contracts in  
8           such areas and the pre-grant award assess-  
9           ment of the number of providers who are  
10          regulated under State law in such areas,  
11          and the number of providers who are not  
12          covered by or are exempt from such a reg-  
13          ulation but are eligible child care providers  
14          providing services under the Child Care  
15          and Development Block Grant Act of 1990  
16          (42 U.S.C. 9857 et seq.) in such areas;  
17          and

18           “(ii) the supply, quality, and access of  
19          child care in the areas determined to be in  
20          particular need of child care by the lead  
21          agency.

22           “(C) 3-YEAR POST-AWARD REPORT.—Not  
23          later than December 31 of the calendar year in  
24          which the third fiscal year for which the lead  
25          agency of a State, territory, Indian Tribe, or

1 Tribal organization is paid a grant under this  
2 subsection ends, the lead agency shall submit a  
3 report to the Secretary that includes the fol-  
4 lowing information:

5 “(i) Data that describes the impact of  
6 expenditures of grant funds on—

7 “(I) the supply of child care in  
8 the areas determined to be in par-  
9 ticular need of child care by the lead  
10 agency, including with respect to the  
11 pre-grant award assessment of the  
12 number of Child Care and Develop-  
13 ment Block Grant-eligible child care  
14 slots reserved by grants or contracts  
15 in such areas and the pre-grant award  
16 assessment of the number of providers  
17 who are regulated under State law in  
18 such areas, and the number of pro-  
19 viders who are not covered by or are  
20 exempt from such a regulation but are  
21 eligible child care providers providing  
22 services under the Child Care and De-  
23 velopment Block Grant Act of 1990  
24 (42 U.S.C. 9857 et seq.) in such  
25 areas; and

1                   “(II) the supply, quality, and ac-  
2                   cess of child care in the areas deter-  
3                   mined to be in particular need of child  
4                   care by the lead agency, and on the  
5                   extent to which areas in which such  
6                   funds were used experienced outcomes  
7                   that reduced the conditions in such  
8                   areas which factored into such deter-  
9                   mination.

10                   “(ii) Information specifying the areas  
11                   determined to be in particular need of  
12                   child care by the lead agency and the ac-  
13                   tivities in which grant funds were used in  
14                   such areas.

15                   “(iii) Demographic data on the child  
16                   care providers receiving funds and on the  
17                   families and children served.

18                   “(iv) Information specifying whether  
19                   grant funds were used for projects de-  
20                   scribed in subclause (IX) or (X) of para-  
21                   graph (4)(A)(iv) and if so, the status of  
22                   such projects, including if such projects  
23                   are ongoing at the time of reporting.

24                   “(D) SUBMISSION TO CONGRESS.—The in-  
25                   formation reported in accordance with subpara-

1 graphs (A), (B), and (C) shall be incorporated  
2 into the biennial reports to Congress by the  
3 Secretary required under section 658L(a) of the  
4 Child Care and Development Block Grant Act  
5 of 1990.

6 “(8) REGULAR EVALUATIONS.—

7 “(A) IN GENERAL.—From a geographically  
8 diverse selection of the lead agencies paid a  
9 grant under this subsection that includes rep-  
10 resentation of States, territories, and Indian  
11 Tribes and Tribal organizations, the Secretary  
12 regularly shall evaluate the impact of the activi-  
13 ties carried out by such lead agencies with re-  
14 spect to improving the supply and quality of  
15 child care in the areas determined to be in par-  
16 ticular need of child care by such lead agencies.

17 “(B) SUPPLY ASSESSMENT.—In evaluating  
18 the extent to which there are improvements in  
19 the supply of child care in the areas determined  
20 to be in particular need of child care, the Sec-  
21 retary shall focus on the following areas:

22 “(i) General availability of child care  
23 services.

24 “(ii) Availability of child care services  
25 that—



1           “(I) are provided during non-  
2           traditional hours;

3           “(II) serve dual language learn-  
4           ers, children with disabilities, children  
5           experiencing homelessness, children in  
6           foster care, children from low-income  
7           families, or infants and toddlers;

8           “(III) serve a high proportion of  
9           children whose families are eligible for  
10          subsidies under the Child Care and  
11          Development Block Grant Act of  
12          1990; and

13          “(IV) operate in rural commu-  
14          nities with a low supply of child care.

15          “(iii) Opportunity for parental choice  
16          in child care services.

17          “(iv) Improvement in workforce re-  
18          cruitment and retention for child care serv-  
19          ices.

20          “(C) QUALITY ASSESSMENT.—In evalu-  
21          ating the extent to which there are improve-  
22          ments in the quality of child care in the areas  
23          determined to be in particular need of child  
24          care, the Secretary shall focus on at least 5 of  
25          the following areas:

1                   “(i) Ratios of staff to children and  
2 group size.

3                   “(ii) Developmentally appropriate cur-  
4 riculum.

5                   “(iii) Approaches to instruction.

6                   “(iv) Relationship quality between  
7 children and staff.

8                   “(v) Children’s learning and develop-  
9 ment.

10                  “(vi) Physical environment quality  
11 and ability to protect children and staff  
12 from illness and injury.

13                  “(vii) Qualifications, experience, and  
14 specialized training of staff.

15                  “(viii) Opportunities for staff profes-  
16 sional development.

17                  “(ix) Wages and benefits for staff.

18                  “(x) Ability to foster relationships  
19 with families and communities.

20                  “(xi) Leadership and management ca-  
21 pacity.

22                  “(xii) Creating a stable work environ-  
23 ment for staff retention.

24                  “(xiii) Pursuit or earning of national  
25 accreditation.

1 “(D) REPORT.—The Secretary shall—

2 “(i) submit a report to the appro-  
3 priate committees of Congress regarding  
4 the evaluations of the impact of the activi-  
5 ties carried out by lead agencies with funds  
6 from grants paid under this subsection—

7 “(I) within 180 days of the com-  
8 pletion of each such evaluation; and

9 “(II) at least once every 5 years;  
10 and

11 “(ii) make each such report, along  
12 with the data and report for each evalua-  
13 tion, publicly available.

14 “(9) DEFINITIONS.—In this subsection:

15 “(A) APPROPRIATE COMMITTEES OF CON-  
16 GRESS.—The term ‘appropriate committees of  
17 Congress’ means the Committee on Appropria-  
18 tions, the Committee on Ways and Means, and  
19 the Committee on Education and the Workforce  
20 of the House of Representatives and the Com-  
21 mittee on Appropriations, the Committee on Fi-  
22 nance, and the Committee on Health, Edu-  
23 cation, Labor, and Pensions of the Senate.

24 “(B) LEAD AGENCY.—The term ‘lead  
25 agency’ has the meaning given that term in sec-

1           tion 658P(9) of the Child Care and Develop-  
2           ment Block Grant Act of 1990.”.

3           (b) EFFECTIVE DATE.—The amendments made by  
4 this section take effect on October 1, 2023.

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