

117TH CONGRESS  
1ST SESSION

**S.** \_\_\_\_\_

To amend 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 for other purposes.

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IN THE SENATE OF THE UNITED STATES

Mr. WYDEN (for himself, Ms. WARREN, Mr. BROWN, Ms. SMITH, and Mr. CASEY) introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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**A BILL**

To amend 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 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 2022,  
10 \$10,000,000,000; and

11 “(ii) for each fiscal year after fiscal  
12 year 2022, 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 organi-

1           zation 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 tribal

1 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 organi-  
23 zation 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, 2021.

18 **SEC. 3. GRANTS TO IMPROVE CHILD CARE SUPPLY, QUAL-**  
19 **ITY, AND ACCESS IN AREAS OF PARTICULAR**  
20 **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 SUPPLY,  
2 QUALITY, AND ACCESS IN AREAS OF PARTICULAR  
3 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 supply, quality,  
10 and access in areas of particular need, there are  
11 appropriated \$5,000,000,000 for each fiscal  
12 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 supply,  
25 quality, and access, including in areas of

1 particular need, under paragraphs (3) and  
2 (4), respectively, of section 658I(a) of the  
3 Child Care and Development Block Grant  
4 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 orga-  
18 nizations in amounts that shall be allotted  
19 among Indian tribes and tribal organizations in  
20 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 the  
25 Secretary, as part of the initial submission of

1 the Child Care and Development Block Grant  
2 plan for the period that includes such fiscal  
3 year, or as an amendment to that plan, a de-  
4 scription 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 supply, quality, and access for

1 all families, including families who are eli-  
2 gible for subsidies under the Child Care  
3 and Development Block Grant Act of  
4 1990, in the areas determined to be in par-  
5 ticular need of child care through activities  
6 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) maintaining an effective  
2                   and diverse early care workforce by  
3                   increasing total compensation, pro-  
4                   viding wage supplements or bonuses,  
5                   or offering wage and retention re-  
6                   wards;

7                   “(IX) subject to subparagraph  
8                   (C), providing financial support (with-  
9                   out regard to limitations on expendi-  
10                  tures imposed under section 658F(b)  
11                  of the Child Care and Development  
12                  Block Grant Act of 1990) for projects  
13                  involving the purchase or improve-  
14                  ment of land, a major renovation,  
15                  repurposing facilities, the purchase,  
16                  acquisition, construction, or perma-  
17                  nent improvement of any building or  
18                  facility, including major renovation  
19                  and minor remodeling, indoor or out-  
20                  door modifications, including such  
21                  modifications to support accessibility  
22                  for children with disabilities,  
23                  predevelopment or soft costs, and for  
24                  projects to upgrade child care facili-  
25                  ties to assure that providers meet

1 State and local child care standards,  
2 including applicable health, safety,  
3 and quality requirements; or

4 “(X) subject to subparagraph  
5 (C), contracting with an intermediary  
6 with experience securing private  
7 sources of capital financing for child  
8 care facilities or other low-income  
9 community development projects to  
10 provide financial or managerial assist-  
11 ance, technical support through the  
12 real estate process, including success-  
13 ful execution of Federal interest docu-  
14 mentation, or furnishing an evaluation  
15 of sustainability or operational capac-  
16 ity of providers;

17 “(v) in the case of a State or terri-  
18 tory, contains an assurance that the State  
19 or territory shall collaborate with respect  
20 to the use of grant funds to improve child  
21 care supply, quality, and access in areas of  
22 particular need identified within the State  
23 or territory with each Indian tribe and  
24 tribal organization in such area; and

1                   “(vi) contains such other information  
2                   as the Secretary may require.

3                   “(B) APPROVAL.—The Secretary shall ap-  
4                   prove a planned use of funds submission that  
5                   contains the information required under sub-  
6                   paragraph (A), and, with respect to the pro-  
7                   posed criteria required under subparagraph  
8                   (A)(i), shall accept any reasonable criteria that  
9                   are based on internal analyses by a lead agency  
10                  of a State, territory, Indian tribe, or tribal or-  
11                  ganization or analyses by organizations with ex-  
12                  perience in evaluating research on various ap-  
13                  proaches to identifying areas where there is a  
14                  low supply of child care that is affordable and  
15                  that is in particular need of child care.

16                  “(C) SPECIAL RULES.—

17                  “(i) IN GENERAL.—The Secretary  
18                  shall develop parameters on the use of  
19                  funds from an allotment paid under this  
20                  subsection for projects described in sub-  
21                  clause (IX) or (X) of subparagraph  
22                  (A)(iv).

23                  “(ii) REQUIREMENT.—The param-  
24                  eters developed under clause (i) shall pro-  
25                  vide that, in the case of funds from an al-

1 lotment paid under this subsection that are  
2 used for projects described in subclause  
3 (IX) or (X) of subparagraph (A)(iv)—

4 “(I) for such projects involving a  
5 privately-owned family child care  
6 home, the Secretary shall not retain  
7 any Federal interest; and

8 “(II) for all other such projects,  
9 the Secretary shall not retain a Fed-  
10 eral interest after a period of 10  
11 years.

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

13 “(A) APPROVAL AND PAYMENT DEAD-  
14 LINE.—The Secretary shall make quarterly pay-  
15 ments to the lead agency of each State, terri-  
16 tory, Indian tribe, and tribal organization with  
17 a planned use of funds submission approved  
18 under paragraph (4) from the grant determined  
19 for the State, territory, Indian tribe, or tribal  
20 organization under paragraph (3) for a fiscal  
21 year.

22 “(B) NO MATCHING REQUIREMENT.—Nei-  
23 ther subparagraph (C) of subsection (a)(2) nor  
24 any other cash or in-kind matching requirement

1 shall apply to the grants paid under this sub-  
2 section.

3 “(C) MAINTENANCE OF EFFORT.—

4 “(i) CERTIFICATION FUNDS WILL  
5 SUPPLEMENT, NOT SUPPLANT, GENERAL  
6 REVENUE EXPENDITURES.—Each State  
7 paid a grant under this subsection for a  
8 fiscal year shall certify that the grant  
9 funds will be used to supplement and not  
10 supplant the level of general revenue ex-  
11 penditures from State, local, and other  
12 non-Federal sources that are used to pro-  
13 vide child care assistance for low-income  
14 families.

15 “(ii) STATE MINIMUM EXPENDITURES  
16 REQUIREMENT.—

17 “(I) IN GENERAL.—Each State  
18 paid a grant under this subsection for  
19 a fiscal year shall certify that the  
20 State shall satisfy the required min-  
21 imum general revenue expenditures  
22 for child care assistance for low-in-  
23 come families dollar amount applica-  
24 ble to the State for the fiscal year.

1                   “(II) STATE MINIMUM GENERAL  
2 REVENUE EXPENDITURES FOR CHILD  
3 CARE ASSISTANCE FOR LOW-INCOME  
4 FAMILIES DOLLAR AMOUNT.—With  
5 respect to a State and a fiscal year,  
6 the minimum general revenue expend-  
7 itures for child care assistance for  
8 low-income families dollar amount for  
9 the State and fiscal year is—

10                   “(aa) in the case of the first  
11 fiscal year for which the State is  
12 paid a grant under this sub-  
13 section, the aggregate dollar  
14 amount of general revenue ex-  
15 penditures for child care assist-  
16 ance for low-income families for  
17 the most recent State fiscal year  
18 for which data is available; and

19                   “(bb) in the case of any suc-  
20 ceeding fiscal year, the greater  
21 of—

22                   “(AA) the minimum  
23 baseline dollar amount of  
24 general revenue expenditures  
25 for child care assistance for

1 low-income families applica-  
2 ble to the State for the pre-  
3 ceding year; and

4 “(BB) the minimum  
5 baseline dollar amount of  
6 general revenue expenditures  
7 for child care assistance for  
8 low-income families for the  
9 most recent State fiscal year  
10 for which data is available.

11 “(III) ANNUAL GUIDANCE.—The  
12 Secretary shall issue annual guidance  
13 to States specifying—

14 “(aa) the data and reporting  
15 that will be required for purposes  
16 of enforcing the State minimum  
17 general revenue expenditures for  
18 child care assistance for low-in-  
19 come families dollar amount re-  
20 quirement under this subpara-  
21 graph; and

22 “(bb) for each fiscal year  
23 and State for which a grant is  
24 paid under this subsection, the  
25 minimum general revenue ex-

1                   penditures for child care assist-  
2                   ance for low-income families dol-  
3                   lar amount that is required for  
4                   the State and fiscal year.

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

7                   “(i) IN GENERAL.—Except as pro-  
8                   vided in clause (ii), the period in which the  
9                   funds from grants paid under this sub-  
10                  section for a fiscal year are available for  
11                  expenditure, the determination as to  
12                  whether funds from the grant will not be  
13                  used, and the procedure for redistributing  
14                  unused funds, shall be made in the same  
15                  manner as if—

16                  “(I) in the case of 1 of the 50  
17                  States or the District of Columbia,  
18                  the funds were considered amounts al-  
19                  lotted to the State or District under  
20                  subsection (a)(2)(B) for a fiscal year;

21                  “(II) in the case of a territory,  
22                  the funds were considered a grant  
23                  made to the territory under subsection  
24                  (a)(4) for such fiscal year; and

1                   “(III) in the case of an Indian  
2                   tribe or tribal organization, the funds  
3                   were considered a grant made to the  
4                   Indian tribe or tribal organization  
5                   under subsection (a) for such fiscal  
6                   year.

7                   “(ii) EXTENSION OF AVAILABILITY OF  
8                   FUNDS USED FOR CERTAIN PROJECTS.—If  
9                   funds from a grant paid under this sub-  
10                  section are used to provide financial sup-  
11                  port for a project described in subclause  
12                  (IX) or (X) of paragraph (4)(A)(iv), the  
13                  funds shall remain available for expendi-  
14                  ture by the lead agency of a State, terri-  
15                  tory, Indian tribe, or tribal organization  
16                  (as applicable) for a period of 5 years.

17                  “(E) INAPPLICABILITY OF TERRITORIAL  
18                  PAYMENT LIMITATION.— Section 1108(a) shall  
19                  not apply with respect to any funds paid under  
20                  this subsection.

21                  “(6) USE OF FUNDS.—

22                  “(A) IN GENERAL.—To the extent per-  
23                  mitted under this paragraph, section 658G(b)  
24                  of the Child Care and Development Block  
25                  Grant Act of 1990, and the approved planned

1 use of funds submission of the lead agency of  
2 a State, territory, Indian tribe, or tribal organi-  
3 zation under paragraph (4), each such lead  
4 agency shall use funds from a grant paid under  
5 this subsection to increase child care supply,  
6 quality, and access in areas determined to be in  
7 particular need of child care (with activities  
8 provided directly, or through grants or con-  
9 tracts with local child care resource and referral  
10 organizations or other appropriate entities). Ac-  
11 tivities carried out with such funds shall be—

12 “(i) designed to improve the quality of  
13 child care services and increase parental  
14 options for, and access to, high-quality  
15 child care, especially in areas of con-  
16 centrated poverty; and

17 “(ii) in alignment with the most re-  
18 cent Statewide or tribal assessment of the  
19 State’s or Indian tribe’s or tribal organiza-  
20 tion’s needs to carry out such services and  
21 care.

22 “(B) PRIORITY.—If a lead agency chooses  
23 to make grants from the funds paid under this  
24 subsection, each such lead agency shall give pri-  
25 ority to funding child care services that—

1                   “(i) are provided during nontradi-  
2                   tional hours;

3                   “(ii) serve dual language learners,  
4                   children with disabilities, children experi-  
5                   encing homelessness, children in foster  
6                   care, children from low-income families, or  
7                   infants and toddlers;

8                   “(iii) serve a high proportion of chil-  
9                   dren whose families are eligible for sub-  
10                  sidies under the Child Care and Develop-  
11                  ment Block Grant Act of 1990 for the  
12                  child care;

13                  “(iv) operate in rural communities  
14                  with a low supply of child care; or

15                  “(v) are operated by public entities,  
16                  non-profit entities, and small businesses  
17                  that are at least 51 percent owned and  
18                  controlled by individuals who are socially  
19                  and economically disadvantaged, as defined  
20                  by the Administrator of the Small Busi-  
21                  ness Administration.

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 tribal  
24 organization paid a grant under this subsection  
25 for a fiscal year shall include information re-

1           garding how the lead agency spent the grant in  
2           each monthly, quarterly, or annual report, as  
3           applicable, submitted under section 658K(a)(2)  
4           of the Child Care and Development Block  
5           Grant Act of 1990. The information required to  
6           be collected and reported under this paragraph  
7           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) shall  
22                  submit a report to the Secretary that includes  
23                  information and data (reported on such basis as  
24                  the Secretary shall specify) regarding—

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

23                         “(i) Ratios of staff to children and  
24                         group size.

1                   “(ii) Developmentally-appropriate cur-  
2                   riculum.

3                   “(iii) Approaches to instruction.

4                   “(iv) Relationship quality between  
5                   children and staff.

6                   “(v) Children’s learning and develop-  
7                   ment.

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

11                  “(vii) Qualifications, experience, and  
12                  specialized training of staff.

13                  “(viii) Opportunities for staff profes-  
14                  sional development.

15                  “(ix) Wages and benefits for staff.

16                  “(x) Ability to foster relationships  
17                  with families and communities.

18                  “(xi) Leadership and management ca-  
19                  pacity.

20                  “(xii) Creating a stable work environ-  
21                  ment for staff retention.

22                  “(xiii) Pursuit or earning of national  
23                  accreditation.

24                  “(D) REPORT.—The Secretary shall—

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

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

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

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

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

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

23                                 “(B) LEAD AGENCY.—The term ‘lead  
24                                 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, 2021.