

116TH CONGRESS  
2D SESSION

# H. R. 7201

To provide assistance with respect to child care infrastructure, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 15, 2020

Ms. CLARK of Massachusetts introduced the following bill; which was referred to the Committee on Education and Labor, and in addition to the Committees on Energy and Commerce, Ways and Means, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To provide assistance with respect to child care infrastructure, 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; FINDINGS.**

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “Child Care is Infrastructure Act”.

6 (b) FINDINGS.—Congress makes the following find-  
7 ings:

1           (1) Early care and learning settings directly im-  
2           pact the physical, behavioral, and cognitive develop-  
3           ment of young children, and these settings should be  
4           designed and equipped to keep children safe and  
5           help children thrive.

6           (2) An investigation in 10 States conducted by  
7           the Office of the Inspector General of the Depart-  
8           ment of Health and Human Services found that 96  
9           percent of early care and learning facilities inspected  
10          during unannounced visits had at least 1 potentially  
11          hazardous condition.

12          (3) Approximately 500,000 early care and  
13          learning facilities are not regulated under the Safe  
14          Drinking Water Act (42 U.S.C. 300f), and only 11  
15          States and New York City require licensed early  
16          care and learning facilities to test drinking water  
17          within such facilities for lead.

18          (4) A Department of Health and Human Serv-  
19          ices report from 2015 found that an estimated 2,201  
20          Head Start centers needed facility improvements, in-  
21          cluding improvements related to rebuilding, ren-  
22          ovating, and conducting maintenance on such facili-  
23          ties.

24          (5) Only 2 statewide needs assessments have  
25          been conducted:

1 (A) A 2011 statewide study of Massachu-  
2 setts early care and learning facilities found ex-  
3 cessive levels of carbon dioxide in early care and  
4 learning facilities throughout the State, insuffi-  
5 cient ventilation systems, and furnishings con-  
6 taining formaldehyde.

7 (B) A 2014 statewide study in Rhode Is-  
8 land found that—

9 (i) all centers visited had at least one  
10 playground safety hazard;

11 (ii) centers in poor condition tend to  
12 serve higher rates of low-income, State-  
13 subsidized children; and

14 (iii) nearly 70 percent of early learn-  
15 ing centers visited had one or more issues  
16 related to the overall building condition,  
17 such as water stains, excessive wear, and  
18 peeling paint.

19 (6) The National Children’s Facilities Network  
20 estimates that the United States would require at  
21 least \$17 billion to bring existing early care and  
22 learning facilities up to best-practice standards.

23 (7) While data on the condition of facilities is  
24 available for 2 States, it is lacking elsewhere. The  
25 extent of the problem is impossible to determine

1 without a nationwide assessment of the current con-  
2 dition of existing early care and learning facilities.

3 **SEC. 2. INFRASTRUCTURE GRANTS TO IMPROVE CHILD**  
4 **CARE SAFETY.**

5 (a) IN GENERAL.—Part A of title IV of the Social  
6 Security Act (42 U.S.C. 601 et seq.) is amended by insert-  
7 ing after section 418 the following:

8 **“SEC. 418A. INFRASTRUCTURE GRANTS TO IMPROVE CHILD**  
9 **CARE SAFETY.**

10 “(a) SHORT TITLE.—This section may be cited as the  
11 ‘Infrastructure Grants to Improve Child Care Safety Act’.

12 “(b) NEEDS ASSESSMENTS.—

13 “(1) IMMEDIATE NEEDS ASSESSMENT.—

14 “(A) IN GENERAL.—The Secretary shall  
15 conduct an immediate needs assessment of the  
16 condition of child care facilities throughout the  
17 United States (with priority given to child care  
18 facilities that receive Federal funds), that—

19 “(i) determines the extent to which  
20 the COVID–19 pandemic has created im-  
21 mediate infrastructure needs, including in-  
22 frastructure-related health and safety  
23 needs, which must be addressed for child  
24 care facilities to operate in compliance with  
25 public health guidelines;

1 “(ii) considers the effects of the pan-  
2 demic on a variety of child care centers, in-  
3 cluding home-based centers; and

4 “(iii) considers how the pandemic has  
5 impacted specific metrics, such as—

6 “(I) capacity;

7 “(II) investments in infrastruc-  
8 ture changes;

9 “(III) the types of infrastructure  
10 changes centers need to implement  
11 and their associated costs;

12 “(IV) the price of tuition; and

13 “(V) any changes or anticipated  
14 changes in the number and demo-  
15 graphic of children attending.

16 “(B) TIMING.—The immediate needs as-  
17 sessment should occur simultaneously with the  
18 first grant-making cycle under subsection (c).

19 “(C) REPORT.—Not later than 1 year  
20 after the date of the enactment of this section,  
21 the Secretary shall submit to the Congress a re-  
22 port containing the result of the needs assess-  
23 ment conducted under subparagraph (A), and  
24 make the assessment publicly available.

25 “(2) LONG-TERM NEEDS ASSESSMENT.—

1           “(A) IN GENERAL.—The Secretary shall  
2           conduct a long-term assessment of the condition  
3           of child care facilities throughout the United  
4           States (with priority given to child care facili-  
5           ties that receive Federal funds). The assess-  
6           ment may be conducted through representative  
7           random sampling.

8           “(B) REPORT.—Not later than 4 years  
9           after the date of the enactment of this section,  
10          the Secretary shall submit to the Congress a re-  
11          port containing the results of the needs assess-  
12          ment conducted under subparagraph (A), and  
13          make the assessment publicly available.

14       “(c) CHILD CARE FACILITIES GRANTS.—

15           “(1) GRANTS TO STATES.—

16           “(A) IN GENERAL.—The Secretary may  
17           award grants to States for the purpose of ac-  
18           quiring, constructing, renovating, or improving  
19           child care facilities, including adapting, re-  
20           configuring, or expanding facilities to respond  
21           to the COVID–19 pandemic.

22           “(B) PRIORITIZED FACILITIES.—The Sec-  
23           retary may not award a grant to a State under  
24           subparagraph (A) unless the State involved

1 agrees, with respect to the use of grant funds,  
2 to prioritize—

3 “(i) child care facilities primarily serv-  
4 ing low-income populations;

5 “(ii) child care facilities primarily  
6 serving children who have not attained the  
7 age of 5 years;

8 “(iii) child care facilities that closed  
9 during the COVID–19 pandemic and are  
10 unable to open without making modifica-  
11 tions to the facility that would otherwise be  
12 required to ensure the health and safety of  
13 children and staff; and

14 “(iv) child care facilities that serve the  
15 children of parents classified as essential  
16 workers during the COVID–19 pandemic.

17 “(C) DURATION OF GRANTS.—A grant  
18 under this subsection shall be awarded for a pe-  
19 riod of not more than 5 years.

20 “(D) APPLICATION.—To seek a grant  
21 under this subsection, a State shall submit to  
22 the Secretary an application at such time, in  
23 such manner, and containing such information  
24 as the Secretary may require, which informa-  
25 tion shall—

1 “(i) be disaggregated as the Secretary  
2 may require; and

3 “(ii) include a plan to use a portion of  
4 the grant funds to report back to the Sec-  
5 retary on the impact of using the grant  
6 funds to improve child care facilities.

7 “(E) PRIORITY.—In selecting States for  
8 grants under this subsection, the Secretary  
9 shall prioritize States that—

10 “(i) plan to improve center-based and  
11 home-based child care programs, which  
12 may include a combination of child care  
13 and early Head Start or Head Start pro-  
14 grams;

15 “(ii) aim to meet specific needs across  
16 urban, suburban, or rural areas as deter-  
17 mined by the State; and

18 “(iii) show evidence of collaboration  
19 with—

20 “(I) local government officials;

21 “(II) other State agencies;

22 “(III) nongovernmental organiza-  
23 tions, such as—

24 “(aa) organizations within  
25 the philanthropic community;



1           “(bb) certified community  
2 development financial institutions  
3 as defined in section 103 of the  
4 Community Development Bank-  
5 ing and Financial Institutions  
6 Act of 1994 (12 U.S.C. 4702)  
7 that have been certified by the  
8 Community Development Finan-  
9 cial Institutions Fund (12 U.S.C.  
10 4703); and

11           “(cc) organizations that  
12 have demonstrated experience  
13 in—

14           “(AA) providing tech-  
15 nical or financial assistance  
16 for the acquisition, construc-  
17 tion, renovation, or improve-  
18 ment of child care facilities;

19           “(BB) providing tech-  
20 nical, financial, or manage-  
21 rial assistance to child care  
22 providers; and

23           “(CC) securing private  
24 sources of capital financing  
25 for child care facilities or

1 other low-income community  
2 development projects; and

3 “(IV) local community organiza-  
4 tions, such as—

5 “(aa) child care providers;

6 “(bb) community care agen-  
7 cies;

8 “(cc) resource and referral  
9 agencies; and

10 “(dd) unions.

11 “(F) CONSIDERATION.—In selecting States  
12 for grants under this subsection, the Secretary  
13 shall consider—

14 “(i) whether the applicant—

15 “(I) has or is developing a plan  
16 to address child care facility needs;  
17 and

18 “(II) demonstrates the capacity  
19 to execute such a plan; and

20 “(ii) after the date the report required  
21 by subsection (b)(1)(C) is submitted to the  
22 Congress, the needs of the applicants  
23 based on the results of the assessment.

24 “(G) DIVERSITY OF AWARDS.—In award-  
25 ing grants under this section, the Secretary

1 shall give equal consideration to States with  
2 varying capacities under subparagraph (F).

3 “(H) MATCHING REQUIREMENT.—

4 “(i) IN GENERAL.—As a condition for  
5 the receipt of a grant under subparagraph  
6 (A), a State that is not an Indian tribe  
7 shall agree to make available (directly or  
8 through donations from public or private  
9 entities) contributions with respect to the  
10 cost of the activities to be carried out pur-  
11 suant to subparagraph (A), which may be  
12 provided in cash or in kind, in an amount  
13 equal to 10 percent of the funds provided  
14 through the grant.

15 “(ii) DETERMINATION OF AMOUNT  
16 CONTRIBUTED.—Contributions required by  
17 clause (i) may include—

18 “(I) amounts provided by the  
19 Federal Government, or services as-  
20 sisted or subsidized to any significant  
21 extent by the Federal Government; or

22 “(II) philanthropic or private-sec-  
23 tor funds.

24 “(I) REPORT.—Not later than 6 months  
25 after the last day of the grant period, a State

1 receiving a grant under this paragraph shall  
2 submit a report to the Secretary as described in  
3 subparagraph (D)—

4 “(i) to determine the effects of the  
5 grant in constructing, renovating, or im-  
6 proving child care facilities, including any  
7 changes in response to the COVID–19  
8 pandemic and any effects on access to and  
9 quality of child care; and

10 “(ii) to provide such other information  
11 as the Secretary may require.

12 “(J) AMOUNT LIMIT.—The annual amount  
13 of a grant under this paragraph may not exceed  
14 \$35,000,000.

15 “(2) GRANTS TO INTERMEDIARY ORGANIZA-  
16 TIONS.—

17 “(A) IN GENERAL.—The Secretary may  
18 award grants to intermediary organizations,  
19 such as certified community development finan-  
20 cial institutions, tribal organizations, or other  
21 organizations with demonstrated experience in  
22 child care facilities financing, for the purpose of  
23 providing technical assistance, capacity build-  
24 ing, and financial products to develop or finance  
25 child care facilities.

1           “(B) APPLICATION.—A grant under this  
2 paragraph may be made only to intermediary  
3 organizations that submit to the Secretary an  
4 application at such time, in such manner, and  
5 containing such information as the Secretary  
6 may require.

7           “(C) PRIORITY.—In selecting intermediary  
8 organizations for grants under this subsection,  
9 the Secretary shall prioritize intermediary orga-  
10 nizations that—

11                   “(i) demonstrate experience in child  
12 care facility financing or related commu-  
13 nity facility financing;

14                   “(ii) demonstrate the capacity to as-  
15 sist States and local governments in devel-  
16 oping child care facilities and programs;

17                   “(iii) demonstrate the ability to lever-  
18 age grant funding to support financing  
19 tools to build the capacity of child care  
20 providers, such as through credit enhance-  
21 ments;

22                   “(iv) propose to meet a diversity of  
23 needs across States and across urban, sub-  
24 urban, and rural areas at varying types of  
25 center-based, home-based, and other child

1 care settings, including early care pro-  
2 grams located in freestanding buildings or  
3 in mixed-use properties; and

4 “(v) propose to focus on child care fa-  
5 cilities primarily serving low-income popu-  
6 lations and children who have not attained  
7 the age of 5 years.

8 “(D) AMOUNT LIMIT.—The amount of a  
9 grant under this paragraph may not exceed  
10 \$10,000,000.

11 “(3) REPORT.—Not later than the end of fiscal  
12 year 2025, the Secretary shall submit to the Con-  
13 gress a report on the effects of the grants provided  
14 under this subsection, and make the report pub-  
15 lically accessible.

16 “(d) LIMITATIONS ON AUTHORIZATION OF APPRO-  
17 PRIATIONS.—

18 “(1) IN GENERAL.—To carry out this section,  
19 there is authorized to be appropriated  
20 \$10,000,000,000 for fiscal year 2021, which shall  
21 remain available through fiscal year 2025.

22 “(2) RESERVATIONS OF FUNDS.—

23 “(A) INDIAN TRIBES.—The Secretary shall  
24 reserve 3 percent of the total amount made

1 available to carry out this section, for payments  
2 to Indian tribes.

3 “(B) TERRITORIES.—The Secretary shall  
4 reserve 3 percent of the total amount made  
5 available to carry out this section, for payments  
6 to territories.

7 “(3) GRANTS FOR INTERMEDIARY ORGANIZA-  
8 TIONS.—Not less than 10 percent and not more  
9 than 15 percent of the total amount made available  
10 to carry out this section may be used to carry out  
11 subsection (c)(2).

12 “(4) LIMITATION ON USE OF FUNDS FOR  
13 NEEDS ASSESSMENTS.—Not more than \$5,000,000  
14 of the amounts made available to carry out this sec-  
15 tion may be used to carry out subsection (b).

16 “(e) DEFINITION OF STATE.—In this section, the  
17 term ‘State’ has the meaning provided in section 419, ex-  
18 cept that it includes the Commonwealth of the Northern  
19 Mariana Islands and any Indian tribe.”

20 (b) EXEMPTION OF TERRITORY GRANTS FROM LIM-  
21 ITATION ON TOTAL PAYMENTS TO THE TERRITORIES.—  
22 Section 1108(a)(2) of such Act (42 U.S.C. 1308(a)(2))  
23 is amended by inserting “418A(c),” after “413(f),”

1 **SEC. 3. EARLY CHILDHOOD EDUCATOR LOAN ASSISTANCE**  
2 **PROGRAM.**

3 Part Q of title III of the Public Health Service Act  
4 (42 U.S.C. 280h) is amended by adding at the end the  
5 following:

6 **“SEC. 399Z-3. EARLY CHILDHOOD EDUCATOR LOAN ASSIST-**  
7 **ANCE PROGRAM.**

8 “(a) **AUTHORITY.**—The Secretary may carry out a  
9 program of entering into contracts with eligible early  
10 childhood educators under which such educators agree to  
11 serve for a period of 5 years as early childhood educators  
12 with a qualified employer, in consideration of the Federal  
13 Government agreeing to repay, for each year of such serv-  
14 ice, not more than \$6,000 of the principal and interest  
15 of the educational loans of such educators.

16 “(b) **RECERTIFICATION.**—An eligible early childhood  
17 educator seeking to continue to receive payments under  
18 this section shall submit on an annual basis to the Sec-  
19 retary such information as the Secretary may require to  
20 certify that the educator is continuing to meet the criteria  
21 to be considered an eligible educator.

22 “(c) **MAXIMUM AMOUNT OF LOAN.**—The total  
23 amount of payments received by an eligible early childhood  
24 educator under this section may not exceed the total  
25 amount of the principal and interest of the educational  
26 loans of such educator.



1       “(d) APPLICABILITY OF CERTAIN PROVISIONS.—The  
2 following provisions of the National Health Service Corps  
3 Loan Assistance Program established in subpart III of  
4 part D shall apply to the program established under this  
5 section in the same manner and to the same extent as  
6 such provisions apply to the National Health Service  
7 Corps Loan Assistance Program:

8           “(1) Paragraphs (1) through (3) of section  
9 338B(c) (relating to application information, under-  
10 standability, and availability).

11          “(2) Section 338B(c)(4) (relating to recruit-  
12 ment and retention).

13          “(3) Section 338B(d) (relating to factors con-  
14 sidered in providing contracts).

15          “(4) Section 338(e) (relating to the approval re-  
16 quired for participation).

17          “(5) Section 338B(f) (relating to contents of  
18 contracts).

19          “(6) Section 338B(g) (relating to payments, in-  
20 cluding repayment schedule and tax liability).

21       “(e) REPORT TO CONGRESS.—Not later than 5 years  
22 after the date of the enactment of this section, the Sec-  
23 retary shall submit to Congress a report on the implemen-  
24 tation of this section.

25       “(f) DEFINITIONS.—In this section:

1           “(1) The term ‘eligible early childhood educa-  
2           tor’ means an individual that—

3                   “(A) as of the date on which the agree-  
4                   ment referred to in subsection (a)(1) is entered  
5                   into—

6                           “(i) has outstanding Federal direct  
7                           loans obtained for purposes of pursuing an  
8                           associate’s degree, a 4-year bachelor’s de-  
9                           gree, a graduate degree, or a combined  
10                          bachelor and master’s degree, in early  
11                          childhood education or a related field from  
12                          an accredited institution (including any  
13                          such loan for which the individual is en-  
14                          rolled in an income-based repayment plan);  
15                          and

16                           “(ii) is in good standing with respect  
17                          to the loans referred to in clause (i); and

18                          “(B) agrees to—

19                           “(i) serve as an early childhood educa-  
20                          tor with a qualified employer for a period  
21                          of not less than 5 years; and

22                           “(ii) make timely payments with re-  
23                          spect to the loans described in subpara-  
24                          graph (A)(i).

1           “(2) The term ‘qualified employer’ means a  
2           childcare provider that receives or is eligible to re-  
3           ceive vouchers or assistance under the Child Care  
4           and Development Block Grant Act of 1990.

5           “(g) AUTHORIZATION OF APPROPRIATIONS.—There  
6           are authorized to be appropriated to carry out this section  
7           \$25,000,000 for each of fiscal years 2021 through 2026.”.

8           **SEC. 4. GRANTS FOR EARLY CHILDHOOD EDUCATORS.**

9           (a) IN GENERAL.—Beginning not later than 180  
10          days after the date of the enactment of this Act, the Sec-  
11          retary of Education (referred to in this section as the  
12          “Secretary”) shall carry out a program under which the  
13          Secretary makes payments to institutions of higher edu-  
14          cation with a qualified early childhood educator program  
15          to enable such institutions to make grants, on a competi-  
16          tive basis, to eligible individuals who file an application  
17          and agreement in accordance with subsections (b) and (c).

18          (b) APPLICATIONS.—

19                 (1) IN GENERAL.—The Secretary shall periodi-  
20                 cally set dates by which eligible individuals shall file  
21                 applications for a grant under this section. Each eli-  
22                 gible individual desiring a grant under this section  
23                 shall file an application containing such information  
24                 and assurances as the Secretary may determine nec-

1        essary to enable the Secretary to carry out the func-  
2        tions and responsibilities of this section.

3                (2) RENEWAL.—A grant awarded under this  
4        section may be renewed for additional one-year peri-  
5        ods if—

6                        (A) the recipient submits a renewal appli-  
7                        cation containing such information and assur-  
8                        ances as the Secretary may determine nec-  
9                        essary; and

10                      (B) the grant is renewed not more than  
11                      three times, for a total of not more than four  
12                      academic years for each eligible recipient.

13        (c) SERVICE OBLIGATION.—

14                (1) AGREEMENTS TO SERVE.—Each application  
15        under subsection (b) shall include, or be accom-  
16        panied by—

17                        (A) an agreement by the applicant that—

18                                (i) in the event that the applicant re-  
19                                ceives a grant under this section, the appli-  
20                                cant shall—

21                                        (I) serve as a full-time or part-  
22                                        time educator in a licensed early  
23                                        learning program for a total of not  
24                                        less than one academic year, and four  
25                                        additional months for each subsequent

1 grant renewal, within two years after  
2 the date on which the period of time  
3 covered by the grant is completed; and

4 (II) submit a certification of em-  
5 ployment by the employing early  
6 learning program in such form as the  
7 Secretary may determine necessary;  
8 and

9 (ii) in the event that the applicant is  
10 determined to have failed or refused to  
11 carry out such service obligation, the sum  
12 of the amounts of any grants received by  
13 such applicant under this section will be  
14 treated as a loan and collected from the  
15 applicant in accordance with paragraph (3)  
16 and the regulations thereunder; and

17 (B) a plain-language disclosure form devel-  
18 oped by the Secretary that clearly describes the  
19 nature of the grant award, the service obliga-  
20 tion, and the loan repayment requirements that  
21 are the consequence of the failure to complete  
22 the service obligation.

23 (2) TREATMENT OF CONCURRENT SERVICE.—

24 An individual who serves as a full or part-time edu-  
25 cator in a licensed early childhood education pro-

1       gram concurrently while enrolled in a qualified early  
2       childhood educator program may count such service  
3       toward the fulfillment of the service obligation in the  
4       agreement under paragraph (1).

5               (3) REPAYMENT FOR FAILURE TO COMPLETE  
6       SERVICE.—Except as provided in paragraph (4), in  
7       the event that any recipient of a grant under this  
8       section fails or refuses to comply with the service ob-  
9       ligation in the agreement under paragraph (1), the  
10      sum of the amounts of any grants received by such  
11      recipient shall, upon a determination of such a fail-  
12      ure or refusal in such service obligation, be treated  
13      as a Federal Direct Unsubsidized Stafford Loan  
14      under part D of title IV except that—

15                   (A) no interest shall accrue on such  
16                   amounts; and

17                   (B) such amounts shall be subject to re-  
18                   payment in accordance with—

19                           (i) an income-contingent or income-  
20                           based repayment plan, if the individual  
21                           meets the eligibility requirements for such  
22                           a repayment plan; and

23                           (ii) such other terms and conditions  
24                           as are specified by the Secretary in regula-  
25                           tions promulgated under this section.

1           (4) HARDSHIP EXTENSION.—In the case of a  
2 recipient who has made a good faith effort to find  
3 employment in a licensed early learning program  
4 and has been unable to acquire such employment,  
5 the Secretary is authorized to provide a hardship ex-  
6 tension for a period of not more than one year to  
7 grant recipients who fail to complete their service re-  
8 quirement within a 2-year period.

9           (d) GRANT AMOUNT.—An eligible individual selected  
10 to receive a grant or a grant renewal under this section  
11 shall receive a grant in an amount not to exceed \$3,000  
12 for each academic year during which the individual is en-  
13 rolled on a full-time or part-time basis in the qualified  
14 early childhood educator program for which the grant was  
15 awarded.

16           (e) GRANT DISBURSEMENT.—Payments under this  
17 section shall be made in accordance with regulations pro-  
18 mulgated by the Secretary for such purpose and in such  
19 manner as will best accomplish the purposes of this sec-  
20 tion, provided—

21           (1) any disbursement made by crediting a grant  
22 recipient's account shall be limited to tuition and  
23 fees and other materials necessary for the comple-  
24 tion of coursework as determined by the Secretary;  
25 and

1           (2) not less than 85 percent of any funds pro-  
2           vided to an eligible institution under subsection (a)  
3           shall be advanced to the eligible institution prior to  
4           the start of each payment period and shall be based  
5           upon an amount requested by the institution as  
6           needed to cover the total cost of grants awarded to  
7           eligible recipients until such time as the Secretary  
8           determines and publishes in the Federal Register  
9           with an opportunity for comment, an alternative  
10          payment system that provides payments to institu-  
11          tions in an accurate and timely manner, except that  
12          this sentence shall not be construed to limit the au-  
13          thority of the Secretary to place an institution on a  
14          reimbursement system of payment.

15          (f) DIRECT PAYMENT.—Nothing in this section shall  
16          be construed to prohibit the Secretary from making a  
17          grant directly to an eligible individual in a case in which  
18          an institution of higher education with a qualified early  
19          childhood educator program does not participate in the  
20          program under subsection (a).

21          (g) DEFINITIONS.—In this section:

22                 (1) ELIGIBLE INDIVIDUAL.—The term “eligible  
23                 individual” means an individual who is enrolled on  
24                 a full-time or part-time basis in a qualified early  
25                 childhood educator program.



1           (2) INSTITUTION OF HIGHER EDUCATION.—The  
2 term “institution of higher education” has the  
3 meaning given that term in section 102 of the High-  
4 er Education Act of 1965 (20 U.S.C. 1002).

5           (3) QUALIFIED EARLY CHILDHOOD EDUCATOR  
6 PROGRAM.—The term “qualified early childhood ed-  
7 ucator program” means a course of study leading to  
8 an associate’s degree or a certificate in early child-  
9 hood education or a related field from an institution  
10 of higher education.

11          (4) LICENSED EARLY LEARNING PROGRAM.—  
12 The term “licensed early learning program” means  
13 any State-licensed or State-regulated program or  
14 provider, regardless of setting or funding source,  
15 that provides early care and education for children  
16 from birth to kindergarten entry, including, but not  
17 limited to, programs operated by child care centers  
18 and in family child care homes.

19 (h) AUTHORIZATION OF APPROPRIATIONS.—

20          (1) IN GENERAL.—There are authorized to be  
21 appropriated to carry out this section \$10,000,000  
22 for each of fiscal years 2021 through 2025.

23          (2) LIMITATION.—Of the amount made avail-  
24 able under paragraph (1) in any fiscal year, not

1 more than 3 percent may be used for evaluation,  
2 monitoring, salaries, and administrative expenses.

3 **SEC. 5. CCAMPIS REAUTHORIZATION.**

4 Section 419N of the Higher Education Act of 1965  
5 (20 U.S.C. 1070e) is amended—

6 (1) in subsection (b)—

7 (A) in paragraph (2)—

8 (i) in subparagraph (A)—

9 (I) by striking “The amount”  
10 and inserting “Except as provided in  
11 subparagraph (C), the amount”; and

12 (II) by striking “1 percent” and  
13 inserting “2 percent”;

14 (ii) in subparagraph (B)(ii), by strik-  
15 ing “subsection (g)” and inserting “sub-  
16 section (h)”;

17 (iii) by adding at the end the fol-  
18 lowing:

19 “(C) PERFORMANCE BONUS.—

20 “(i) IN GENERAL.—Notwithstanding  
21 subparagraph (A), for any fiscal year for  
22 which the amount appropriated under sub-  
23 section (h) is not less than \$140,000,000,  
24 the Secretary may pay a performance

1 bonus to an eligible institution of higher  
2 education.

3 “(ii) MAXIMUM AMOUNT.—A bonus  
4 paid to an eligible institution of higher  
5 education under clause (i) for a fiscal year  
6 shall not exceed an amount equal to 20  
7 percent of the amount of the annual grant  
8 payment received by the institution under  
9 paragraph (3)(B) for the fiscal year pre-  
10 ceding the fiscal year for which the bonus  
11 is paid.

12 “(iii) USE OF BONUS.—A bonus re-  
13 ceived by an institution under clause (i)  
14 shall be used by the institution in the same  
15 manner as a grant under this section and  
16 shall be treated as grant funds for pur-  
17 poses of the application of paragraph (5),  
18 except that the Secretary may extend the  
19 grant period as necessary for the institu-  
20 tion to use such bonus.

21 “(iv) ELIGIBLE INSTITUTION OF  
22 HIGHER EDUCATION.—In this subpara-  
23 graph, the term ‘eligible institution of  
24 higher education’ means an institution of  
25 higher education that—

1                   “(I) has received a grant under  
2                   this section for not less than the pe-  
3                   riod of three consecutive fiscal years  
4                   preceding the fiscal year in which the  
5                   bonus is paid under clause (i);

6                   “(II) for each such preceding fis-  
7                   cal year, has met or exceeded the per-  
8                   formance levels established by the in-  
9                   stitution for such year under sub-  
10                  section (e)(1)(B)(v); and

11                  “(III) has demonstrated the need  
12                  for such bonus.”; and

13                  (B) in paragraph (3)—

14                   (i) in subparagraph (A), by striking  
15                   “4 years” and inserting “5 years”; and

16                   (ii) in subparagraph (B), by striking  
17                   “subsection (e)(2)” and inserting “sub-  
18                   section (e)(3)”;

19                  (2) by amending subsection (c) to read as fol-  
20                  lows:

21                  “(c) APPLICATIONS.—

22                   “(1) IN GENERAL.—An institution of higher  
23                   education desiring a grant under this section shall  
24                   submit an application to the Secretary at such time,  
25                   in such manner, and accompanied by such informa-

1       tion as the Secretary may require. Such application  
2       shall—

3               “(A) demonstrate that the institution is an  
4       eligible institution described in subsection  
5       (b)(4);

6               “(B) specify the amount of funds re-  
7       quested;

8               “(C) demonstrate the need of low-income  
9       students at the institution for campus-based  
10      child care services by including in the applica-  
11      tion—

12               “(i) information regarding student de-  
13      mographics, including whether the student  
14      is a full-time or part-time student;

15               “(ii) an assessment of child care ca-  
16      pacity on or near campus;

17               “(iii) information regarding the wait-  
18      ing lists for child care services on or near  
19      campus;

20               “(iv) information regarding additional  
21      needs created by concentrations of poverty  
22      or by geographic isolation;

23               “(v) information about the number of  
24      low-income student parents being served

1 through campus-based child care services;

2 and

3 “(vi) other relevant data;

4 “(D) specify the estimated percentage of  
5 the institution’s grant that will be used directly  
6 to subsidize the fee charged for on-campus and  
7 off-campus childcare, respectively, for low-in-  
8 come students;

9 “(E) contain a description of the activities  
10 to be assisted, including whether the grant  
11 funds will support an existing child care pro-  
12 gram or a new child care program;

13 “(F) identify the resources, including tech-  
14 nical expertise and financial support, that the  
15 institution will draw upon to support the child  
16 care program and the participation of low-in-  
17 come students in the program (such as access-  
18 ing social services funding, using student activ-  
19 ity fees to help pay the costs of child care,  
20 using resources obtained by meeting the needs  
21 of parents who are not low-income students,  
22 and accessing foundation, corporate, or other  
23 institutional support) and demonstrate that the  
24 use of the resources will not result in increases  
25 in student tuition;

1           “(G) contain an assurance that the institu-  
2           tion will meet the child care needs of low-in-  
3           come students through the provision of services,  
4           or through a contract for the provision of serv-  
5           ices;

6           “(H) describe the extent to which the child  
7           care program will coordinate with the institu-  
8           tion’s early childhood education curriculum, to  
9           the extent the curriculum is available, to meet  
10          the needs of the students in the early childhood  
11          education program at the institution, and the  
12          needs of the parents and children participating  
13          in the child care program assisted under this  
14          section;

15          “(I) in the case of an institution seeking  
16          assistance for a new child care program—

17                 “(i) provide a timeline, covering the  
18                 period from receipt of the grant through  
19                 the provision of the child care services, de-  
20                 lineating the specific steps the institution  
21                 will take to achieve the goal of providing  
22                 low-income students with child care serv-  
23                 ices;

24                 “(ii) specify any measures the institu-  
25                 tion will take to assist low-income students

1 with child care during the period before  
2 the institution provides child care services;  
3 and

4 “(iii) include a plan for identifying re-  
5 sources needed for the child care services,  
6 including space in which to provide child  
7 care services, and technical assistance if  
8 necessary;

9 “(J) contain an assurance that any child  
10 care facility assisted under this section will  
11 meet the applicable State and local government  
12 licensing, certification, approval, or registration  
13 requirements;

14 “(K) in the case of an institution that is  
15 awarded a grant under this section after the  
16 date of the enactment of the College Afford-  
17 ability Act, provide an assurance that, not later  
18 than three years after the date on which such  
19 grant is awarded, any child care facility assisted  
20 with such grant will—

21 “(i) meet Head Start performance  
22 standards under subchapter B of chapter  
23 13 of title 45, Code of Federal Regulations  
24 (as in effect on the date of enactment of



1 the College Affordability Act) and any suc-  
2 cessor regulations;

3 “(ii) be in the top tier of the quality  
4 rating improvement system for such facili-  
5 ties used by the State in which the facility  
6 is located;

7 “(iii) meet the licensing requirements  
8 of the State in which the facility is located  
9 and the quality requirements under the  
10 Child Care and Development Block Grant  
11 Act of 1990 (42 U.S.C. 9858 et seq.); or

12 “(iv) be accredited by a national early  
13 childhood accrediting body with dem-  
14 onstrated valid and reliable program qual-  
15 ity standards;

16 “(L) contain an assurance that the institu-  
17 tion, when applicable, will make information  
18 available to students receiving child care serv-  
19 ices provided under this section about the eligi-  
20 bility of such students and their dependents for  
21 assistance under the supplemental nutrition as-  
22 sistance program under the Food and Nutrition  
23 Act of 2008 (7 U.S.C. 2011 et seq.), the special  
24 supplemental nutrition program for women, in-  
25 fants, and children under the Child Nutrition

1 Act of 1966 (42 U.S.C. 1786), and the pro-  
2 gram of block grants for States for temporary  
3 assistance for needy families established under  
4 part A of title IV of the Social Security Act (42  
5 U.S.C. 601 et seq.); and

6 “(M) contain an abstract summarizing the  
7 contents of such application and how the insti-  
8 tution intends to achieve the purpose under  
9 subsection (a).

10 “(2) TECHNICAL ASSISTANCE.—The Secretary  
11 may provide technical assistance to eligible institu-  
12 tions to help such institutions qualify, apply for, and  
13 maintain a grant under this section.”;

14 (3) in subsection (d)—

15 (A) in the matter preceding paragraph (1),  
16 by striking “to institutions of higher education  
17 that submit applications describing programs  
18 that”;

19 (B) by amending paragraph (1) to read as  
20 follows:

21 “(1) based on the extent to which institutions  
22 of higher education that submit applications for such  
23 a grant leverage local or institutional resources, in-  
24 cluding in-kind contributions, to support the activi-  
25 ties assisted under this section;”;

1 (C) by redesignating paragraph (2) as  
2 paragraph (3);

3 (D) by inserting after paragraph (1), the  
4 following:

5 “(2) to institutions of higher education that,  
6 compared to other institutions of higher education  
7 that submit applications for such a grant, dem-  
8 onstrate a high likelihood of need for campus-based  
9 child care based on student demographics (such as  
10 a high proportion of low-income students or inde-  
11 pendent students); and”;

12 (E) in paragraph (3) (as redesignated by  
13 subparagraph (C)), by inserting “to institutions  
14 of higher education that submit applications de-  
15 scribing programs that” before “utilize”; and  
16 (4) in subsection (e)—

17 (A) in paragraph (1)(B)—

18 (i) by redesignating clauses (ii), (iii),  
19 and (iv) as clauses (vi), (vii), and (viii), re-  
20 spectively; and

21 (ii) by striking the semicolon at the  
22 end of clause (i) and inserting the fol-  
23 lowing: “, which shall include—

24 “(I) the number of full- and part-  
25 time students, respectively, receiving

1 child care services under this section  
2 at least once per week during the aca-  
3 demic year;

4 “(II) the number of credits accu-  
5 mulated by students receiving such  
6 child care services; and

7 “(III) the number of students re-  
8 ceiving child care services under this  
9 section at least once per week during  
10 the academic year who—

11 “(aa) remain enrolled at the  
12 institution during the academic  
13 year for which they received such  
14 services;

15 “(bb) enroll at the institu-  
16 tion for the following academic  
17 year; and

18 “(cc) graduate or transfer  
19 within—

20 “(AA) 150 percent of  
21 the normal time for comple-  
22 tion of a student’s four-year  
23 degree granting program; or

24 “(BB) 200 percent of  
25 the normal time for comple-

1                                   tion of a student’s two-year  
2                                   degree-granting program;

3                                   “(ii) with respect to the total student  
4 enrollment at the institution and the total  
5 enrollment of low-income students at the  
6 institution, respectively—

7                                   “(I) the rate at which students  
8 who complete an academic year at the  
9 institution re-enroll in the institution  
10 for the following academic year; and

11                                   “(II) the percentage of students  
12 graduating or transferring within—

13                                   “(aa) 150 percent of the  
14 normal time for completion of a  
15 student’s four-year degree grant-  
16 ing program; or

17                                   “(bb) 200 percent of the  
18 normal time for completion of a  
19 student’s two-year degree grant-  
20 ing program;

21                                   “(iii) the percentage of the institu-  
22 tion’s grant that was used directly to sub-  
23 sidize the fee charged for on-campus and  
24 off-campus childcare, respectively, for low-  
25 income students;

1           “(iv) whether the institution restricts  
2           eligibility for child care services to only  
3           full-time students;

4           “(v) the sufficiently ambitious levels  
5           of performance established for such year  
6           by the institution that demonstrate mean-  
7           ingful progress and allow for meaningful  
8           evaluation of program quality based on the  
9           information in clauses (i)(III) and (iii);”;

10          (B) by redesignating paragraph (2) as  
11          paragraph (3);

12          (C) by inserting after paragraph (1) the  
13          following:

14          “(2) REPORT.—

15                 “(A) REPORT REQUIRED.—On an annual  
16                 basis, the Secretary shall submit to the author-  
17                 izing committees a report that includes—

18                         “(i) a summary of the information de-  
19                         scribed in paragraph (1); and

20                         “(ii) each abstract submitted under  
21                         subsection (c)(1)(M) by an institution of  
22                         higher education that receives a grant  
23                         under this section.

1           “(B) PUBLIC AVAILABILITY.—The Sec-  
2           retary shall make each report submitted under  
3           subparagraph (A) publicly available.”;

4           (D) in paragraph (3), as so redesignated,  
5           by inserting “(other than the information pro-  
6           vided under subparagraph (B)(v) of such para-  
7           graph)” after “paragraph (1)”; and

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

9           “(4) TECHNICAL ASSISTANCE.—The Secretary  
10          shall provide technical assistance to institutions of  
11          higher education receiving grants under this section  
12          to help such institutions meet the reporting require-  
13          ments under this subsection.”;

14          (5) by redesignating subsection (g) as sub-  
15          section (h);

16          (6) by inserting after subsection (f) the fol-  
17          lowing:

18          “(g) NONDISCRIMINATION.—No person in the United  
19          States shall, on the basis of actual or perceived race, color,  
20          religion, national origin, sex (including sexual orientation,  
21          gender identity, pregnancy, childbirth, a medical condition  
22          related to pregnancy or childbirth, and sex stereotype), or  
23          disability, be excluded from participation in, be denied the  
24          benefits of, or be subjected to discrimination by any pro-  
25          gram funded, in whole or in part, with funds made avail-

1 able under this section or with amounts appropriated for  
2 grants, contracts, or certificates administered with such  
3 funds.”; and

4 (7) in subsection (h), as so redesignated, by  
5 striking “such sums as may be necessary for fiscal  
6 year 2009” and inserting “\$200,000,000 for fiscal  
7 year 2021”.

8 **SEC. 6. STUDY OF IMPACT OF TAX CREDIT FOR EMPLOYER-**  
9 **PROVIDED CHILD CARE.**

10 (a) STUDY.—Not later than 18 months after the date  
11 of the enactment of this Act, the Comptroller General of  
12 the United States, in consultation with the Secretary of  
13 the Treasury and the Secretary of Labor, shall—

14 (1) complete a study that examines the tax  
15 credit for employer-provided child care authorized  
16 under section 45F of the Internal Revenue Code of  
17 1986 by considering such metrics as—

18 (A) the characteristics of employers that  
19 take the credit, including the size of such em-  
20 ployer, whether such employer is in a rural or  
21 urban location, and whether such employer also  
22 offers a dependent care assistance program de-  
23 scribed in section 129 of such code;

24 (B) the characteristics of employers that  
25 do not take the credit;



1 (C) the extent to which employees benefit  
2 when employers provide child care and take the  
3 credit;

4 (D) any challenges identified by employers  
5 that do not take the credit; and

6 (E) any explanations from employers as to  
7 why they do or do not take the credit; and

8 (2) prepare and submit a report to the Com-  
9 mittee on Finance of the Senate and the Committee  
10 on Ways and Means of the House of Representatives  
11 setting forth the conclusions of the study conducted  
12 under paragraph (1) in such a manner that the rec-  
13 ommendations included in the report can inform fu-  
14 ture legislative action. Such report shall also be  
15 made publicly available via the website of the Gov-  
16 ernment Accountability Office.

17 (b) PROHIBITION.—In carrying out the requirements  
18 of this section, the Comptroller General of the United  
19 States may request qualitative and quantitative informa-  
20 tion from employers claiming the credit under section 45F  
21 of the Internal Revenue Code of 1986, but nothing in this  
22 section shall be construed as mandating additional report-  
23 ing requirements for such employers beyond what is al-  
24 ready required by law.

1 **SEC. 7. EVALUATION OF APPLICATIONS FOR ASSISTANCE**  
2 **UNDER CHOICE NEIGHBORHOODS INITIA-**  
3 **TIVE.**

4 In providing assistance for fiscal year 2020 and any  
5 fiscal year thereafter under the Choice Neighborhoods Ini-  
6 tiative of the Secretary of Housing and Urban Develop-  
7 ment (pursuant to section 24 of the United States Hous-  
8 ing Act of 1937 (42 U.S.C. 1437v)), the Secretary shall  
9 consider early care and learning facilities for children as  
10 a neighborhood asset for purposes of evaluating applica-  
11 tions for planning and implementation grants, shall ensure  
12 that any metric for evaluating such applications gives  
13 credit for the provision of early care and learning facilities  
14 under a neighborhood plan, and shall include early care  
15 and learning facilities as such an asset in any Notice of  
16 Funding Availability for any such fiscal year.

○