

110TH CONGRESS
1ST SESSION

H. R. 1410

To provide emergency child care in the Gulf Coast Region, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 8, 2007

Mr. JEFFERSON (for himself, Mr. TAYLOR, Ms. NORTON, Mr. ELLISON, and Ms. CORRINE BROWN of Florida) introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To provide emergency child care in the Gulf Coast Region,
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 “Emergency Child Care
5 for the Gulf Coast Region Act of 2007”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds as follows:

8 (1) Studies have stated that reopening child
9 care facilities was crucial for helping parents get
10 back to work and businesses to recover.

1 (2) Studies have shown that without available
2 and affordable child care economic recovery will be
3 greatly impeded and lead to a reduction in worker
4 productivity.

5 (3) In New Orleans before Hurricanes Katrina
6 and Rita, the city had 1,912 day-care slots at 266
7 licensed centers, but now 80 percent of those centers
8 and 75 percent of those slots are gone.

9 (4) The National Association of Child Care Re-
10 source and Referral Agencies reported in a study
11 published by the Mississippi State University Early
12 Childhood Institute that between 62 to 94 percent of
13 the licensed child care slots in the three coastal
14 counties hardest hit by Hurricanes Katrina and Rita
15 in Mississippi were lost.

16 (5) In Jackson County, Mississippi, initial as-
17 sessment found that one-fourth of the county's li-
18 censed centers were damaged beyond repair, rep-
19 resenting 11 percent of the county's licensed child
20 care capacity. Another 39 percent of centers needed
21 repairs.

1 **TITLE I—EMERGENCY CHILD**
2 **CARE BUSINESS INCENTIVE**
3 **GRANT PROGRAM FOR THE**
4 **GULF COAST REGION**

5 **SEC. 101. ESTABLISHMENT.**

6 The Secretary of Health and Human Services shall
7 establish a program to make grants to—

8 (1) businesses and consortia in the Gulf Coast
9 Region—

10 (A) to pay start-up costs incurred to pro-
11 vide child care services; or

12 (B) to provide additional child care serv-
13 ices needed by the employees of such busi-
14 nesses; and

15 (2) nonprofit business organizations in the Gulf
16 Coast Region to provide technical information and
17 assistance to enable businesses to provide child care
18 services.

19 **SEC. 102. ELIGIBILITY TO RECEIVE GRANTS.**

20 To be eligible to receive a grant under section 101,
21 a business, nonprofit business organization, or consortium
22 shall submit to the Secretary an application in accordance
23 with section 103.

1 **SEC. 103. APPLICATION.**

2 The application required by section 102 shall be sub-
3 mitted by a business, nonprofit business organization, or
4 consortium at such time, in such form, and containing
5 such information as the Secretary may require by rule,
6 except that such application shall contain—

7 (1) an assurance that the applicant shall ex-
8 pend, for the purpose for which such grant is made,
9 an amount not less than 10 percent of the amount
10 of such grant;

11 (2) an assurance that such applicant will ex-
12 pend such grant for the use specified in paragraph
13 (1) or (2) of section 101, as the case may be;

14 (3) an assurance that such applicant will em-
15 ploy strategies to ensure that child care services pro-
16 vided by such applicant, or provided with the tech-
17 nical information and assistance made available by
18 such applicant, are provided at affordable rates, and
19 on an equitable basis, to low- and moderate-income
20 employees;

21 (4) an assurance that such applicant—

22 (A) in the case of a business or consor-
23 tium, will comply with all State and local licens-
24 ing requirements applicable to such business or
25 consortium concerning the provision of child
26 care services; or

1 (B) in the case of a nonprofit business or-
2 ganization, will employ procedures to ensure
3 that technical information and assistance pro-
4 vided under this title by such business organiza-
5 tion will be provided only to businesses that
6 provide child care services in compliance with
7 all State and local licensing requirements appli-
8 cable to child care providers in such State; and

9 (5) in the case of a business or consortium, an
10 assurance that if the employees of such applicant do
11 not require all the child care services for which such
12 grant and the funds required by paragraph (1) are
13 to be expended by such applicant, the excess of such
14 child care services shall be made available to families
15 in the community in which such applicant is located.

16 **SEC. 104. SELECTION OF GRANTEES.**

17 For purposes of selecting applicants to receive grants
18 under this title, the Secretary shall give priority to busi-
19 nesses that have fewer than 200 full-time employees. To
20 the extent practicable, the Secretary shall—

21 (1) make grants equitably under this title to
22 applicants located in all geographical regions of the
23 United States; and

24 (2) give priority to applicants for grants under
25 section 101(1).

1 **SEC. 105. DEFINITIONS.**

2 As used in this title:

3 (1) BUSINESS.—The term “business” means a
4 person engaged in commerce whose primary activity
5 is not providing child care services.

6 (2) CHILD CARE SERVICES.—The term “child
7 care services” means care for a child that is—

8 (A) provided on the site at which a parent
9 of such child is employed or at a site nearby in
10 the community; and

11 (B) subsidized at least in part by the busi-
12 ness that employs such parent.

13 (3) CONSORTIUM.—The term “consortium”
14 means 4 or more businesses acting jointly. A consor-
15 tium may also include a nonprofit private organiza-
16 tion.

17 (4) SECRETARY.—The term “Secretary” means
18 the Secretary of Health and Human Services.

19 (5) GULF COAST REGION.—The term “Gulf
20 Coast Region” means the area for which the Presi-
21 dent has declared the existence of a major disaster,
22 in accordance with section 401 of the Robert T.
23 Stafford Disaster Relief and Emergency Assistance
24 Act (42 U.S.C. 5170), as a consequence of Hurri-
25 canes Katrina and Rita.

1 **SEC. 106. AUTHORIZATION OF APPROPRIATIONS.**

2 There is authorized to be appropriated to carry out
3 this title \$1,500,000 for fiscal year 2008.

4 **TITLE II—EMERGENCY DEVELOP-**
5 **MENT OF A CHILD CARE**
6 **TRAINING INFRASTRUCTURE**
7 **IN THE GULF COAST REGION**

8 **SEC. 201. GRANTS.**

9 (a) **AUTHORITY.**—The Secretary of Health and
10 Human Services shall award grants to eligible entities to
11 develop distance learning child care training technology in-
12 frastructures in the Gulf Coast Region and to develop
13 model technology-based training courses for child care
14 providers and child care workers in the Gulf Coast Region,
15 to be provided through distance learning programs made
16 available through the infrastructure. The Secretary shall,
17 to the maximum extent possible, ensure that such grants
18 are awarded in those areas of the Gulf Coast Region with
19 the fewest training opportunities for child care providers.

20 (b) **ELIGIBILITY REQUIREMENTS.**—To be eligible to
21 receive a grant under subsection (a), an entity shall—

22 (1) develop the technological and logistical as-
23 pects of the infrastructure described in this section
24 and have the capability of implementing and main-
25 taining the infrastructure;

1 (2) to the maximum extent possible, develop
2 partnerships with secondary schools, institutions of
3 higher education, State and local government agen-
4 cies, and private child care organizations for the
5 purpose of sharing equipment, technical assistance,
6 and other technological resources, including—

7 (A) developing sites from which individuals
8 may access the training;

9 (B) converting standard child care training
10 courses to programs for distance learning; and

11 (C) promoting ongoing networking among
12 program participants; and

13 (3) develop a mechanism for participants to—

14 (A) evaluate the effectiveness of the infra-
15 structure, including the availability and afford-
16 ability of the infrastructure, and the training
17 offered through the infrastructure; and

18 (B) make recommendations for improve-
19 ments to the infrastructure.

20 (e) APPLICATION.—To be eligible to receive a grant
21 under subsection (a), an entity shall submit an application
22 to the Secretary at such time and in such manner as the
23 Secretary may require, and that includes—

1 (1) a description of the partnership organiza-
2 tions through which the distance learning programs
3 will be made available;

4 (2) the capacity of the infrastructure in terms
5 of the number and type of distance learning pro-
6 grams that will be made available;

7 (3) the expected number of individuals to par-
8 ticipate in the distance learning programs; and

9 (4) such additional information as the Secretary
10 may require.

11 (d) **LIMITATION ON FEES.**—No entity receiving a
12 grant under this section may collect fees from an indi-
13 vidual for participation in a distance learning program
14 funded in whole or in part under this section that exceed
15 the pro rata share of the amount expended by the entity
16 to provide materials for the program and to develop, im-
17 plement, and maintain the infrastructure (minus the
18 amount of the grant awarded under this section).

19 (e) **RULE OF CONSTRUCTION.**—Nothing in this sec-
20 tion shall be construed as requiring a child care provider
21 to subscribe to or complete a distance learning program
22 made available under this section.

23 **SEC. 202. DEFINITION.**

24 In this title, the term “Gulf Coast Region” means
25 the area for which the President has declared the existence

1 of a major disaster, in accordance with section 401 of the
 2 Robert T. Stafford Disaster Relief and Emergency Assist-
 3 ance Act (42 U.S.C. 5170), as a consequence of Hurri-
 4 canes Katrina and Rita.

5 **SEC. 203. AUTHORIZATION OF APPROPRIATIONS.**

6 There is authorized to be appropriated to carry out
 7 this title \$1,000,000 for fiscal year 2008.

8 **TITLE III—EMERGENCY CHILD**
 9 **CARE PROVIDER DEVELOP-**
 10 **MENT AND RETENTION**
 11 **GRANT PROGRAM IN THE**
 12 **GULF COAST REGION**

13 **SEC. 301. GRANTS.**

14 (a) **IN GENERAL.**—The Secretary of Health and
 15 Human Services shall make grants available to eligible
 16 child care providers in the Gulf Coast Region in accord-
 17 ance with this section, to improve the qualifications and
 18 promote the retention of qualified child care providers.

19 (b) **ELIGIBILITY TO RECEIVE GRANTS.**—To be eligi-
 20 ble to receive a grant under this section, a child care pro-
 21 vider shall—

22 (1) have a child development associate creden-
 23 tial (or equivalent), an associate of the arts degree
 24 in the area of child development or early child edu-
 25 cation, a baccalaureate degree in the area of child

1 development or early child education, or a bacca-
 2 laurate degree in an unrelated field; and

3 (2) be employed as a child care provider for not
 4 less than 1 calendar year, or (if the provider is em-
 5 ployed on the date of the eligibility determination in
 6 a child care program that operates for less than a
 7 full calendar year) the program equivalent of 1 cal-
 8 endar year, ending on the date of the application for
 9 such grant, except that not more than 3 months of
 10 education related to child development or to early
 11 child education obtained during the corresponding
 12 calendar year may be treated as employment that
 13 satisfies the requirements of this paragraph.

14 (c) PRESERVATION OF ELIGIBILITY.—A State shall
 15 not take into consideration whether a child care provider
 16 is receiving, may receive, or may be eligible to receive any
 17 funds or benefits under any other provision of this Act
 18 for purposes of selecting eligible child care providers to
 19 receive grants under this section.

20 **TITLE IV—CHILD CARE PRO-**
 21 **VIDER SCHOLARSHIP PRO-**
 22 **GRAM**

23 **SEC. 401. SCHOLARSHIP GRANTS.**

24 (a) IN GENERAL.—The Secretary of Health and
 25 Human Services shall make scholarship grants available

1 to eligible child care providers in accordance with this sec-
2 tion to improve their educational qualifications to provide
3 child care services.

4 (b) ELIGIBILITY REQUIREMENT FOR SCHOLARSHIP
5 GRANTS.—To be eligible to receive a scholarship grant
6 under this section, a child care provider shall be employed
7 as a child care provider for not less than 1 calendar year,
8 or (if the provider is employed on the date of the eligibility
9 determination in a child care program that operates for
10 less than a full calendar year) the program equivalent of
11 1 calendar year, ending on the date of the application for
12 such grant.

13 (c) SELECTION OF GRANTEES.—For purposes of se-
14 lecting eligible child care providers to receive scholarship
15 grants under this section and determining the amounts of
16 such grants, a State shall not—

17 (1) take into consideration whether a child care
18 provider is receiving, may receive, or may be eligible
19 to receive any funds or benefits under any other pro-
20 vision of this Act, or under any other Federal or
21 State law that provides funds for educational pur-
22 poses; or

23 (2) consider as resources of such provider any
24 funds such provider is receiving, may receive, or may
25 be eligible to receive under any other provision of

1 this Act, under any other Federal or State law that
2 provides funds for educational purposes, or from a
3 private entity.

4 (d) COST-SHARING REQUIRED.—The amount of a
5 scholarship grant made under this section to an eligible
6 child care provider shall be equal to or less than the cost
7 of the educational or training program for which such
8 grant is made.

9 (e) ANNUAL MAXIMUM SCHOLARSHIP GRANT
10 AMOUNT.—The maximum aggregate dollar amount of a
11 scholarship grant made to an eligible child care provider
12 under this section in a fiscal year shall be \$7,500.

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