

117TH CONGRESS
1ST SESSION

H. R. 1911

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

IN THE HOUSE OF REPRESENTATIVES

MARCH 16, 2021

Ms. CLARK of Massachusetts (for herself, Mr. BOWMAN, and Ms. BONAMICI) 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

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 \$14 billion to bring existing early care and
22 learning facilities up to professional 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 (8) In 2019, a member of the child care work-
4 force earned a median pay of \$24,230 per year, or
5 \$11.65 per hour, below the Federal poverty rate for
6 a family of four, which was \$26,200 in 2020.

7 (9) Over half of the child care workforce is en-
8 rolled in at least one main public benefit program—
9 Medicaid, CHIP, EITC, SNAP, or TANF—com-
10 pared to 21 percent of the United States population.

11 (10) Poor compensation is associated with lower
12 job satisfaction and higher turnover rates. In ab-
13 sence of quality wages and benefits, the early child-
14 hood field will continue to struggle to recruit and re-
15 tain its workforce.

16 (11) Child care workers who have lower edu-
17 cational attainment, work with infants and toddlers,
18 or come from communities of color earn a lower av-
19 erage wage than their counterparts in the profession.

20 (12) Child care workers caring for children
21 from ages 3 to 5 have a slightly higher educational
22 attainment with 45 percent earning a bachelor's de-
23 gree compared to just 19 percent of those teaching
24 younger children. One-third or 34 percent of home-
25 based providers have no higher education and an ad-

1 ditional one-third have some college-level education
2 but did not complete a higher education degree.

3 (13) Systemic barriers hamper access to higher
4 education and training for people of color, con-
5 tinuing to affect wages and upward mobility within
6 any given career field including child care. Efforts to
7 address barriers to higher education in the early
8 childhood workforce is critical in increasing diversity
9 across all roles.

10 (14) In the early childhood workforce, 94 per-
11 cent of workers are women with more than one in
12 five being foreign-born, 15 percent being Black, 21
13 percent being Hispanic. In total, 40 percent of child
14 care workers are people of color.

15 **SEC. 2. INFRASTRUCTURE GRANTS TO IMPROVE CHILD**
16 **CARE SAFETY.**

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

20 **“SEC. 418A. INFRASTRUCTURE GRANTS TO IMPROVE CHILD**
21 **CARE SAFETY.**

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

24 “(b) NEEDS ASSESSMENTS.—

25 “(1) IMMEDIATE NEEDS ASSESSMENT.—

1 “(A) IN GENERAL.—The Secretary shall
2 conduct an immediate needs assessment of the
3 condition of child care facilities throughout the
4 United States (with priority given to child care
5 facilities that receive Federal funds), that—

6 “(i) determines the extent to which
7 the COVID–19 pandemic has created im-
8 mediate infrastructure needs, including in-
9 frastructure-related health and safety
10 needs, which must be addressed for child
11 care facilities to operate in compliance with
12 public health guidelines;

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

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

18 “(I) capacity;

19 “(II) investments in infrastruc-
20 ture changes;

21 “(III) the types of infrastructure
22 changes centers need to implement
23 and their associated costs;

24 “(IV) the price of tuition; and

1 “(V) any changes or anticipated
2 changes in the number and demo-
3 graphic of children attending.

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

7 “(C) REPORT.—Not later than 1 year
8 after the date of the enactment of this section,
9 the Secretary shall submit to the Congress a re-
10 port containing the result of the needs assess-
11 ment conducted under subparagraph (A), and
12 make the assessment publicly available.

13 “(2) LONG-TERM NEEDS ASSESSMENT.—

14 “(A) IN GENERAL.—The Secretary shall
15 conduct a long-term assessment of the condition
16 of child care facilities throughout the United
17 States (with priority given to child care facili-
18 ties that receive Federal funds). The assess-
19 ment may be conducted through representative
20 random sampling.

21 “(B) REPORT.—Not later than 4 years
22 after the date of the enactment of this section,
23 the Secretary shall submit to the Congress a re-
24 port containing the results of the needs assess-

1 ment conducted under subparagraph (A), and
2 make the assessment publicly available.

3 “(c) CHILD CARE FACILITIES GRANTS.—

4 “(1) GRANTS TO STATES.—

5 “(A) IN GENERAL.—The Secretary may
6 award grants to States for the purpose of ac-
7 quiring, constructing, renovating, or improving
8 child care facilities, including adapting, re-
9 configuring, or expanding facilities to respond
10 to the COVID–19 pandemic.

11 “(B) PRIORITIZED FACILITIES.—The Sec-
12 retary may not award a grant to a State under
13 subparagraph (A) unless the State involved
14 agrees, with respect to the use of grant funds,
15 to prioritize—

16 “(i) child care facilities primarily serv-
17 ing low-income populations;

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

21 “(iii) child care facilities that made
22 maximum health and safety modifications
23 to account for the impact of the COVID–
24 19 pandemic;

1 “(iv) child care facilities that operate
2 under nontraditional hours; and

3 “(v) child care facilities located in
4 rural or underserved communities.

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

8 “(D) APPLICATION.—To seek a grant
9 under this subsection, a State shall submit to
10 the Secretary an application at such time, in
11 such manner, and containing such information
12 as the Secretary may require, which informa-
13 tion shall—

14 “(i) be disaggregated as the Secretary
15 may require; and

16 “(ii) include a plan to use a portion of
17 the grant funds to report back to the Sec-
18 retary on the impact of using the grant
19 funds to improve child care facilities.

20 “(E) PRIORITY.—In selecting States for
21 grants under this subsection, the Secretary
22 shall prioritize States that—

23 “(i) plan to improve center-based and
24 home-based child care programs, which
25 may include a combination of child care

1 and early Head Start or Head Start pro-
2 grams;

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

6 “(iii) show evidence of collaboration
7 with—

8 “(I) local government officials;

9 “(II) other State agencies;

10 “(III) nongovernmental organiza-
11 tions, such as—

12 “(aa) organizations within
13 the philanthropic community;

14 “(bb) certified community
15 development financial institutions
16 as defined in section 103 of the
17 Community Development Bank-
18 ing and Financial Institutions
19 Act of 1994 (12 U.S.C. 4702)
20 that have been certified by the
21 Community Development Finan-
22 cial Institutions Fund (12 U.S.C.
23 4703); and

1 “(cc) organizations that
2 have demonstrated experience
3 in—

4 “(AA) providing tech-
5 nical or financial assistance
6 for the acquisition, construc-
7 tion, renovation, or improve-
8 ment of child care facilities;

9 “(BB) providing tech-
10 nical, financial, or manage-
11 rial assistance to child care
12 providers; and

13 “(CC) securing private
14 sources of capital financing
15 for child care facilities or
16 other low-income community
17 development projects; and

18 “(IV) local community organiza-
19 tions, such as—

20 “(aa) child care providers;

21 “(bb) community care agen-
22 cies;

23 “(cc) resource and referral
24 agencies; and

25 “(dd) unions.

1 “(F) CONSIDERATION.—In selecting States
2 for grants under this subsection, the Secretary
3 shall consider—

4 “(i) whether the applicant—

5 “(I) has or is developing a plan
6 to address child care facility needs;
7 and

8 “(II) demonstrates the capacity
9 to execute such a plan; and

10 “(ii) after the date the report required
11 by subsection (b)(1)(C) is submitted to the
12 Congress, the needs of the applicants
13 based on the results of the assessment.

14 “(G) DIVERSITY OF AWARDS.—In award-
15 ing grants under this section, the Secretary
16 shall give equal consideration to States with
17 varying capacities under subparagraph (F).

18 “(H) MATCHING REQUIREMENT.—

19 “(i) IN GENERAL.—As a condition for
20 the receipt of a grant under subparagraph
21 (A), a State that is not an Indian tribe
22 shall agree to make available (directly or
23 through donations from public or private
24 entities) contributions with respect to the
25 cost of the activities to be carried out pur-

1 suant to subparagraph (A), which may be
2 provided in cash or in kind, in an amount
3 equal to 10 percent of the funds provided
4 through the grant.

5 “(ii) DETERMINATION OF AMOUNT
6 CONTRIBUTED.—Contributions required by
7 clause (i) may include—

8 “(I) amounts provided by the
9 Federal Government, or services as-
10 sisted or subsidized to any significant
11 extent by the Federal Government; or

12 “(II) philanthropic or private-sec-
13 tor funds.

14 “(I) REPORT.—Not later than 6 months
15 after the last day of the grant period, a State
16 receiving a grant under this paragraph shall
17 submit a report to the Secretary as described in
18 subparagraph (D)—

19 “(i) to determine the effects of the
20 grant in constructing, renovating, or im-
21 proving child care facilities, including any
22 changes in response to the COVID-19
23 pandemic and any effects on access to and
24 quality of child care; and

1 “(ii) to provide such other information
2 as the Secretary may require.

3 “(J) AMOUNT LIMIT.—The annual amount
4 of a grant under this paragraph may not exceed
5 \$35,000,000.

6 “(2) GRANTS TO INTERMEDIARY ORGANIZA-
7 TIONS.—

8 “(A) IN GENERAL.—The Secretary may
9 award grants to intermediary organizations,
10 such as certified community development finan-
11 cial institutions, tribal organizations, or other
12 organizations with demonstrated experience in
13 child care facilities financing, for the purpose of
14 providing technical assistance, capacity build-
15 ing, and financial products to develop or finance
16 child care facilities.

17 “(B) APPLICATION.—A grant under this
18 paragraph may be made only to intermediary
19 organizations that submit to the Secretary an
20 application at such time, in such manner, and
21 containing such information as the Secretary
22 may require.

23 “(C) PRIORITY.—In selecting intermediary
24 organizations for grants under this subsection,

1 the Secretary shall prioritize intermediary orga-
2 nizations that—

3 “(i) demonstrate experience in child
4 care facility financing or related commu-
5 nity facility financing;

6 “(ii) demonstrate the capacity to as-
7 sist States and local governments in devel-
8 oping child care facilities and programs;

9 “(iii) demonstrate the ability to lever-
10 age grant funding to support financing
11 tools to build the capacity of child care
12 providers, such as through credit enhance-
13 ments;

14 “(iv) propose to focus on child care
15 facilities that operate under nontraditional
16 hours;

17 “(v) propose to meet a diversity of
18 needs across States and across urban, sub-
19 urban, and rural areas at varying types of
20 center-based, home-based, and other child
21 care settings, including early care pro-
22 grams located in freestanding buildings or
23 in mixed-use properties; and

24 “(vi) propose to focus on child care
25 facilities primarily serving low-income pop-

1 ulations and children who have not at-
2 tained the age of 5 years.

3 “(D) AMOUNT LIMIT.—The amount of a
4 grant under this paragraph may not exceed
5 \$10,000,000.

6 “(3) REPORT.—Not later than the end of fiscal
7 year 2026, the Secretary shall submit to the Con-
8 gress a report on the effects of the grants provided
9 under this subsection, and make the report pub-
10 lically accessible.

11 “(d) LABOR STANDARDS FOR ALL GRANTS.—The
12 Secretary shall require that each entity, including grantees
13 and subgrantees, that applies for an infrastructure grant
14 for constructing, renovating, or improving child care facili-
15 ties, including adapting, reconfiguring, or expanding such
16 facilities, which is funded in whole or in part under this
17 section, shall include in its application written assurance
18 that all laborers and mechanics employed by contractors
19 or subcontractors in the performance of construction, al-
20 ternation or repair, as part of such project, shall be paid
21 wages at rates not less than those prevailing on similar
22 work in the locality as determined by the Secretary of
23 Labor in accordance with subchapter IV of chapter 31 of
24 part A of subtitle II of title 40, United States Code (com-
25 monly referred to as the ‘Davis-Bacon Act’), and with re-

1 spect to the labor standards specified in such subchapter
2 the Secretary of Labor shall have the authority and func-
3 tions set forth in Reorganization Plan Numbered 14 of
4 1950 (15 Fed. Reg. 3176; 5 U.S.C. App.).

5 “(e) LIMITATIONS ON AUTHORIZATION OF APPRO-
6 PRIATIONS.—

7 “(1) IN GENERAL.—To carry out this section,
8 there is authorized to be appropriated
9 \$10,000,000,000 for fiscal year 2022, which shall
10 remain available through fiscal year 2026.

11 “(2) RESERVATIONS OF FUNDS.—

12 “(A) INDIAN TRIBES.—The Secretary shall
13 reserve 3 percent of the total amount made
14 available to carry out this section, for payments
15 to Indian tribes.

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

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

1 ice, not more than \$6,000 of the principal and interest
2 of the educational loans of such educators.

3 “(b) RECERTIFICATION.—An eligible early childhood
4 educator seeking to continue to receive payments under
5 this section shall submit on an annual basis to the Sec-
6 retary such information as the Secretary may require to
7 certify that the educator is continuing to meet the criteria
8 to be considered an eligible educator.

9 “(c) MAXIMUM AMOUNT OF LOAN.—The total
10 amount of payments received by an eligible early childhood
11 educator under this section may not exceed the total
12 amount of the principal and interest of the educational
13 loans of such educator.

14 “(d) APPLICABILITY OF CERTAIN PROVISIONS.—The
15 following provisions of the National Health Service Corps
16 Loan Assistance Program established in subpart III of
17 part D shall apply to the program established under this
18 section in the same manner and to the same extent as
19 such provisions apply to the National Health Service
20 Corps Loan Assistance Program:

21 “(1) Paragraphs (1) through (3) of section
22 338B(c) (relating to application information, under-
23 standability, and availability).

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

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

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

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

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

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

13 “(f) DEFINITIONS.—In this section:

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

16 “(A) as of the date on which the agree-
17 ment referred to in subsection (a)(1) is entered
18 into—

19 “(i) has outstanding Federal direct
20 loans obtained for purposes of pursuing an
21 associate’s degree, a 4-year bachelor’s de-
22 gree, a graduate degree, or a combined
23 bachelor and master’s degree, in early
24 childhood education or a related field from
25 an accredited institution (including any

1 such loan for which the individual is en-
2 rolled in an income-based repayment plan);
3 and

4 “(ii) is in good standing with respect
5 to the loans referred to in clause (i); and
6 “(B) agrees to—

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

10 “(ii) make timely payments with re-
11 spect to the loans described in subpara-
12 graph (A)(i).

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

17 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
18 are authorized to be appropriated to carry out this section
19 \$25,000,000 for each of fiscal years 2022 through 2027.”.

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

21 (a) IN GENERAL.—Beginning not later than 180
22 days after the date of the enactment of this Act, the Sec-
23 retary of Education (referred to in this section as the
24 “Secretary”) shall carry out a program under which the
25 Secretary makes payments to institutions of higher edu-

1 cation with a qualified early childhood educator program
2 to enable such institutions to make grants, on a competi-
3 tive basis, to eligible individuals who file an application
4 and agreement in accordance with subsections (b) and (c).

5 (b) APPLICATIONS.—

6 (1) IN GENERAL.—The Secretary shall periodi-
7 cally set dates by which eligible individuals shall file
8 applications for a grant under this section. Each eli-
9 gible individual desiring a grant under this section
10 shall file an application containing such information
11 and assurances as the Secretary may determine nec-
12 essary to enable the Secretary to carry out the func-
13 tions and responsibilities of this section.

14 (2) RENEWAL.—A grant awarded under this
15 section may be renewed for additional one-year peri-
16 ods if—

17 (A) the recipient submits a renewal appli-
18 cation containing such information and assur-
19 ances as the Secretary may determine nec-
20 essary; and

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

24 (c) SERVICE OBLIGATION.—

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

4 (A) an agreement by the applicant that—

5 (i) in the event that the applicant re-
6 ceives a grant under this section, the appli-
7 cant shall—

8 (I) serve as a full-time or part-
9 time educator in a licensed early
10 learning program for a total of not
11 less than one academic year, and four
12 additional months for each subsequent
13 grant renewal, within two years after
14 the date on which the period of time
15 covered by the grant is completed; and

16 (II) submit a certification of em-
17 ployment by the employing early
18 learning program in such form as the
19 Secretary may determine necessary;
20 and

21 (ii) in the event that the applicant is
22 determined to have failed or refused to
23 carry out such service obligation, the sum
24 of the amounts of any grants received by
25 such applicant under this section will be

1 treated as a loan and collected from the
2 applicant in accordance with paragraph (3)
3 and the regulations thereunder; and

4 (B) a plain-language disclosure form devel-
5 oped by the Secretary that clearly describes the
6 nature of the grant award, the service obliga-
7 tion, and the loan repayment requirements that
8 are the consequence of the failure to complete
9 the service obligation.

10 (2) TREATMENT OF CONCURRENT SERVICE.—

11 An individual who serves as a full or part-time edu-
12 cator in a licensed early childhood education pro-
13 gram concurrently while enrolled in a qualified early
14 childhood educator program may count such service
15 toward the fulfillment of the service obligation in the
16 agreement under paragraph (1).

17 (3) REPAYMENT FOR FAILURE TO COMPLETE

18 SERVICE.—Except as provided in paragraph (4), in
19 the event that any recipient of a grant under this
20 section fails or refuses to comply with the service ob-
21 ligation in the agreement under paragraph (1), the
22 sum of the amounts of any grants received by such
23 recipient shall, upon a determination of such a fail-
24 ure or refusal in such service obligation, be treated
25 as a Federal Direct Unsubsidized Stafford Loan

1 under part D of title IV of the Higher Education
2 Act of 1965 (20 U.S.C. 1087a et seq.) except that—

3 (A) no interest shall accrue on such
4 amounts; and

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

7 (i) an income-contingent or income-
8 based repayment plan, if the individual
9 meets the eligibility requirements for such
10 a repayment plan; and

11 (ii) such other terms and conditions
12 as are specified by the Secretary in regula-
13 tions promulgated under this section.

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

22 (d) GRANT AMOUNT.—An eligible individual selected
23 to receive a grant or a grant renewal under this section
24 shall receive a grant in an amount not to exceed \$3,000
25 for each academic year during which the individual is en-

1 rolled on a full-time or part-time basis in the qualified
2 early childhood educator program for which the grant was
3 awarded.

4 (e) GRANT DISBURSEMENT.—Payments under this
5 section shall be made in accordance with regulations pro-
6 mulgated by the Secretary for such purpose and in such
7 manner as will best accomplish the purposes of this sec-
8 tion, provided—

9 (1) any disbursement made by crediting a grant
10 recipient's account shall be limited to tuition and
11 fees and other materials necessary for the comple-
12 tion of coursework as determined by the Secretary;
13 and

14 (2) not less than 85 percent of any funds pro-
15 vided to an eligible institution under subsection (a)
16 shall be advanced to the eligible institution prior to
17 the start of each payment period and shall be based
18 upon an amount requested by the institution as
19 needed to cover the total cost of grants awarded to
20 eligible recipients until such time as the Secretary
21 determines and publishes in the Federal Register
22 with an opportunity for comment, an alternative
23 payment system that provides payments to institu-
24 tions in an accurate and timely manner, except that
25 this sentence shall not be construed to limit the au-

1 thority of the Secretary to place an institution on a
2 reimbursement system of payment.

3 (f) DIRECT PAYMENT.—Nothing in this section shall
4 be construed to prohibit the Secretary from making a
5 grant directly to an eligible individual in a case in which
6 an institution of higher education with a qualified early
7 childhood educator program does not participate in the
8 program under subsection (a).

9 (g) DEFINITIONS.—In this section:

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

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

18 (3) QUALIFIED EARLY CHILDHOOD EDUCATOR
19 PROGRAM.—The term “qualified early childhood ed-
20 ucator program” means a course of study leading to
21 an associate’s degree or a certificate in early child-
22 hood education or a related field from an institution
23 of higher education.

24 (4) LICENSED EARLY LEARNING PROGRAM.—
25 The term “licensed early learning program” means

1 any State-licensed or State-regulated program or
2 provider, regardless of setting or funding source,
3 that provides early care and education for children
4 from birth to kindergarten entry, including, but not
5 limited to, programs operated by child care centers
6 and in family child care homes.

7 (h) AUTHORIZATION OF APPROPRIATIONS.—

8 (1) IN GENERAL.—There are authorized to be
9 appropriated to carry out this section \$10,000,000
10 for each of fiscal years 2022 through 2026.

11 (2) LIMITATION.—Of the amount made avail-
12 able under paragraph (1) in any fiscal year, not
13 more than 3 percent may be used for evaluation,
14 monitoring, salaries, and administrative expenses.

15 **SEC. 5. CCAMPIS REAUTHORIZATION.**

16 Section 419N of the Higher Education Act of 1965
17 (20 U.S.C. 1070e) is amended—

18 (1) in subsection (b)—

19 (A) in paragraph (2)—

20 (i) in subparagraph (A)—

21 (I) by striking “The amount”
22 and inserting “Except as provided in
23 subparagraph (C), the amount”; and

24 (II) by striking “1 percent” and
25 inserting “2 percent”;

1 (ii) in subparagraph (B)(ii), by strik-
2 ing “subsection (g)” and inserting “sub-
3 section (h)”;

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

6 “(C) PERFORMANCE BONUS.—

7 “(i) IN GENERAL.—Notwithstanding
8 subparagraph (A), for any fiscal year for
9 which the amount appropriated under sub-
10 section (h) is not less than \$140,000,000,
11 the Secretary may pay a performance
12 bonus to an eligible institution of higher
13 education.

14 “(ii) MAXIMUM AMOUNT.—A bonus
15 paid to an eligible institution of higher
16 education under clause (i) for a fiscal year
17 shall not exceed an amount equal to 20
18 percent of the amount of the annual grant
19 payment received by the institution under
20 paragraph (3)(B) for the fiscal year pre-
21 ceding the fiscal year for which the bonus
22 is paid.

23 “(iii) USE OF BONUS.—A bonus re-
24 ceived by an institution under clause (i)
25 shall be used by the institution in the same

1 manner as a grant under this section and
2 shall be treated as grant funds for pur-
3 poses of the application of paragraph (5),
4 except that the Secretary may extend the
5 grant period as necessary for the institu-
6 tion to use such bonus.

7 “(iv) ELIGIBLE INSTITUTION OF
8 HIGHER EDUCATION.—In this subpara-
9 graph, the term ‘eligible institution of
10 higher education’ means an institution of
11 higher education that—

12 “(I) has received a grant under
13 this section for not less than the pe-
14 riod of three consecutive fiscal years
15 preceding the fiscal year in which the
16 bonus is paid under clause (i);

17 “(II) for each such preceding fis-
18 cal year, has met or exceeded the per-
19 formance levels established by the in-
20 stitution for such year under sub-
21 section (e)(1)(B)(v); and

22 “(III) has demonstrated the need
23 for such bonus.”; and

24 (B) in paragraph (3)—

1 (i) in subparagraph (A), by striking
2 “4 years” and inserting “5 years”; and

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

6 (2) by amending subsection (c) to read as fol-
7 lows:

8 “(c) APPLICATIONS.—

9 “(1) IN GENERAL.—An institution of higher
10 education desiring a grant under this section shall
11 submit an application to the Secretary at such time,
12 in such manner, and accompanied by such informa-
13 tion as the Secretary may require. Such application
14 shall—

15 “(A) demonstrate that the institution is an
16 eligible institution described in subsection
17 (b)(4);

18 “(B) specify the amount of funds re-
19 quested;

20 “(C) demonstrate the need of low-income
21 students at the institution for campus-based
22 child care services by including in the applica-
23 tion—

1 “(i) information regarding student de-
2 mographics, including whether the student
3 is a full-time or part-time student;

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

6 “(iii) information regarding the wait-
7 ing lists for child care services on or near
8 campus;

9 “(iv) information regarding additional
10 needs created by concentrations of poverty
11 or by geographic isolation;

12 “(v) information about the number of
13 low-income student parents being served
14 through campus-based child care services;
15 and

16 “(vi) other relevant data;

17 “(D) specify the estimated percentage of
18 the institution’s grant that will be used directly
19 to subsidize the fee charged for on-campus and
20 off-campus childcare, respectively, for low-in-
21 come students;

22 “(E) contain a description of the activities
23 to be assisted, including whether the grant
24 funds will support an existing child care pro-
25 gram or a new child care program;

1 “(F) identify the resources, including tech-
2 nical expertise and financial support, that the
3 institution will draw upon to support the child
4 care program and the participation of low-in-
5 come students in the program (such as access-
6 ing social services funding, using student activ-
7 ity fees to help pay the costs of child care,
8 using resources obtained by meeting the needs
9 of parents who are not low-income students,
10 and accessing foundation, corporate, or other
11 institutional support) and demonstrate that the
12 use of the resources will not result in increases
13 in student tuition;

14 “(G) contain an assurance that the institu-
15 tion will meet the child care needs of low-in-
16 come students through the provision of services,
17 or through a contract for the provision of serv-
18 ices;

19 “(H) describe the extent to which the child
20 care program will coordinate with the institu-
21 tion’s early childhood education curriculum, to
22 the extent the curriculum is available, to meet
23 the needs of the students in the early childhood
24 education program at the institution, and the
25 needs of the parents and children participating

1 in the child care program assisted under this
2 section;

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

5 “(i) provide a timeline, covering the
6 period from receipt of the grant through
7 the provision of the child care services, de-
8 lineating the specific steps the institution
9 will take to achieve the goal of providing
10 low-income students with child care serv-
11 ices;

12 “(ii) specify any measures the institu-
13 tion will take to assist low-income students
14 with child care during the period before
15 the institution provides child care services;
16 and

17 “(iii) include a plan for identifying re-
18 sources needed for the child care services,
19 including space in which to provide child
20 care services, and technical assistance if
21 necessary;

22 “(J) contain an assurance that any child
23 care facility assisted under this section will
24 meet the applicable State and local government

1 licensing, certification, approval, or registration
2 requirements;

3 “(K) in the case of an institution that is
4 awarded a grant under this section after the
5 date of the enactment of the College Afford-
6 ability Act, provide an assurance that, not later
7 than three years after the date on which such
8 grant is awarded, any child care facility assisted
9 with such grant will—

10 “(i) meet Head Start performance
11 standards under subchapter B of chapter
12 13 of title 45, Code of Federal Regulations
13 (as in effect on the date of enactment of
14 the College Affordability Act) and any suc-
15 cessor regulations;

16 “(ii) be in the top tier of the quality
17 rating improvement system for such facili-
18 ties used by the State in which the facility
19 is located;

20 “(iii) meet the licensing requirements
21 of the State in which the facility is located
22 and the quality requirements under the
23 Child Care and Development Block Grant
24 Act of 1990 (42 U.S.C. 9858 et seq.); or

1 “(iv) be accredited by a national early
2 childhood accrediting body with dem-
3 onstrated valid and reliable program qual-
4 ity standards;

5 “(L) contain an assurance that the institu-
6 tion, when applicable, will make information
7 available to students receiving child care serv-
8 ices provided under this section about the eligi-
9 bility of such students and their dependents for
10 assistance under the supplemental nutrition as-
11 sistance program under the Food and Nutrition
12 Act of 2008 (7 U.S.C. 2011 et seq.), the special
13 supplemental nutrition program for women, in-
14 fants, and children under the Child Nutrition
15 Act of 1966 (42 U.S.C. 1786), and the pro-
16 gram of block grants for States for temporary
17 assistance for needy families established under
18 part A of title IV of the Social Security Act (42
19 U.S.C. 601 et seq.); and

20 “(M) contain an abstract summarizing the
21 contents of such application and how the insti-
22 tution intends to achieve the purpose under
23 subsection (a).

24 “(2) TECHNICAL ASSISTANCE.—The Secretary
25 may provide technical assistance to eligible institu-

1 tions to help such institutions qualify, apply for, and
2 maintain a grant under this section.”;

3 (3) in subsection (d)—

4 (A) in the matter preceding paragraph (1),
5 by striking “to institutions of higher education
6 that submit applications describing programs
7 that”;

8 (B) by amending paragraph (1) to read as
9 follows:

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

15 (C) by redesignating paragraph (2) as
16 paragraph (3);

17 (D) by inserting after paragraph (1), the
18 following:

19 “(2) to institutions of higher education that,
20 compared to other institutions of higher education
21 that submit applications for such a grant, dem-
22 onstrate a high likelihood of need for campus-based
23 child care based on student demographics (such as
24 a high proportion of low-income students or inde-
25 pendent students); and”;

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

6 (A) in paragraph (1)(B)—

7 (i) by redesignating clauses (ii), (iii),
8 and (iv) as clauses (vi), (vii), and (viii), re-
9 spectively; and

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

13 “(I) the number of full- and part-
14 time students, respectively, receiving
15 child care services under this section
16 at least once per week during the aca-
17 demic year;

18 “(II) the number of credits accu-
19 mulated by students receiving such
20 child care services; and

21 “(III) the number of students re-
22 ceiving child care services under this
23 section at least once per week during
24 the academic year who—

1 “(aa) remain enrolled at the
2 institution during the academic
3 year for which they received such
4 services;

5 “(bb) enroll at the institu-
6 tion for the following academic
7 year; and

8 “(cc) graduate or transfer
9 within—

10 “(AA) 150 percent of
11 the normal time for comple-
12 tion of a student’s four-year
13 degree granting program; or

14 “(BB) 200 percent of
15 the normal time for comple-
16 tion of a student’s two-year
17 degree-granting program;

18 “(ii) with respect to the total student
19 enrollment at the institution and the total
20 enrollment of low-income students at the
21 institution, respectively—

22 “(I) the rate at which students
23 who complete an academic year at the
24 institution re-enroll in the institution
25 for the following academic year; and

1 “(II) the percentage of students
2 graduating or transferring within—

3 “(aa) 150 percent of the
4 normal time for completion of a
5 student’s four-year degree grant-
6 ing program; or

7 “(bb) 200 percent of the
8 normal time for completion of a
9 student’s two-year degree grant-
10 ing program;

11 “(iii) the percentage of the institu-
12 tion’s grant that was used directly to sub-
13 sidize the fee charged for on-campus and
14 off-campus childcare, respectively, for low-
15 income students;

16 “(iv) whether the institution restricts
17 eligibility for child care services to only
18 full-time students;

19 “(v) the sufficiently ambitious levels
20 of performance established for such year
21 by the institution that demonstrate mean-
22 ingful progress and allow for meaningful
23 evaluation of program quality based on the
24 information in clauses (i)(III) and (iii);”;

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

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

5 “(2) REPORT.—

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

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

11 “(ii) each abstract submitted under
12 subsection (c)(1)(M) by an institution of
13 higher education that receives a grant
14 under this section.

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

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

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

23 “(4) TECHNICAL ASSISTANCE.—The Secretary
24 shall provide technical assistance to institutions of
25 higher education receiving grants under this section

1 to help such institutions meet the reporting require-
2 ments under this subsection.”;

3 (5) by redesignating subsection (g) as sub-
4 section (h);

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

7 “(g) NONDISCRIMINATION.—No person in the United
8 States shall, on the basis of actual or perceived race, color,
9 religion, national origin, sex (including sexual orientation,
10 gender identity, pregnancy, childbirth, a medical condition
11 related to pregnancy or childbirth, and sex stereotype), or
12 disability, be excluded from participation in, be denied the
13 benefits of, or be subjected to discrimination by any pro-
14 gram funded, in whole or in part, with funds made avail-
15 able under this section or with amounts appropriated for
16 grants, contracts, or certificates administered with such
17 funds.”; and

18 (7) in subsection (h), as so redesignated, by
19 striking “such sums as may be necessary for fiscal
20 year 2009” and inserting “\$200,000,000 for fiscal
21 year 2022”.

1 **SEC. 6. EVALUATION OF APPLICATIONS FOR ASSISTANCE**
2 **UNDER CHOICE NEIGHBORHOODS INITIA-**
3 **TIVE.**

4 In providing assistance for fiscal year 2021 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.

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