

118TH CONGRESS  
2D SESSION

# S. 4130

To require the establishment of a pilot program to expand early child care options for members of the Armed Forces and their families.

---

IN THE SENATE OF THE UNITED STATES

APRIL 16, 2024

Mrs. SHAHEEN (for herself and Ms. ERNST) introduced the following bill;  
which was read twice and referred to the Committee on Armed Services

---

## A BILL

To require the establishment of a pilot program to expand early child care options for members of the Armed Forces and their families.

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 “Expanding Access to  
5 Child Care for Military Families Act of 2024”.

6 **SEC. 2. PILOT PROGRAM TO EXPAND EARLY CHILD CARE**  
7 **OPTIONS FOR MEMBERS OF THE ARMED**  
8 **FORCES AND THEIR FAMILIES.**

9 (a) IN GENERAL.—The Secretary of Defense shall di-  
10 rect the Secretaries of the military departments to carry

1 out a pilot program to improve the access of members of  
2 the Armed Forces and their families to high quality early  
3 child care opportunities by establishing partnerships with  
4 eligible child care providers—

5 (1) to increase the capacity of those providers;

6 (2) to improve early child care workforce devel-  
7 opment; and

8 (3) to increase recruitment and retention of em-  
9 ployees for eligible child care providers.

10 (b) SELECTION OF ELIGIBLE CHILD CARE PRO-  
11 VIDERS AND NETWORKS OF SUCH PROVIDERS.—

12 (1) IN GENERAL.—Under the pilot program re-  
13 quired by subsection (a), the Secretary shall direct  
14 the Secretaries of the military departments to enter  
15 into a total of 12 partnerships with eligible child  
16 care providers, or networks of such providers, to, in  
17 communities under the jurisdiction of such secre-  
18 taries—

19 (A) increase the number of early child care  
20 slots available to members of the Armed Forces  
21 and their families;

22 (B) facilitate recruitment and retention of  
23 employees for eligible child care providers; and

24 (C) provide additional professional develop-  
25 ment opportunities for such employees.

1           (2) LIMITATION.—The Secretary may direct the  
2           Secretaries of the military departments to enter into  
3           not more than one partnership with each eligible  
4           child care provider, or network of such providers,  
5           under the pilot program required by subsection (a).

6           (3) LOCATIONS.—In selecting eligible child care  
7           providers or network of such providers with which to  
8           enter into partnerships under the pilot program re-  
9           quired by subsection (a), the Secretary—

10                   (A) shall direct the Secretaries of the mili-  
11                   tary departments—

12                           (i) to ensure that—

13                                   (I) each partnership is based at a  
14                                   different military installation; and

15                                   (II) at least one partnership is  
16                                   based at—

17   (aa) a Navy installation that  
18   is not a Marine Corps installa-  
19   tion;

20   (bb) a Marine Corps instal-  
21   lation;

22   (cc) an Army installation;

23   (dd) an Air Force installa-  
24   tion that is not a Space Force in-  
25   stallation;

1 (ee) a Space Force installa-  
2 tion; and

3 (ff) a joint military installa-  
4 tion; and

5 (ii) to consider—

6 (I) geographic diversity and pop-  
7 ulation demographics to reflect the in-  
8 clusion of multiple communities across  
9 the United States;

10 (II) the appropriate qualifica-  
11 tions, consistent with Department of  
12 Defense regulations and training re-  
13 quirements and under applicable State  
14 and local laws, to provide services to  
15 meet the needs of eligible children;  
16 and

17 (III) existing resources available  
18 to the eligible child care providers or  
19 networks of such providers to train  
20 and support employees for eligible  
21 child care providers; and

22 (B) may authorize the Secretaries of the  
23 military departments to establish partnerships  
24 in communities near military installations with  
25 military child development centers or other ex-

1           isting early childcare programs of the Depart-  
2           ment of Defense, including the Military Child  
3           Care in Your Neighborhood program.

4           (c) AUTHORIZED FUNCTIONS.—In carrying out the  
5 pilot program required by subsection (a), the Secretary  
6 may—

7           (1) direct the Secretaries of the military depart-  
8           ments—

9                   (A) to identify gaps between existing early  
10           child care needs and available eligible child care  
11           providers in communities where such Secre-  
12           taries are considering establishing the pilot pro-  
13           gram;

14                   (B) to use resources of the Department of  
15           Defense to support eligible child care providers  
16           in recruitment and retention of employees, in-  
17           cluding through professional development and  
18           financial incentives for such employees; and

19                   (C) to seek to enter into an interagency  
20           partnership with a Federal agency with the  
21           ability to place national service participants and  
22           volunteers trained in education services, includ-  
23           ing senior volunteer programs, at military child  
24           development centers, including such a center at  
25           an installation selected for a partnership under

1 subsection (b)(3), in accordance with applicable  
2 national service laws and with all the benefits  
3 accorded to such participants and volunteers;  
4 and

5 (2) provide training and resource subsidies to  
6 eligible child care providers and networks of such  
7 providers participating in partnerships established  
8 under subsection (b).

9 (d) ASSURANCE OF NOT REDUCING EARLY CHILD  
10 CARE AVAILABILITY FOR NONMILITARY FAMILIES.—

11 (1) IN GENERAL.—As a condition of entering  
12 into a partnership under subsection (a), an eligible  
13 child care provider or network of such providers par-  
14 ticipating in a partnership established under sub-  
15 section (b) is required to provide assurances that the  
16 provider or network will not—

17 (A) reduce early child care slots for non-  
18 military families after entering into the partner-  
19 ship; or

20 (B) enter into the construction of new  
21 child care facilities.

22 (2) ASSESSMENTS.—Not later than 180 days  
23 after the pilot program commences under paragraph  
24 (1)(A) of subsection (h), and every 180 days there-

1 after until the pilot program terminates under that  
2 subsection, the Secretary shall—

3 (A) assess whether each eligible child care  
4 provider or network of such providers with  
5 which the Secretary of a military department  
6 entered into a partnership under subsection  
7 (b)—

8 (i) is providing the assurances re-  
9 quired by paragraph (1); and

10 (ii) has not reduced early child care  
11 slots for nonmilitary families; and

12 (B) if the Secretary determines that the  
13 provider or network of providers is not pro-  
14 viding such assurances or has reduced such  
15 slots—

16 (i) notify the provider or network that  
17 the provider or network has 90 days to re-  
18 store the slots; and

19 (ii) if the provider or network does  
20 not restore the slots during that 90-day pe-  
21 riod, terminate the partnership.

22 (e) LOCATION OF PILOT PROGRAM.—The Secretary  
23 shall direct the Secretaries of the military departments to  
24 ensure that, pursuant to a partnership entered into under  
25 the pilot program required by subsection (a), the program

1 is administered at or near the site of the eligible child care  
2 provider or network of such providers with which the Sec-  
3 retary entered into the partnership at or near a military  
4 installation.

5 (f) ADMINISTRATION.—Not later than 30 days after  
6 the date of the enactment of this Act, the Secretary shall  
7 direct the Secretaries of the military departments to de-  
8 velop one centralized administrative system to carry out  
9 the pilot program required by subsection (a), which may  
10 include information on—

11 (1) available military child development centers  
12 at military installations at which partnerships are  
13 established under the pilot program;

14 (2) the number of early child care education  
15 slots available or needed at such installations;

16 (3) the fees and costs associated for parents  
17 participating in the pilot program; and

18 (4) other relevant administration and technical  
19 assistance matters.

20 (g) REPORTING REQUIREMENTS.—

21 (1) BRIEFINGS BY SECRETARY OF DEFENSE.—

22 (A) INITIAL BRIEFING.—Not later than  
23 180 days after the pilot program required by  
24 subsection (a) commences under subsection  
25 (h)(1)(A), the Secretary shall direct the Secre-



1           taries of the military departments to provide a  
2           briefing to the appropriate committees of Con-  
3           gress on the implementation of the pilot pro-  
4           gram, including—

5                   (i) the demonstrated need for eligible  
6                   child care providers in the locations of the  
7                   pilot program, including—

8                           (I) the number of such providers  
9                           present at the start of the pilot pro-  
10                           gram relative to the number of eligible  
11                           children requiring care; and

12                           (II) data on children served  
13                           through the pilot program,  
14                           disaggregated by criteria such as—

15                                   (aa) the number of infants  
16                                   and toddlers served;

17                                   (bb) providers offering early  
18                                   child care during nontraditional  
19                                   or extended hours;

20                                   (cc) early child care in rural  
21                                   communities; and

22                                   (dd) inclusive early child  
23                                   care services for children with  
24                                   disabilities;

1 (ii) the change in the number of eligi-  
2 ble child care providers as a result of the  
3 pilot program;

4 (iii) the change in early child care  
5 education capacity for members of the  
6 Armed Forces and their families and an  
7 assessment of unmet need for such edu-  
8 cation;

9 (iv) an assessment of the efficacy of  
10 the pilot program; and

11 (v) an assessment of the impact of the  
12 pilot program on early child care avail-  
13 ability in communities in which the pilot  
14 program is operating, including the impact  
15 of the pilot program on—

16 (I) eligible child care providers  
17 operating before the commencement  
18 of the pilot program; and

19 (II) the number of early child  
20 care slots available to nonmilitary  
21 families, compared to the number of  
22 such slots available before the com-  
23 mencement of the pilot program.

24 (B) ANNUAL BRIEFINGS ON PROGRESS.—

25 Not later than one year after the pilot program

1 required by subsection (a) commences under  
2 subsection (h)(1)(A), and annually thereafter  
3 until the termination of the pilot program  
4 under subsection (h), the Secretary shall direct  
5 the Secretaries of the military departments to  
6 provide a briefing to the appropriate commit-  
7 tees of Congress on the progress of the pilot  
8 program.

9 (2) FINAL REPORT BY SECRETARY OF DE-  
10 FENSE.—Not later than 120 days after the termi-  
11 nation under subsection (h) of the pilot program re-  
12 quired by subsection (a), the Secretary shall direct  
13 the Secretaries of the military departments to sub-  
14 mit to the appropriate committees of Congress a  
15 final report on the pilot program.

16 (3) REPORTS BY GOVERNMENT ACCOUNT-  
17 ABILITY OFFICE.—

18 (A) PROGRESS REPORT.—Not later than 4  
19 years after the date of the enactment of this  
20 Act, the Comptroller General of the United  
21 States shall submit to the appropriate commit-  
22 tees of Congress an interim report on the  
23 progress of the pilot program required by sub-  
24 section (a).

1 (B) FINAL REPORT.—Not later than 120  
2 days after the termination under subsection (h)  
3 of the pilot program required by subsection (a),  
4 the Comptroller General shall submit to the ap-  
5 propriate committees of Congress a final report  
6 on the pilot program.

7 (h) DURATION OF PILOT PROGRAM.—

8 (1) IN GENERAL.—The pilot program required  
9 by subsection (a) shall—

10 (A) commence not later than January 1,  
11 2026; and

12 (B) unless extended in accordance with  
13 paragraph (2), terminate on December 31,  
14 2030.

15 (2) EXTENSION.—The Secretary may direct the  
16 Secretaries of the military departments to extend the  
17 pilot program required by subsection (a) to termi-  
18 nate not later than December 31, 2032, if the Sec-  
19 retary notifies the appropriate committees of Con-  
20 gress not later than June 30, 2030, of the intention  
21 of the Secretary to extend the pilot program, along  
22 with a description of the benefits of extending the  
23 pilot program.

24 (i) DEFINITIONS.—In this section:

1           (1) APPROPRIATE COMMITTEES OF CON-  
2           GRESS.—The term “appropriate committees of Con-  
3           gress” means—

4                   (A) the Committee on Armed Services of  
5                   the Senate; and

6                   (B) the Committee on Armed Services of  
7                   the House of Representatives.

8           (2) CHILD CARE EMPLOYEE.—The term “child  
9           care employee” has the meaning given that term in  
10           section 1800 of title 10, United States Code.

11           (3) ELIGIBLE CHILD.—The term “eligible  
12           child” means—

13                   (A) an infant or toddler;

14                   (B) a three- or four-year-old; or

15                   (C) a school-aged child.

16           (4) ELIGIBLE CHILD CARE PROVIDER.—The  
17           term “eligible child care provider” has the meaning  
18           given that term in section 658P of the Child Care  
19           and Development Block Grant Act of 1990 (42  
20           U.S.C. 9858n).

21           (5) MILITARY CHILD DEVELOPMENT CENTER.—  
22           The term “military child development center” has  
23           the meaning given that term in section 1800 of title  
24           10, United States Code.

○