To provide for the health, education, and welfare of children under 6 years of age.

IN THE HOUSE OF REPRESENTATIVES
JUNE 9, 2000

Ms. Millender-McDonald (for herself, Mr. Abercrombie, Mr. Baca, Ms. Carson, Mrs. Clayton, Mr. Hastings of Florida, Mr. Hilliard, Ms. Jackson-Lee of Texas, Mrs. Mink of Hawaii, Ms. Schakowsky, and Mr. Underwood) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To provide for the health, education, and welfare of children under 6 years of age.

1 Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

3 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

4 (a) SHORT TITLE.—This Act may be cited as the “Early Childhood Development Act of 2000”.

6 (b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Findings.

TITLE 1—ASSISTANCE FOR YOUNG CHILDREN
Sec. 101. Definitions.
Sec. 102. Allotments to States.
Sec. 103. Grants to local collaboratives.
Sec. 104. Supplement not supplant.
Sec. 105. Authorization of appropriations.

TITLE II—CHILD CARE FOR FAMILIES

Sec. 201. Amendment to Child Care and Development Block Grant Act of 1990.

TITLE III—AMENDMENTS TO THE HEAD START ACT

Sec. 301. Authorization of appropriations.
Sec. 302. Effective date.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) The Nation’s highest priority should be to ensure that children begin school ready to learn.

(2) New scientific research shows that the electrical activity of brain cells actually changes the physical structure of the brain itself and that without a stimulating environment, a baby’s brain will suffer. At birth, a baby’s brain contains 100,000,000,000 neurons, roughly as many nerve cells as there are stars in the Milky Way, but the wiring pattern between these neurons develops over time. Children who play very little or are rarely touched develop brains that are 20 to 30 percent smaller than normal for their age.

(3) This scientific research also conclusively demonstrates that enhancing children’s physical, social, emotional, and intellectual development will re-
result in tremendous benefits for children, families, and the Nation.

(4) Since more than 50 percent of the mothers of children under the age of 3 now work outside of the home, society must change to provide new supports so young children receive the attention and care that they need.

(5) There are 12,000,000 children under the age of 3 in the United States today and 1 in 4 lives in poverty.

(6) Compared with most other industrialized countries, the United States has a higher infant mortality rate, a higher proportion of low-birth weight babies, and a smaller proportion of babies immunized against childhood diseases.

(7) National and local studies have found a strong link between—

(A) lack of early intervention for children; and

(B) increased violence and crime among youth.

(8) The United States will spend more than $35,000,000,000 over the next 5 years on Federal programs for at-risk or delinquent youth and child welfare programs, which address crisis situations
that frequently could have been avoided or made much less severe through good early intervention for children.

(9) Many local communities across the country have developed successful early childhood efforts and with additional resources could expand and enhance opportunities for young children.

TITLE I—ASSISTANCE FOR YOUNG CHILDREN

SEC. 101. DEFINITIONS.

In this subtitle:

(1) LOCAL EDUCATIONAL AGENCY.—The term “local educational agency” has the meaning given the term in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801).

(2) POVERTY LINE.—The term “poverty line” means the poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)) applicable to a family of the size involved.

(3) SECRETARY.—The term “Secretary” means the Secretary of Health and Human Services.
(4) **State board.**—The term “State board” means a State Early Learning Coordinating Board established under section 102(c).

(5) **Young child.**—The term “young child” means an individual from birth through age 5.

(6) **Young child assistance activities.**—The term “young child assistance activities” means the activities described in paragraphs (1) and (2)(A) of section 103(b).

**SEC. 102. ALLOTMENTS TO STATES.**

(a) **In general.**—The Secretary shall make allotments under subsection (b) to eligible States to pay for the Federal share of the cost of enabling the States to make grants to local collaboratives under section 103 for young child assistance activities.

(b) **Allotment.**—

(1) **In general.**—From the funds appropriated under section 105 for each fiscal year and not reserved under subsection (i), the Secretary shall allot to each eligible State an amount that bears the same relationship to such funds as the total number of young children in poverty in the State bears to the total number of young children in poverty in all eligible States.
(2) Young Child in Poverty.—In this sub-section, the term “young child in poverty” means an individual who—

(A) is a young child; and

(B) is a member of a family with an income below the poverty line.

c) State Boards.—

(1) In General.—In order for a State to be eligible to obtain an allotment under this subtitle, the Governor of the State shall establish, or designate an entity to serve as, a State Early Learning Coordinating Board, which shall receive the allotment and make the grants described in section 103.

(2) Established Board.—A State board established under paragraph (1) shall consist of the Governor and members appointed by the Governor, including—

(A) representatives of all State agencies primarily providing services to young children in the State;

(B) representatives of business in the State;

(C) chief executive officers of political subdivisions in the State;

(D) parents of young children in the State;
(E) officers of community organizations serving low-income individuals, as defined by the Secretary, in the State;

(F) representatives of State nonprofit organizations that represent the interests of young children in poverty, as defined in subsection (b)(2), in the State;

(G) representatives of organizations providing services to young children and the parents of young children, such as organizations providing child care, carrying out Head Start programs under the Head Start Act (42 U.S.C. 9831 et seq.), providing services through a family resource center, providing home visits, or providing health care services, in the State; and

(H) representatives of local educational agencies.

(3) Designated Board.—The Governor may designate an entity to serve as the State board under paragraph (1) if the entity includes the Governor and the members described in subparagraphs (A) through (G) of paragraph (2).

(4) Designated State Agency.—The Governor shall designate a State agency that has a representative on the State board to provide adminis-
trative oversight concerning the use of funds made available under this subtitle and ensure accountability for the funds.

(d) APPLICATION.—To be eligible to receive an allotment under this subtitle, a State board shall annually submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require. At a minimum, the application shall contain—

(1) sufficient information about the entity established or designated under subsection (c) to serve as the State board to enable the Secretary to determine whether the entity complies with the requirements of such subsection;

(2) a comprehensive State plan for carrying out young child assistance activities;

(3) an assurance that the State board will provide such information as the Secretary shall by regulation require on the amount of State and local public funds expended in the State to provide services for young children; and

(4) an assurance that the State board shall annually compile and submit to the Secretary information from the reports referred to in section...
103(e)(2)(F)(iii) that describes the results referred
to in section 103(e)(2)(F)(i).

(c) Federal Share.—

(1) In general.—The Federal share of the
cost described in subsection (a) shall be—

(A) 85 percent, in the case of a State for
which the Federal medical assistance percent-
age (as defined in section 1905(b) of the Social
Security Act (42 U.S.C. 1396d(b))) is not less
than 50 percent, but is less than 60 percent;

(B) 87.5 percent, in the case of a State for
which such percentage is not less than 60 per-
cent, but is less than 70 percent; and

(C) 90 percent, in the case of any State
not described in subparagraph (A) or (B).

(2) State share.—

(A) In general.—The State shall con-
tribute the remaining share (referred to in this
paragraph as the “State share”) of the cost de-
scribed in subsection (a).

(B) Form.—The State share of the cost
shall be in cash.

(C) Sources.—The State may provide for
the State share of the cost from State or local
sources, or through donations from private entities.

(f) **State Administrative Costs.**—

(1) **In general.**—A State may use not more than 5 percent of the funds made available through an allotment made under this subtitle to pay for a portion, not to exceed 50 percent, of State administrative costs related to carrying out this subtitle.

(2) **Waiver.**—A State may apply to the Secretary for a waiver of paragraph (1). The Secretary may grant the waiver if the Secretary finds that unusual circumstances prevent the State from complying with paragraph (1). A State that receives such a waiver may use not more than 7.5 percent of the funds made available through the allotment to pay for the State administrative costs.

(g) **Monitoring.**—The Secretary shall monitor the activities of States that receive allotments under this subtitle to ensure compliance with the requirements of this subtitle, including compliance with the State plans.

(h) **Enforcement.**—If the Secretary determines that a State that has received an allotment under this subtitle is not complying with a requirement of this subtitle, the Secretary may—
(1) provide technical assistance to the State to improve the ability of the State to comply with the requirement;

(2) reduce, by not less than 5 percent, an allotment made to the State under this section, for the second determination of noncompliance;

(3) reduce, by not less than 25 percent, an allotment made to the State under this section, for the third determination of noncompliance; or

(4) revoke the eligibility of the State to receive allotments under this section, for the fourth or subsequent determination of noncompliance.

(i) TECHNICAL ASSISTANCE.—From the funds appropriated under section 105 for each fiscal year, the Secretary shall reserve not more than 1 percent of the funds to pay for the costs of providing technical assistance. The Secretary shall use the reserved funds to enter into contracts with eligible entities to provide technical assistance, to local collaboratives that receive grants under section 103, relating to the functions of the local collaboratives under this subtitle.

SEC. 103. GRANTS TO LOCAL COLLABORATIVES.

(a) IN GENERAL.—A State board that receives an allotment under section 102 shall use the funds made available through the allotment, and the State contribution...
made under section 102(e)(2), to pay for the Federal and State shares of the cost of making grants, on a competitive basis, to local collaboratives to carry out young child assistance activities.

(b) Use of Funds.—A local collaborative that receives a grant made under subsection (a)—

(1) shall use funds made available through the grant to provide, in a community, activities that consist of education and supportive services, such as—

(A) home visits for parents of young children;

(B) services provided through community-based family resource centers for such parents; and

(C) collaborative pre-school efforts that link parenting education for such parents to early childhood learning services for young children; and

(2) may use funds made available through the grant—

(A) to provide, in the community, activities that consist of—

(i) activities designed to strengthen the quality of child care for young children
and expand the supply of high quality child
care services for young children;

(ii) health care services for young chil-
dren, including increasing the level of im-
munization for young children in the com-

munity, providing preventive health care
screening and education, and expanding
health care services in schools, child care
facilities, clinics in public housing (as de-

fined in section 3(b) of the United States
Housing Act of 1937 (42 U.S.C.
1437a(b))), and mobile dental and vision
clinics;

(iii) services for children with disabil-

ities who are young children; and

(iv) activities designed to assist
schools in providing educational and other
support services to young children, and
parents of young children, in the commu-
nity, to be carried out during extended
hours when appropriate; and

(B) to pay for the salary and expenses of
the administrator described in subsection (e)(4),
in accordance with such regulations as the Sec-

retary shall prescribe.
(c) Multi-Year Funding.—In making grants under this section, a State board may make grants for grant periods of more than 1 year to local collaboratives with demonstrated success in carrying out young child assistance activities.

(d) Local Collaboratives.—To be eligible to receive a grant under this section for a community, a local collaborative shall demonstrate that the collaborative—

(1) is able to provide, through a coordinated effort, young child assistance activities to young children, and parents of young children, in the community; and

(2) includes—

(A) all public agencies primarily providing services to young children in the community;

(B) businesses in the community;

(C) representatives of the local government for the county or other political subdivision in which the community is located;

(D) parents of young children in the community;

(E) officers of community organizations serving low-income individuals, as defined by the Secretary, in the community;
(F) community-based organizations providing services to young children and the parents of young children, such as organizations providing child care, carrying out Head Start programs, or providing pre-kindergarten education, mental health, or family support services; and

(G) nonprofit organizations that serve the community and that are described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code.

(e) Application.—To be eligible to receive a grant under this section, a local collaborative shall submit an application to the State board at such time, in such manner, and containing such information as the State board may require. At a minimum, the application shall contain—

(1) sufficient information about the entity described in subsection (d)(2) to enable the State board to determine whether the entity complies with the requirements of such subsection; and

(2) a comprehensive plan for carrying out young child assistance activities in the community, including information indicating—
(A) the young child assistance activities available in the community, as of the date of submission of the plan, including information on efforts to coordinate the activities;

(B) the unmet needs of young children, and parents of young children, in the community for young child assistance activities;

(C) the manner in which funds made available through the grant will be used—

   (i) to meet the needs, including expanding and strengthening the activities described in subparagraph (A) and establishing additional young child assistance activities; and

   (ii) to improve results for young children in the community;

(D) how the local cooperative will use at least 60 percent of the funds made available through the grant to provide young child assistance activities to young children and parents described in subsection (f);

(E) the comprehensive methods that the collaborative will use to ensure that—

   (i) each entity carrying out young child assistance activities through the col-
laborative will coordinate the activities with such activities carried out by other entities through the collaborative; and

(ii) the local collaborative will coordinate the activities of the local collaborative with—

(I) other services provided to young children, and the parents of young children, in the community; and

(II) the activities of other local collaboratives serving young children and families in the community, if any; and

(F) the manner in which the collaborative will, at such intervals as the State board may require, submit information to the State board to enable the State board to carry out monitoring under section 102(g), including the manner in which the collaborative will—

(i) evaluate the results achieved by the collaborative for young children and parents of young children through activities carried out through the grant;
(ii) evaluate how services can be more
effectively delivered to young children and
the parents of young children; and
(iii) prepare and submit to the State
board annual reports describing the re-
sults;

(3) an assurance that the local collaborative will
comply with the requirements of subparagraphs (D),
(E), and (F) of paragraph (2), and subsection (g);
and

(4) an assurance that the local collaborative will
hire an administrator to oversee the provision of the
activities described in paragraphs (1) and (2)(A) of
subsection (b).

(f) DISTRIBUTION.—In making grants under this sec-
tion, the State board shall ensure that at least 60 percent
of the funds made available through each grant are used
to provide the young child assistance activities to young
children (and parents of young children) who reside in
school districts in which half or more of the students re-
ceive free or reduced price lunches under the National
School Lunch Act (42 U.S.C. 1751 et seq.).

(g) LOCAL SHARE.—

(1) IN GENERAL.—The local collaborative shall
contribute a percentage (referred to in this sub-
section as the “local share”) of the cost of carrying
out the young child assistance activities.

(2) Percentage.—The Secretary shall by reg-
ulation specify the percentage referred to in para-
graph (1).

(3) Form.—The local share of the cost shall be
in cash.

(4) Source.—The local collaborative shall pro-
vide for the local share of the cost through donations
from private entities.

(5) Waiver.—The State board shall waive the
requirement of paragraph (1) for poor rural and
urban areas, as defined by the Secretary.

(h) Monitoring.—The State board shall monitor
the activities of local collaboratives that receive grants
under this subtitle to ensure compliance with the require-
ments of this subtitle.

SEC. 104. SUPPLEMENT NOT SUPPLANT.

Funds appropriated under this subtitle shall be used
to supplement and not supplant other Federal, State, and
local public funds expended to provide services for young
children.

SEC. 105. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out
this title $250,000,000 for fiscal year 2001, $500,000,000
for fiscal year 2002, $1,000,000,000 for each of fiscal years 2003 through 2005, and such sums as may be neces-
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ecessary for fiscal year 2006 and each subsequent fiscal year.

TITLE II—CHILD CARE FOR FAMILIES

SEC. 201. AMENDMENT TO CHILD CARE AND DEVELOPMENT BLOCK GRANT ACT OF 1990.

The Child Care and Development Block Grant Act of 1990 is amended by inserting after section 658C (42 U.S.C. 9858a) the following:

“SEC. 658C–1. ESTABLISHMENT OF ZERO TO SIX PROGRAM.

“(a) IN GENERAL.—

“(1) ALLOTMENTS.—Subject to the amount appropriated under subsection (f), each State shall, for the purpose of providing child care assistance on behalf of children under 6 years of age, receive an allotment under this section for each fiscal year in accordance with the formula described in section 658O.

“(2) INDIAN TRIBES.—The Secretary shall reserve 2 percent of the amount appropriated to carry out this section for each fiscal year for grants to Indian tribes and tribal organizations.
“(3) **Remainder.**—Any amount appropriated for a fiscal year under subsection (f), and remaining after the Secretary makes grants to eligible States from allotments made under paragraph (1) and makes the reservation described in paragraph (2), shall be used by the Secretary to make additional allotments to eligible States based on the formula referred to in paragraph (1).

“(4) **Reallocation.**—

“(A) **In General.**—Any portion of the allotment made under paragraph (1) or (3) to a State that the Secretary determines is not required by the State to carry out the activities described in subsection (b), in the period for which the allotment is made available, shall be reallocated by the Secretary to other States in proportion to the original allotments to the other States.

“(B) **Limitations.**—

“(i) **Reduction.**—The amount of any reallocation to which a State is entitled to under subparagraph (A) shall be reduced to the extent that the amount exceeds the amount that the Secretary estimates will
be used in the State to carry out the activities described in subsection (b).

“(ii) Reallotments of reductions.—The amount of such reduction shall be similarly reallocated among States for which no reduction in an allotment or reallocation is required by this paragraph.

“(C) Indian tribes or tribal organizations.—Any portion of a grant made to an Indian tribe or tribal organization under paragraph (2) that the Secretary determines is not being used in a manner consistent with subsection (b), in the period for which the grant is made available, shall be allotted by the Secretary to other Indian tribes or tribal organizations in accordance with their respective needs.

“(5) Availability.—Amounts received by a State under a grant made under this section shall be available for use by the State during the fiscal year for which the amounts are provided and for the following 2 fiscal years.

“(b) Use of Funds.—

“(1) In general.—Amounts received by a State under this section shall be used to provide child care assistance, on a sliding fee scale basis, on
behalf of eligible children (as determined under paragraph (2)) to enable the parents of such children to secure high quality care for such children.

“(2) Eligibility.—To be eligible to receive child care assistance from a State under this section, a child shall—

“(A) be under 6 years of age;

“(B) be residing with at least 1 parent who is employed or enrolled in a school or training program or otherwise requires child care as a preventive or protective service (as determined under rules established by the Secretary); and

“(C) be a member of a family with a family income that is less than 85 percent of the State median income for a family of the size involved.

“(3) Infant care set-aside.—A State shall set aside 10 percent of the amounts received by the State under a grant made under subsection (a) for a fiscal year for the establishment of a program to establish innovations in infant and toddler care, including models for—

“(A) the development of family child care networks;
“(B) the training of child care providers for infant and toddler care; and

“(C) the support, renovation, and modernization of facilities used for child care programs serving infants.

“(4) POVERTY LINE.—As used in this subsection, the term ‘poverty line’ means the income official poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section 673(2) of the Omnibus Budget Reconciliation Act of 1981 (42 U.S.C. 9902(2)) that is applicable to a family of the size involved.

“(c) LEVELS OF ASSISTANCE.—

“(1) ADJUSTMENT OF RATES.—With respect to the levels of assistance provided by States on behalf of eligible children under this section, a State shall be permitted to adjust rates above the market rates to ensure that families have access to high quality infant and toddler care.

“(2) ADDITIONAL ASSISTANCE.—In administering this section, the Secretary shall encourage States to provide additional assistance (not provided from amounts appropriated under subsection (f)) on behalf of children for improved infant and toddler services.
“(3) AMOUNT OF ASSISTANCE.—In providing assistance to eligible children under this section, a State shall ensure that an eligible child that is a member of a family with a family income that is less than 100 percent of the poverty line receives 100 percent of the amount of the maximum amount of assistance that a child may receive under this section.

“(d) APPLICATION OF OTHER REQUIREMENTS.—

“(1) STATE PLAN.—The State, as part of the State plan submitted under section 658E(c), shall describe the activities that the State intends to carry out using amounts received under this section, including a description of the levels of assistance to be provided with the amounts.

“(2) OTHER REQUIREMENTS.—Amounts provided to a State under this section shall be subject to the requirements and limitations of this subchapter applicable to other amounts provided to a State under this subchapter, except that section 658E(c)(3), 658F, 658G, 658J, and 658O shall not apply.

“(e) REPORT.—Not later than 1 year after the date of enactment of this section, the Secretary shall prepare
and submit to the appropriate committees of Congress a report concerning—

“(1) the appropriate child to staff ratios for infants and toddlers in child care settings, including child care centers and family child care homes; and

“(2) other best practices for infant and toddler care.

“(f) Authorization of Appropriations.—For grants under this section, there are authorized to be appropriated—

“(1) $250,000,000 for fiscal year 2001;

“(2) $500,000,000 for fiscal year 2002;

“(3) $1,000,000,000 for each of fiscal years 2003 through 2005; and

“(4) such sums as may be necessary for fiscal year 2006 and each subsequent fiscal year.”.

**TITLE III—AMENDMENTS TO THE HEAD START ACT**

**SEC. 301. AUTHORIZATION OF APPROPRIATIONS.**

Section 639(a) of the Head Start Act (42 U.S.C. 9834(a)) is amended by striking “such sums” and all that follows through the period at the end, and inserting the following: “, $5,210,000,000 for fiscal year 2001, $5,810,000,000 for fiscal year 2002, $6,410,000,000 for
fiscal year 2003, and such sums as may be necessary for fiscal year 2004.”.

SEC. 302. EFFECTIVE DATE.

This title and the amendments made by this title shall take effect on October 1, 2000.