

Consolidated Appropriations Act, 2021 (FY2021 Appropriations & COVID Relief Agreement)

TEXT OF THE HOUSE AMENDMENT TO THE SENATE AMENDMENT TO H.R. 133, December 21, 2020
Pages 1,826-1,830

ADMINISTRATION FOR CHILDREN AND FAMILIES PAYMENTS TO STATES FOR THE CHILD CARE AND DEVELOPMENT BLOCK GRANT

For an additional amount for “Payments to States for the Child Care and Development Block Grant”, \$10,000,000,000 to prevent, prepare for, and respond to coronavirus, domestically or internationally which shall be used to supplement, not supplant State, Territory, and Tribal general revenue funds for child care assistance for low-income families within the United States (including territories) without regard to requirements in sections 658E(c)(3)(D)–(E) [low-income targeted populations & 70% minimum language related to direct services/slots], or 658G [quality set-aside] of the Child Care and Development Block Grant Act (“CCDBG Act”):

Provided, That funds appropriated under this heading in this Act may be used for costs of providing relief from copayments and tuition payments for families and for paying that portion of the child care provider’s cost ordinarily paid through family copayments to provide continued payments and assistance to child care providers in the case of decreased enrollment or closures related to coronavirus, and to assure they are able to remain open or reopen as appropriate and applicable, including for fixed costs and increased operating expenses:

Provided further, That States, Territories, and Tribes are encouraged to place conditions on payments to child care providers that ensure that child care providers use a portion of funds received to continue to pay the salaries and wages of staff:

Provided further, That lead agencies may use funds provided under this heading in this Act to support the stability of the child care sector to help providers afford increased operating expenses during the COVID–19 public health emergency, and shall publicize widely the availability of, and provide technical assistance to help providers apply for, funding available for such purposes, including among center-based child care providers, family child care providers, and group home child care providers:

Provided further, That lead agencies are encouraged to implement enrollment and eligibility policies that support the fixed costs of providing child care services by delinking provider reimbursement rates from an eligible child’s absence and a provider’s closure due to the COVID–19 public health emergency:

Provided further, That the Secretary shall remind States that Child Care and Development Block Grant (“CCDBG”) State plans do not need to be amended prior to utilizing existing authorities in the CCDBG Act for the purposes provided herein:

Provided further, That States, Territories, and Tribes are authorized to use funds appropriated under this heading in this Act to provide child care assistance to health care sector employees, emergency responders, sanitation workers, farmworkers, and other workers deemed essential during the response to coronavirus by public officials, without regard to the income eligibility requirements of section 658P(4) [whose family income does not exceed 85% of state median income] of such Act:

Provided further, That States, Territories, and Tribes shall use a portion of funds appropriated under this heading in this Act to provide assistance to eligible child care providers under section 658P(6) [licensed,

regulated, registered providers] of the CCDBG Act that were not receiving CCDBG assistance prior to the public health emergency as a result of the coronavirus and any renewal of such declaration pursuant to such section 319, for the purposes of cleaning and sanitation, and other activities necessary to maintain or resume the operation of programs, including for fixed costs and increased operating expenses:

Provided further, That funds provided under this heading in this Act may be used to provide technical assistance to child care providers to help providers implement practices and policies in line with guidance from State and local health departments and the Centers for Disease Control and Prevention regarding the safe provision of child care services while there is community transmission of COVID–19:

Provided further, That funds appropriated under this heading in this Act may be made available to restore amounts, either directly or through reimbursement, for obligations incurred to prevent, prepare for, and respond to coronavirus, domestically or internationally, prior to the date of enactment of this Act:

Provided further, That the Secretary may reserve not more than \$15,000,000 for Federal administrative expenses, which shall remain available through September 30, 2024:

Provided further, That no later than 60 days after the date of enactment of this Act, each State, Territory, and Tribe that receives funding under this heading in this Act shall submit to the Secretary a report, in such manner as the Secretary may require, describing how the funds appropriated under this heading in this Act will be spent and that no later than 90 days after the date of enactment of this Act, the Secretary shall submit to the Committees on Appropriations of the House of Representatives and the Senate, the Committee on Education and Labor of the House of Representatives, and the Committee on Health, Education, Labor, and Pensions of the Senate a report summarizing such reports from the States, Territories, and Tribes:

Provided further, That, no later than October 31, 2022, each State, Territory, and Tribe that receives funding under this heading in this Act shall submit to the Secretary a report, in such manner as the Secretary may require, describing how the funds appropriated under this heading in this Act were spent and that no later than 60 days after receiving such reports from the States, Territories, and Tribes, the Secretary shall submit to the Committees on Appropriations of the House of Representatives and the Senate, the Committee on Education and Labor of the House of Representatives, and the Committee on Health, Education, Labor, and Pensions of the Senate a report summarizing such reports from the States, Territories, and Tribes:

Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FY2021 CCDBG Funding [Base Funding, the \$10 billion is in addition to or on top of this base]

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PAYMENTS TO STATES FOR THE CHILD CARE AND DEVELOPMENT BLOCK GRANT

For carrying out the Child Care and Development Block Grant Act of 1990 (“CCDBG Act”),

\$5,911,000,000 shall be used to supplement, not supplant State general revenue funds for child care assistance for low-income families [*\$5.91 billion is an increase of \$85 million over FY2020 funding, excluding the \$3.5 billion for CCDBG in the CARES Act, so an \$85 million increase in base CCDBG funding*]:

Provided, That technical assistance under section 6581(a)(3) of such Act may be provided directly, or through the use of contracts, grants, cooperative agreements, or interagency agreements:

Provided further, That all funds made available to carry out section 418 of the Social Security Act (42 U.S.C. 618), including funds appropriated for that purpose in such section 418 or any other provision of law, shall be subject to the reservation of funds authority in paragraphs (4) and (5) of section 6580(a) of the CCDBG Act:

Provided further, That in addition to the amounts required to be reserved by the Secretary under section 6580(a)(2)(A) of such Act, \$177,330,000 shall be for Indian tribes and tribal organizations.