

Early Learning and Care: Bipartisanship in the 116th Congress

Access to high-quality early learning and care remains the backbone of our nation's economy, with a diverse group of programs serving more than 11 million families across a broad socioeconomic spectrum. Employers rely on a workforce that can access child care, and for families, ensuring that their children are safe and well cared for is a necessity. Crucial federal investments that support early learning and care programs have made meaningful differences in the lives of children and families for generations. Yet, many families still struggle to access quality, affordable care, and the COVID-19 pandemic has pushed the child care industry, which has long operated on razor-thin margins, to the brink of collapse.

Recognizing the needs of American children, families, employers, and child care providers, Congress in recent years has taken an unprecedented interest in finding bipartisan solutions to challenges in early learning and care. While Congress produced numerous early learning and care proposals, below are a selection of bills which have garnered support by Democrats and Republicans, who identified solutions to respond to the COVID-19 pandemic, support educators, elevate quality, improve access and affordability, and strengthen existing programs. These proposals range from comprehensive to targeted and highlight the complex needs facing families, children, and educators, specific to early education and care, particularly due to the COVID-19 pandemic.

Supporting the Child Care Industry during the Pandemic

● Child Care is Essential Act

H.R. 7027 - Rep. DeLauro (D-CT), Rep. Lowey (D-NY), Rep. Scott (D-VA), Rep. Fitzpatrick (R-PA),
S. 3874 - Sen. Murray (D-WA)

Provides grant funding to states, through the Child Care and Development Block Grant (CCDBG), to eligible child care providers that are currently open or temporarily closed due to COVID-19, regardless of whether they had previously received funding through CCDBG. Awards are determined by providers' pre-COVID-19 operating costs adjusted to reflect the additional cost of providing care due to the pandemic. Among other requirements, recipients are required to continue to employ and pay their staff and provide families with relief from copayments and tuition. Open providers are required to meet health and safety guidance from the Centers for Disease Control and Prevention (CDC) and state and local authorities; closed providers must provide an assurance that they will reopen their program when they are able to implement such guidance. These grants are vital to providers who are operating with reduced enrollment and increased costs.

* Passed the House on July 29, 2020 with a bipartisan vote of 249 - 163 (231 D and 18 R supporting).



◆ **Child Care for Economic Recovery Act**

H.R. 7327 - Rep. Lowey (D-NY), Rep. Neal (D-MA)

Among other provisions, provides enhanced tax credits and \$10 billion for infrastructure grants to construct, renovate, or improve child care facilities through the Child Care Development Fund. Includes a \$7.1 billion increase in the mandatory portion of the Child Care Development Fund and \$850 million for the Social Services Block Grant to fund child and family care of essential workers. This legislation will support providers facing rising costs related to the pandemic.

* Passed the House on July 29, 2020 with a bipartisan vote of 250 - 161 (230 D and 20 R supporting).

■ **Back to Work Child Care Grants Act of 2020**

H.R. 7804 - Rep. Reed (R-NY), Rep. Gottheimer (D-NJ), S. 4221 - Sen. Ernst (R-IA), Sen. Alexander (R-TN)

Establishes Back to Work Child Care grants to states through the Child Care and Development Block Grant (CCDBG) to provide subgrants to qualified child care providers for up to 9 months to assist in paying for fixed costs and increased operating expenses due to COVID-19. This includes costs related to: sanitation and cleaning; recruiting, retaining, and compensating staff, including professional development; acquiring equipment and supplies; facility changes and repairs; and adapting the program or curricula to accommodate children who have not had recent access to a child care setting. These grants can support providers who are operating with reduced enrollment and are struggling to afford increased costs.

👉 **Ensuring Children and Child Care Workers Are Safe Act of 2020**

H.R. 7909 - Rep. Finkenauer (D-IA), Rep. Guthrie (R-KY)

Provides \$5 million for grants administered through the Child Care and Development Block Grant (CCDBG) to provide guidance, technical assistance, and support to child care providers related to the safe provision of child care services while there is community transmission of COVID-19, including information about preventing transmission, training and professional development, acquisition of personal protective equipment (PPE), and modification of child care settings and services.

* Passed the House on September 16, 2020 with a bipartisan vote of 387-32 (227 D and 160 R supporting).

● **Supporting Foster Youth and Families through the Pandemic Act**

H.R. 7947 - Rep. D. Davis (D-IL), Rep. Walorski (R-IN)

Among other provisions, allows Maternal, Infant, and Early Childhood Home Visiting (MIECHV) programs to conduct virtual home visits and prohibits reductions in funding based on reduced enrollment. Additionally, the bill allows funds to be used to train home visitors on providing virtual services, to assist families with emergency preparedness and response, and to provide technology and emergency supplies to families. This allows MIECHV programs to continue to be responsive to families' needs and offer support during the pandemic.

◆ **Family Savings Flexibility Act**

H.R. 7008 - Rep. Wenstrup (R-OH), Rep. Axne (D-IA), Rep. Kelly (R-PA)

Among other changes, increases the maximum amount of unused benefits or contributions remaining in a health flexible or dependent care spending arrangement that may be carried over from the 2020 to the 2021 plan year to \$2,750 and increases the exclusion from employee gross income of employer-paid dependent care assistance. Given disruptions in care arrangements due to the pandemic, many families were unable to use their full flexible or dependent care benefits in 2020.



■ Working Families Childcare Access (WFCA) Act

H.R. 7436 - Rep. Walorski (R-IN), Rep. Trone (D-MD)

Increases the maximum amount of dependent care assistance that can be excluded from the gross income of employees to \$15,000. Additionally, the bill allows a carryforward to a succeeding year of unused balances in a dependent care assistance flexible spending arrangement. Given disruptions in care arrangements due to the pandemic, many families were unable to use their full flexible or dependent care benefits in 2020.

Supporting Early Childhood Educators

● Early Educators Apprenticeship Act

H.R. 7635 - Rep. Guthrie (R-KY), Rep. Wild (D-PA), S. 3445 - Sen. Young (R-IN), Sen. Capito (R-WV), Sen. Casey (D-PA)

Establishes a grant program to assist states in creating their own early childhood education (ECE) registered apprenticeship programs. Registered apprenticeships allow prospective teachers, as well as current providers who want to obtain further credentials, to earn wages while gaining practical experience. Apprenticeships strengthen the ECE workforce through improved quality, effectiveness, and retention of educators.

◆ Creating Early Childhood Leaders Act

S. 2719 - Sen. Casey (D-PA), Sen. Jones (D-AL), Sen. Romney (R-UT)

Ensures that school leaders are able to effectively support early education teachers and provide children with high-quality early learning programs. Specifically, this bill would amend Title II of the Higher Education Act by adding provisions to encourage recipients of Teacher Quality Partnership Grants to include training on early childhood development and effective instructional leadership for children from birth through age eight. Currently, many elementary school leaders have not had exposure to training specific to birth through age five, which makes it difficult for them to meaningfully support early childhood educators.

■ A bill to amend the Higher Education Act of 1965 to include child development and early learning as community services under the Federal work-study program

H.R. 4196 - Rep. Castro (D-TX), Rep. Cole (R-OK), Rep. Spanberger (D-VA)

Allows early education jobs to qualify as community service as part of the Federal Work-Study Program by amending the Higher Education Act. Students participating in the Federal Work-Study Program could count work in early education and child development, including at Head Start Centers, as part of their work study program.

◆ COACH Act

H.R. 7630 - Rep. Finkenauer (D-IA), Rep. Bishop (R-NC), Rep. Chu (D-CA), Rep. Craig (D-MN), Rep. Moolenaar (R-MI), Rep. Stauber (R-MN), Rep. Wagner (R-MO)

Requires the Small Business Administration to work with the Department of Health and Human Services, state-level lead child care agencies, and local child care resource and referral agencies to create a resource guide on how child care providers can start and grow their small businesses. Access to small business supports can be critical for providers to ensure their success.



Increasing Access to High-Quality Programs

● **Small Business Child Care Investment Act**

S. 2549 - Sen. Rosen (D-NV), Sen. Ernst (R-IA), H.R. 5789 Rep. Lee (D-NV), Rep. Stauber (R-MN)

Allows non-profit child care providers to access the same Small Business Administration loan programs as for-profit child care providers. Access to these loans would enable non-profit child care providers access to additional capital that could be used for real estate and facilities among other expenses.

◆ **Child Care Workforce and Facilities Act of 2019**

H.R. 1488 - Rep. Peterson (D-MN), Rep. Herrera Beutler (R-WA), S. 605 - Sen. Klobuchar (D-MN), Sen. Sullivan (R-AK)

Addresses pervasive child care shortages by providing competitive grants to states to train child care workers as well as build or renovate child care facilities. Increasing the supply of providers and the physical capacity of their space will add to the availability of child care services, especially in areas that are considered to be child care deserts.

■ **Child Care is Economic Development Act of 2020 (CED Act)**

H.R. 8326 - Rep. Finkenauer (D-IA), Rep. Hagedorn (R-MN)

Requires grant applicants for certain public works and economic development projects to describe in their comprehensive economic development strategy how they will increase the accessibility of affordable, quality child care.

* Passed the House on November 17, 2020 by a voice vote.

Making Child Care More Affordable for Working Families

● **Child Care for Working Families Act**

H.R. 1364 - Rep. Scott (D-VA), Rep. C. Smith (R-NJ)

Improves affordability and expands access to high quality early learning and care while also increasing compensation for early childhood educators. Specifically, the bill caps child care costs for families earning under 150% of state median income at 7% of their income, and child care is of no cost to families making less than 75% of the state median income. This legislation also provides support for universal access to high-quality preschool programs for 3- and 4-year-old children. Finally, the bill strengthens investments in compensation and training for providers in order to help them remain in the field and ensure high-quality care is available to all children.

◆ **PACE Act**

H.R. 1696 - Rep. Murphy (D-FL), Rep. J. Smith (R-MO), S. 749 - Sen. King (I-ME), Sen. Burr (R-NC), Sen. Collins (R-ME), Sen. Rosen (D-NV), Sen. Sinema (D-AZ)

Increases the Child and Dependent Care Tax Credit and makes it refundable, helping to make quality child care more affordable for working families. The bill also increases the amount of employer-provided dependent care assistance that may be excluded from an employee's gross income, updating the tax code to better reflect the high price of quality care.



■ Improving Child Care for Working Families Act of 2020

H.R. 6047 - Rep. Axne (D-IA), Rep. Stauber (R-MN)

Allows additional funds, from \$5,000 to \$10,000, to be excluded from employee gross income in order to help families afford the high price of child care.

◆ SAFE Kids and Jobs Act

H.R. 7837 - Rep. Lamb (D-PA), Rep. Fitzpatrick (R-PA), Rep. Sanchez (D-CA)

Provides a credit against employment taxes equal to 30% of qualified employee dependent care expenses paid by employers. This change to the tax code would increase affordability of care for families.

Strengthening Existing Federal Programs

● Funding Early Childhood is the Right IDEA Act

H.R. 4107 - Rep. DeSaulnier (D-CA), Rep. R. Davis (R-IL), Rep. Huffman (D-CA)

Increases funding for the Individuals with Disabilities Education Act (IDEA) Part C and Part B, Section 619. These grants ensure that young children get the early intervention and special education services they need. IDEA Part C provides early intervention services to infants and toddlers with disabilities and their families, and IDEA Part B Section 619 provides special education to children ages 3 through 5. Despite growing numbers of children who need services, IDEA funding has not kept pace.

◆ Child Care Protection Improvement Act of 2019

H.R. 3986 - Rep. McBath (D-GA), Rep. Axne (D-IA), Rep. Finkenauer (D-IA), Rep. Keller (R-PA), Rep. Taylor (R-TX), S. 2683 - Sen. Burr (R-NC), Sen. Van Hollen (D-MD)

Establishes an Inter-agency Task Force for Child Safety to help Federal and State agencies fully implement the existing criminal background check requirements for child care staff that are part of the Child Care and Development Block Grant (CCDBG) Act of 2014 quality standards. The taskforce would identify barriers and make recommendations for best practices and technical assistance, helping states implement critical background checks that ensure child care providers receiving federal dollars are employing quality professionals and providing a safe and secure learning environment.

* S. 2683 passed the Senate by voice vote on March 3, 2020 and was amended and passed by voice vote in the House on September 16, 2020.

■ Child Care Access Means Parents in School (CCAMPIS) Reauthorization Act

H.R. 2632 - Rep. Clark (D-MA), Rep. Young (R-AK), Rep. Schrier (D-WA)

The Child Care Access Means Parents in School (CCAMPIS) program provides grants to institutions of higher education to support or establish campus-based child care programs for Pell Grant eligible student-parents. This bill reauthorizes the CCAMPIS program while ensuring that children are enrolled in high-quality programs. The bill also provides technical assistance for eligible institutions and requires them to meet certain quality and licensing thresholds. Additionally, the bill increases the maximum amount of funding and establishes performance bonuses for eligible institutions.