

**AMENDMENT TO RULES COMMITTEE PRINT 119–****3****OFFERED BY MR. GOMEZ OF CALIFORNIA**

Amend part 2 of subtitle A by adding at the end the following new section:

1 **SEC. 110215. INFRASTRUCTURE GRANTS TO IMPROVE**  
2 **CHILD CARE SAFETY.**

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

6 **“SEC. 418A. INFRASTRUCTURE GRANTS TO IMPROVE CHILD**  
7 **CARE SAFETY.**

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

10 “(b) NEEDS ASSESSMENTS.—

11 “(1) IMMEDIATE NEEDS ASSESSMENT.—

12 “(A) IN GENERAL.—The Secretary shall  
13 conduct an immediate needs assessment of the  
14 condition of child care facilities throughout the  
15 United States (with priority given to child care  
16 programs that receive Federal funds), that—

17 “(i) considers the infrastructure  
18 needs, as of the date of the enactment of

1           this section, of a variety of child care cen-  
2           ters, including home-based centers; and

3           “(ii) considers how the COVID–19  
4           pandemic has impacted specific metrics,  
5           such as—

6                       “(I) capacity;

7                       “(II) investments in infrastruc-  
8           ture changes;

9                       “(III) the types of infrastructure  
10          changes centers need to implement  
11          and their associated costs;

12                      “(IV) the price of tuition; and

13                      “(V) any changes or anticipated  
14          changes in the number and demo-  
15          graphic of children attending.

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

19           “(C) REPORT.—Not later than 1 year  
20          after the date of the enactment of this section,  
21          the Secretary shall submit to the Congress a re-  
22          port containing the result of the needs assess-  
23          ment conducted under subparagraph (A), and  
24          make the assessment publicly available.

25          “(2) LONG-TERM NEEDS ASSESSMENT.—

1           “(A) IN GENERAL.—The Secretary shall  
2           conduct a long-term assessment of the condition  
3           of child care facilities throughout the United  
4           States (with priority given to child care pro-  
5           grams that receive Federal funds). The assess-  
6           ment may be conducted through representative  
7           random sampling.

8           “(B) REPORT.—Not later than 4 years  
9           after the date of the enactment of this section,  
10          the Secretary shall submit to the Congress a re-  
11          port containing the results of the needs assess-  
12          ment conducted under subparagraph (A), and  
13          make the assessment publicly available.

14       “(c) CHILD CARE FACILITIES GRANTS.—

15           “(1) GRANTS TO STATES.—

16           “(A) IN GENERAL.—The Secretary may  
17           award grants to States for the purpose of help-  
18           ing child care providers acquire, construct, ren-  
19           ovate, or improve child care facilities, including  
20           adapting, reconfiguring, or expanding the facili-  
21           ties.

22           “(B) PRIORITIZED FACILITIES.—The Sec-  
23           retary may not award a grant to a State under  
24           subparagraph (A) unless the State involved

1 agrees, with respect to the use of grant funds,  
2 to prioritize—

3 “(i) child care facilities primarily serv-  
4 ing low-income populations;

5 “(ii) child care facilities primarily  
6 serving children who have not attained the  
7 age of 5 years with a significant percent-  
8 age of infants and toddlers enrolled;

9 “(iii) child care facilities that—  
10 “(I) are currently unable to serve  
11 young children, had to significantly  
12 reduce capacity, or are unable to serve  
13 more children, due to factors such as  
14 the inadequate condition, quality, or  
15 availability of facilities; or

16 “(II) are seeking to build capac-  
17 ity and expand the number of children  
18 served;

19 “(iv) child care facilities that operate  
20 under nontraditional hours; and

21 “(v) child care facilities located in  
22 rural or underserved communities.

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

1           “(D) APPLICATION.—To seek a grant  
2           under this subsection, a State shall submit to  
3           the Secretary an application at such time, in  
4           such manner, and containing such information  
5           as the Secretary may require, which informa-  
6           tion shall—

7                   “(i) be disaggregated as the Secretary  
8                   may require; and

9                   “(ii) include a plan to use a portion of  
10           the grant funds to report back to the Sec-  
11           retary on the impact of using the grant  
12           funds to improve child care facilities.

13           “(E) PRIORITY.—In selecting States for  
14           grants under this subsection, the Secretary  
15           shall prioritize States that—

16                   “(i) plan to improve center-based and  
17                   home-based child care programs, which  
18                   may include a combination of child care  
19                   and early Head Start or Head Start pro-  
20                   grams;

21                   “(ii) aim to meet specific needs across  
22                   urban, suburban, or rural areas as deter-  
23                   mined by the State, such as prioritizing  
24                   improvements to programs that serve chil-

1           dren from families with low incomes or  
2           children with disabilities; and

3           “(iii) show evidence of collaboration  
4           with—

5                   “(I) local government officials;

6                   “(II) other State agencies;

7                   “(III) nongovernmental organiza-  
8           tions, such as—

9                           “(aa) organizations within  
10           the philanthropic community;

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

21                           “(cc) organizations that  
22           have demonstrated experience  
23           in—

24                           “(AA) providing tech-  
25           nical or financial assistance

1 for the acquisition, construc-  
2 tion, renovation, or improve-  
3 ment of child care facilities;

4 “(BB) providing tech-  
5 nical, financial, or manage-  
6 rial assistance to child care  
7 providers; and

8 “(CC) securing private  
9 sources of capital financing  
10 for child care facilities or  
11 other low-income community  
12 development projects; and

13 “(IV) local community organiza-  
14 tions, such as—

15 “(aa) child care providers;

16 “(bb) community care agen-  
17 cies;

18 “(cc) resource and referral  
19 agencies; and

20 “(dd) unions.

21 “(F) CONSIDERATION.—In selecting States  
22 for grants under this subsection, the Secretary  
23 shall consider—

24 “(i) whether the applicant—

1                   “(I) has or is developing a plan  
2                   to address child care facility needs;  
3                   and

4                   “(II) demonstrates the capacity  
5                   to execute such a plan; and

6                   “(ii) after the date the report required  
7                   by subsection (b)(1)(C) is submitted to the  
8                   Congress, the needs of the applicants  
9                   based on the results of the assessment.

10                  “(G) DIVERSITY OF AWARDS.—In award-  
11                  ing grants under this section, the Secretary  
12                  shall give equal consideration to States with  
13                  varying capacities under subparagraph (F).

14                  “(H) MATCHING REQUIREMENT.—

15                         “(i) IN GENERAL.—As a condition for  
16                         the receipt of a grant under subparagraph  
17                         (A), a State that is not an Indian tribe  
18                         shall agree to make available (directly or  
19                         through donations from public or private  
20                         entities) contributions with respect to the  
21                         cost of the activities to be carried out pur-  
22                         suant to subparagraph (A), which may be  
23                         provided in cash or in kind, in an amount  
24                         equal to 10 percent of the funds provided  
25                         through the grant.

1 “(ii) DETERMINATION OF AMOUNT  
2 CONTRIBUTED.—Contributions required by  
3 clause (i) may include—

4 “(I) amounts provided by the  
5 Federal Government, or services as-  
6 sisted or subsidized to any significant  
7 extent by the Federal Government; or

8 “(II) philanthropic or private-sec-  
9 tor funds.

10 “(I) REPORT.—Not later than 1 year after  
11 the last day of the grant period, a State receiv-  
12 ing a grant under this paragraph shall submit  
13 a report to the Secretary as described in sub-  
14 paragraph (D)—

15 “(i) to determine the effects of the  
16 grant in constructing, renovating, or im-  
17 proving child care facilities, including any  
18 changes in response to the COVID–19  
19 pandemic and any effects on access to and  
20 quality of child care; and

21 “(ii) to provide such other information  
22 as the Secretary may require.

23 “(J) AMOUNT LIMIT.—The annual amount  
24 of a grant under this paragraph may not exceed  
25 \$250,000,000.

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

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

12          “(B) APPLICATION.—A grant under this  
13          paragraph may be made only to intermediary  
14          organizations that submit to the Secretary an  
15          application at such time, in such manner, and  
16          containing such information as the Secretary  
17          may require.

18          “(C) PRIORITY.—In selecting intermediary  
19          organizations for grants under this subsection,  
20          the Secretary shall prioritize intermediary orga-  
21          nizations that—

22                  “(i) demonstrate experience in child  
23                  care facility financing or related commu-  
24                  nity facility financing;

1 “(ii) demonstrate the capacity to as-  
2 sist States and local governments in devel-  
3 oping child care facilities and programs;

4 “(iii) demonstrate the ability to lever-  
5 age grant funding to support financing  
6 tools to build the capacity of child care  
7 providers, such as through credit enhance-  
8 ments;

9 “(iv) propose to focus on child care  
10 facilities that operate under nontraditional  
11 hours;

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

19 “(vi) propose to focus on child care  
20 facilities primarily serving low-income pop-  
21 ulations and children who have not at-  
22 tained the age of 5 years.

23 “(D) AMOUNT LIMIT.—The amount of a  
24 grant under this paragraph may not exceed  
25 \$15,000,000.

1           “(3) REPORT.—Not later than the end of fiscal  
2       year 2030, the Secretary shall submit to the Con-  
3       gress a report on the effects of the grants provided  
4       under this subsection, and make the report publicly  
5       accessible.

6       “(d) LABOR STANDARDS FOR ALL GRANTS.—

7           “(1) All laborers and mechanics employed by  
8       contractors or subcontractors in the performance of  
9       construction, renovation, improvement, repair, alter-  
10      ation, adaptation, reconfiguration, or expansion of  
11      child care facilities funded in whole or in part under  
12      this section shall be paid wages at rates not less  
13      than those prevailing on projects of a character simi-  
14      lar in the locality as determined by the Secretary of  
15      Labor in accordance with subchapter IV of chapter  
16      31 of part A of subtitle II of title 40, United States  
17      Code (commonly referred to as the ‘Davis-Bacon  
18      Act’).

19          “(2) The Secretary shall require that each enti-  
20      ty, including grantees and subgrantees, that applies  
21      for an infrastructure grant for constructing, ren-  
22      ovating, or improving child care facilities, including  
23      adapting, reconfiguring, or expanding such facilities,  
24      which is funded in whole or in part under this sec-  
25      tion, shall include in its application written assur-

1       ance that all laborers and mechanics employed by  
2       contractors or subcontractors in the performance of  
3       construction, alternation or repair, as part of such  
4       project, shall be paid wages in accordance with para-  
5       graph (1). The Secretary shall not approve any such  
6       funding without first obtaining adequate assurance  
7       that required labor standards will be maintained  
8       with respect to any such construction work.

9               “(3) The Secretary of Labor shall have, with  
10       respect to the labor standards specified in paragraph  
11       (1), the authority and functions set forth in Reorga-  
12       nization Plan Numbered 14 of 1950 (15 Fed. Reg.  
13       3176; 5 U.S.C. App.) and section 276c of title 40,  
14       United States Code.

15       “(e) LIMITATIONS ON AUTHORIZATION OF APPRO-  
16       PRIATIONS.—

17               “(1) IN GENERAL.—To carry out this section,  
18       there is authorized to be appropriated  
19       \$10,000,000,000 for fiscal year 2026, which shall  
20       remain available through fiscal year 2030.

21               “(2) RESERVATIONS OF FUNDS.—

22               “(A) INDIAN TRIBES.—The Secretary shall  
23       reserve 3 percent of the total amount made  
24       available to carry out this section, for payments  
25       to Indian tribes.

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

5           “(3) GRANTS FOR INTERMEDIARY ORGANIZA-  
6           TIONS.—Not less than 10 percent and not more  
7           than 15 percent of the total amount made available  
8           to carry out this section may be used to carry out  
9           subsection (c)(2).

10          “(4) LIMITATION ON USE OF FUNDS FOR  
11          NEEDS ASSESSMENTS.—Not more than \$5,000,000  
12          of the amounts made available to carry out this sec-  
13          tion may be used to carry out subsection (b).

14          “(f) DEFINITION OF STATE.—In this section, the  
15          term ‘State’ has the meaning provided in section 419, ex-  
16          cept that it includes the Commonwealth of the Northern  
17          Mariana Islands and any Indian tribe.”.

18          (b) EXEMPTION OF TERRITORY GRANTS FROM LIMI-  
19          TATION ON TOTAL PAYMENTS TO THE TERRITORIES.—  
20          Section 1108(a)(2) of such Act (42 U.S.C. 1308(a)(2))  
21          is amended by inserting “418A(c),” after “413(f),”.

