

111TH CONGRESS  
1ST SESSION

# H. R. 2041

To establish a program to provide child care through public-private partnerships.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 22, 2009

Mrs. LOWEY introduced the following bill; which was referred to the Committee on Education and Labor

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## A BILL

To establish a program to provide child care through public-private partnerships.

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 “Child Care Public-Pri-  
5 vate Partnership Act of 2009”.

6 **SEC. 2. ESTABLISHMENT OF BUSINESS INCENTIVE GRANT**

7 **PROGRAM.**

8 The Secretary of Health and Human Services shall  
9 establish a program to make grants to—

10 (1) businesses and consortia—

1 (A) to pay start-up costs incurred to pro-  
2 vide child care services; or

3 (B) to provide additional child care serv-  
4 ices needed by the employees of such busi-  
5 nesses; and

6 (2) nonprofit business organizations to provide  
7 technical information and assistance to enable busi-  
8 nesses to provide child care services.

9 **SEC. 3. ELIGIBILITY TO RECEIVE GRANTS.**

10 To be eligible to receive a grant under section 2, a  
11 business, nonprofit business organization, or consortium  
12 shall submit to the Secretary an application in accordance  
13 with section 4.

14 **SEC. 4. APPLICATION.**

15 The application required by section 3 shall be sub-  
16 mitted by a business, nonprofit business organization, or  
17 consortium at such time, in such form, and containing  
18 such information as the Secretary may require by rule,  
19 except that such application shall contain—

20 (1) an assurance that the applicant shall ex-  
21 pend, for the purpose for which such grant is made,  
22 an amount not less than 200 percent of the amount  
23 of such grant;

1           (2) an assurance that such applicant will ex-  
2       pend such grant for the use specified in paragraph  
3       (1) or (2) of section 2, as the case may be;

4           (3) an assurance that such applicant will em-  
5       ploy strategies to ensure that child care services pro-  
6       vided by such applicant, or provided with the tech-  
7       nical information and assistance made available by  
8       such applicant, are provided at affordable rates, and  
9       on an equitable basis, to low- and moderate-income  
10      employees;

11          (4) an assurance that such applicant—

12                (A) in the case of a business or consor-  
13                tium, will comply with all State and local licens-  
14                ing requirements applicable to such business or  
15                consortium concerning the provision of child  
16                care services; or

17                (B) in the case of a nonprofit business or-  
18                ganization, will employ procedures to ensure  
19                that technical information and assistance pro-  
20                vided under this Act by such business organiza-  
21                tion will be provided only to businesses that  
22                provide child care services in compliance with  
23                all State and local licensing requirements appli-  
24                cable to child care providers in such State; and

1           (5) in the case of a business or consortium, an  
2           assurance that if the employees of such applicant do  
3           not require all the child care services for which such  
4           grant and the funds required by paragraph (1) are  
5           to be expended by such applicant, the excess of such  
6           child care services shall be made available to families  
7           in the community in which such applicant is located.

8 **SEC. 5. SELECTION OF GRANTEES.**

9           For purposes of selecting applicants to receive grants  
10          under this Act, the Secretary shall give priority to busi-  
11          nesses that have fewer than 100 full-time employees. To  
12          the extent practicable, the Secretary shall—

13               (1) make grants equitably under this Act to ap-  
14               plicants located in all geographical regions of the  
15               United States; and

16               (2) give priority to applicants for grants under  
17               section 2(1).

18 **SEC. 6. DEFINITIONS.**

19          As used in this Act:

20               (1) BUSINESS.—The term “business” means a  
21               person engaged in commerce whose primary activity  
22               is not providing child care services.

23               (2) CHILD CARE SERVICES.—The term “child  
24               care services” means care for a child that is—

1 (A) provided on the site at which a parent  
2 of such child is employed or at a site nearby in  
3 the community; and

4 (B) subsidized at least in part by the busi-  
5 ness that employs such parent.

6 (3) CONSORTIUM.—The term “consortium”  
7 means 2 or more businesses acting jointly. A consor-  
8 tium may also include a nonprofit private organiza-  
9 tion.

10 (4) SECRETARY.—The term “Secretary” means  
11 the Secretary of Health and Human Services.

12 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

13 There is authorized to be appropriated to carry out  
14 this Act \$25,000,000 for each of the fiscal years 2010  
15 through 2012.

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