AGENCY CHILD CARE MEETING
JEFFORDS BILL
DECEMBER 16, 1997; 2:00-3:30

AGENDA

Welcome And Introductions **Susan Clampitt**

Meeting Objectives

- Awareness of the "Quality Child Care for Federal Employees Act"
- Provide analysis of the bill's provisions
- Invite comment and discussion of the major provisions
- Identify agency concerns
- Discuss future steps

Discussion of Major Provisions of the Jeffords bill

- State and local licensing
- Health, safety and facility standards
- Accreditation standards
  - Development and publication of a governmentwide regulation
- Evaluation and compliance with standards
  - Correction and parental notification of deficiencies
- Effect of non-compliance
  - Mandatory closure for uncorrected life threatening deficiencies
- Cost reimbursement
- Application: Oversight of Federal centers and delegation of authority
- Establishment of an interagency council
- Authorization of appropriations

Discussion of future steps

JEFFORDS BILL MEETING -- DECEMBER 16, 1997

AGENCY	NAME	PHONE	FAX
Agriculture			
Commerce	Victoria Kruk	202 482-4115	
DoD	Linda Smith Bonnie Storm	703 696-1702 ext 114, 151	
DoED			
DOE	June Robinson	202 586-4054	
DOL			
DOT	Suzette Paes	202 366-4893	
EPA	Tanya Hamlett	202 260-0031	260-3263
FDIC	John Betor	202 942-3153	
FEMA			
HHS			
Interior			
Justice	Beverly Lyle	202 324-8433	
Judicial Branch	Kathleen Keeley George Huff Judith Russell	202 273-1200 202 273-1230 202 273-1120	
Legislative Br			
NARA	Barbara Wilkes	301 713-6470 ext 232	
NASA	Janice Lloyd	202 358-1215	
NSF	Dr. Pat Kinney	703 306-1185 ext 3081	
OPM	Anice Nelson, DeShawn Sheppard	202 606-2011	
State	Patricia Pitarelli	703 516-1735	
Smithsonian			
SSA			
Treasury	Peter Necheles	202 622-2139	
VA	Rene Bruce	410 605-7388	410 605-7900
White House	Neera Tanden	202-456-6275	
GSA	Sharon Roach David Bibb Lesly Wilson Von Harrison	202 501-0376 202 501-0856 202 501-1664 202 273-0721	

DRAFT

Date

MEMORANDUM FOR HEADS OF FEDERAL DEPARTMENTS AND AGENCIES

SUBJECT: Steps to Improve Federally-Sponsored Child Care

Now more than ever, America's working parents struggle to balance their obligations to be good workers -- and their more important obligations to be good parents. By choice or by financial necessity, millions of Americans rely on child care to care for their children for part of each day. Parents deserve to know that their children are safe and nurtured in child care.

One of my highest priorities is to make child care better, safer, and more affordable. That is why my balanced budget includes the largest single investment in child care in our nation's history, and proposes specific measures to improve child care quality.

As a supplier of child care and as an employer that must recruit and retain a strong workforce, the federal government should lead the way in improving child care. I am proud that our military has developed one of the finest child care delivery systems in the world, and that the Department of Defense, at my request, is sharing its expertise with the public and private sectors. Still, we need to do more. The executive branch of the federal government operates xxx child care centers -- 220(?) operated by the military, 109 controlled by the General Services Administration (GSA) and 133 controlled by other federal departments. In total, approximately xxx children are in our care.

Today, I am directing my Cabinet to take significant new steps to improve the quality of federally-sponsored child care. First, I want to ensure that all child care workers in federally-sponsored centers undergo thorough background checks to make sure they are they are suitable for the job. The vast majority of child care providers are caring people who have dedicated their lives to teaching and nurturing children. But one tragedy in child care is too many, and background checks are one important way to know that the people watching our children are fit for this responsibility. Background checks for federal child care workers are required under federal law, and I want to guarantee that they are being administered appropriately and in a timely fashion.

Second, I believe that all federally-sponsored child care should achieve nationally-recognized, independent accreditation to ensure quality. Currently, xx percent of federally-administered child care centers in the executive branch are accredited. By the year 2000, I want ~~us to reach a~~ one hundred percent ~~accreditation rate. We must enter the twenty-first Century with child care centers of the highest quality possible.~~ Third, I am asking my Cabinet to explore ways to form partnerships among federal departments and agencies and with the private sector to maximize existing resources and improve child care quality. And finally, I want to ensure that all federal

to be accredited

workers have full information on child care benefits and options available to them at the national and local levels.

Therefore, today, I am directing:

with responsibility for....

timely

Jen Note: Make sure GSA includes Q on why do we think necessary?

I. Administrator David Barrum of the General Services Administration to report to me within ninety days with a ~~compliance~~ plan to ensure complete and ~~thorough~~ background checks, to the fullest extent possible, for all child care workers in all non-military, federally-sponsored child care settings. Administrator Barrum will also report to me on plans to improve data collection and maintenance. ~~Relevant~~ Agencies will report to the Administrator within sixty days on this matter. concerning federally-sponsored child care.

II. Secretary of Defense William Cohen and Administrator David Barrum to report to me within ninety days with a plan to ensure independent, nationally-recognized accreditation, to the fullest extent possible, ~~by~~ of all federally-sponsored child care by the year 2000.

III. The heads of all federal departments and agencies to explore opportunities for collaboration both within government and with the private sector to leverage resources and improve child care quality in federally-sponsored settings.

IV. Director of the Office of Personnel Management Janet LaChance to ensure that all federal workers receive full information about the child care benefits available to them, including information on resource and referral networks, tax credits available such as the Child and Dependent Care Tax Credit and the Child Tax Credit, as well as public subsidies.

To Gene -

PRESIDENT CLINTON:
IMPROVING THE QUALITY OF FEDERAL CHILD CARE CENTERS

February 24, 1998

Today, the President is issuing a directive to all federal agencies that sponsor child care centers to improve ~~increase~~ the quality of child care in order to make the federal government a leader in ensuring that its workers have access to safe, quality cc for their families ~~model employer~~. This directive builds on President Clinton's efforts to improve the quality of child care for all Americans.

FEDERAL CHILD CARE CENTERS TODAY: There are nearly 250 non-military federal child care centers; 109 are controlled by the General Services Administration, and 133 are ~~the rest are~~ controlled by other federal departments ~~individual agencies~~. While many of them ensure the safety of the children in their care by conducting criminal background checks on their child care workers, ~~too many do not.~~ [Check] In addition, [only??] roughly half of them have received accreditation from a nationally recognized accreditation organization. Accreditation is a rigorous process that ensures that child care centers are of the highest quality because they have met high health and safety standards; are providing learning environments for children, and are promoting staff development training activities.

need to be careful bec. required by law

Is 133 inclu. military? Prob. not — guess NO.

ENSURING THE QUALITY OF THE FEDERAL CHILD CARE SYSTEM: The directive the President issued today will improve ~~increase~~ the quality of the federal child care system by: ensuring that every federal child care center conducts criminal background checks of its employees; that all centers are accredited by the year 2000; that all federal workers receive info. ~~are informed~~ about national as well as state efforts to help with their child care costs; and that all agencies explore public-private partnerships to both improve quality and increase the affordability of federal child care centers.

[Mirror directive]

Criminal Background Checks: The President's directive requires all non-military federal agencies that sponsor child care centers to conduct criminal background checks through the FBI ~~by the end of the year [??]~~. The President's directive requires that the Director of the General Services Administration to report to him within ninety days with a progress report on how each agency is fulfilling this directive.

Mirror dir.

Raising Standards: The President's directive also requires that all federal child care centers comply with accreditation standards by the year 2000. In addition, all contracts and licensing agreements with providers must contain this provision.

Informing the Consumers of Federal Child Care Services: The President also directed the Office of Personnel Management to provide information to all federal employees on federal and state initiatives to reduce the cost of child care and family tax liability, through such measures as the Child and Dependent Tax Credit, the Child Tax Credit, the Earned Income Tax Credit ~~as well as other initiatives~~.

Forming Partnerships with the Public and Private Sector: The President directed all agencies to explore partnerships with other federal and state agencies, as well as the private sector, to improve the quality and ~~increase the~~ affordability of child care that federal workers receive.

THE AGENDA AHEAD: Today's efforts build on the President's child care initiative, which will make child care better, safer, and more affordable by:

Doubling the number of children receiving child care subsidies to more than two million by the year 2003, increasing tax credits for three million working families to help them pay for child care, and providing a new tax credit for businesses that offer child care services for their employees.

Do a bit more

Improving the quality of care our children receive by enhancing early child childhood development through a new Early Learning Fund as well as by supporting enforcement of state child care health and safety standards.

Providing after-school programs for up to half a million children per year.

referred out to the community. (DOD subsidies do not go with the military family when they have to use community day care because DOD centers are full).

Provide information to all employees bout local child care resource and referral agency to help with the identification and location of affordable and appropriate child care. (HHS can work with you on this one since they know all about Child care R and R.

Directive to all agencies:

affordability

Explore partnerships and collaboration with other federal and state agencies and with the private sector that would maximize existing resources and create new resources to improve the quality and increase affordability of child care for federal employees.

agencies p'rship child care is imp

→ pooling resources +

FYI

Attachment 4 Recommendations from NAPA study to increase affordability of federally sponsored child care.

Attachment 5 Updated list of non-GSA/DOD Federally sponsored child care centers.

pay up!
Federal workforce

→ Marriott:
are conversations btwn
GSA + Kaiser Permanente +
Marriott - public private
p'rship.
Not accredited

To: Nicole et al, and Susan

From: Lucy

Re: Follow up to Saturday AM Conference call

February 21, 1998

parents/states to ensure compliance ?: → how many in compliance + not in compliance in not GSA?

Here are the answers to the questions (not always definitive) with background material attached, that I was able to clear up.

1. Criminal background checks:

all should be in compliance?

Public Law 101-647 is the controlling statutory authority for criminal background checks. I do not have a copy of the law but the IG report on GSA compliance (attachment I), states that the law requires that criminal history back ground checks be conducted for all child care employees in Federally provided space. Despite the fact, that the law applies to all federally sponsored child care, the IG report only dealt with compliance in centers located in GSA controlled space. I am not aware there were IG reports related to compliance in other agencies, but I will try to find that out. Compliance – background checks for non-ctrs.

Speed up FBI checks?

2. Accreditation: GSA: out of compliance?

Full accreditation by 2000; Barnum & Cohen

On rereading the 1987 amendments to the original Trible Amendments (passed in 1985), the requirement for accreditation is not there for all federally sponsored child care. What the amendments does allow is for a sponsoring agency, or GSA, to pay accreditation fees, including renewal fees for that center to be accredited by a nationally recognized early childhood professional organization. It does not specify NAEYC. (See attachment 2). However, GSA's licensing agreement does require that centers in GSA controlled space are accredited within two years of beginning operation (I do not have a copy of the licensing agreement handy so I am paraphrasing the language). The 1987 Trible Amendments refer to the GSA licensing agreement as a vehicle for GSA to provide assistance and oversight to Federal agencies. I understand that some number of other Federal agencies use our licensing agreement that requires accreditation but I do not know how many have done so. The Jeffords/Gilman bill that has been proposed takes Trible a bit further by including language requiring accreditation to the maximum extent possible five years after enactment. (See attachment 3).

Sorry this is ambiguous. I had understood from our legal office that all govt. sponsored child care required accreditation so I may be reading this wrong, or perhaps there has been some subsequent agreements, directives, etc. re accreditation that required accreditation for all child care centers. If that is not so, the Jeffords' bill does make the requirement more specific. I will check this with our legal office ASAP. (Susan have you been able to get Lesly's number at home?) The bottom line is that even if Trible does not require accreditation, it certainly implies that it is desirable and gives agencies the authority to pay for costs of accreditation. That means there is no barrier to the Presidentissuing a directive that all federally sponsored child care centers should be fully accredited by the year 2000 and those agencies should pick the costs of making that happen.

2. Suggested wording for directives we agreed upon.

Incorporate into:
• To improve data systems in child care centers

Directive to OPM:

Instruct OPM to:

Give information to all federal employees (including military service) about all available federal and state tax credits that are available to them for child care and to reduce family tax liability (EITC(Earned Income Tax Credit, DCTC (Dependent Care Tax Credit) I mentioned state credits as well because in some states there is an additional state EITC or DCTC.(The reason I included military is that Linda Smith told me when we met with her that they did not give info-they are not unwilling, they just had never thought about doing it-to service families about public subsidies available to them when DOD centers are full up and they are

Getting own house in order

FEB-21-1998 15:18 FROM GSA REGION 3 ASD TO 912024562878 P.009/010

Breakout of centers by Branch of Government:

Executive Branch	127
Legislative Branch	4
Judicial Branch	1

Accreditation status*:

Number Accredited:	31

Percentage accredited:	**23% Overall**
Percentage of 49 VA centers	14% (7) Accredited
Percentage of 25 centers USDA:	4% (1) Accredited
Percentage of 28 DOT centers:	21% (6) Accredited
Percentage of 8 NASA centers:	37% (3) Accredited

too new or other reasons

Comparative GSA:	73% *Eligible* centers accredited (approximate)
Comparative DoD:	74% *Eligible* centers accredited
Comparative private sector	5% Accredited (approximate)

Capacity:

Largest capacity:	202	Pentagon Child Development Center
Smallest capacity:	4	Avery Day Care; Forest Service, USDA

* All centers are accredited by NAEYC, except 1 NASA center accredited by Professional Association for Childhood Education; this center is pending NAEYC accreditation, but counted as accredited (by PACE).

14
16
30
80
110

(17)

ATTACHMENT (5)

SUMMARY DATA OF NON-GSA/DOD FEDERALLY SPONSORED CHILD CARE CENTERS

Updated January 29, 1998

Number of Centers:		**133**	
Number of States:		**39**	**(including Washington DC)**
States with most centers:		**15**	**California**
		12	**Washington, DC**
		9	**New York**

36 Centers (27%) are concentrated in 3 states

Agencies Sponsoring centers:		**25 Agencies**	
Executive Branch:			
	(37%)	**49**	Veterans Administration
	(21%)	**28**	DOT*
			(18) FAA
			(9) CG
			(1) RSPA
	(18%)	**25**	USDA
			(24) Forest Service
			(1) USDA
	(6%)	**8**	NASA
		3	HHS (NIH, and consortium)
		3	Department of Energy
		2	Smithsonian
		2	Treasury (FLETC & Office of Thrift Supervision),
		2	Commerce (NIST, NOAA)
		..1	CIA
		1	DOJ (FBI)
		1	NARA
		1	EPA
		1	FDIC
		1	The Pentagon
Legislative Branch:			
		1	Library of Congress
		1	US House of Representatives
		1	US Senate
		1	GAO
Judicial Branch:			
		1	Supreme Court (and others); in Legislative bldg

* **The 9 US Coast Guard Centers in DOT** are regulated separately by legislation and by formal regulation (COMDTINST M1754.15)

S. 1490 - QUALITY CHILD CARE FOR FEDERAL EMPLOYEES ACT

SECT. 3 (B)(1) - STATE AND LOCAL LICENSING

PROVISION

what % of ~~people~~ centers

- Requires centers to obtain state and local licenses, or comply with their requirements
- Comply within 6 months of enactment
- Or make substantial progress toward complying as determined by the Administrator
- Contracts/licensing agreements must contain this requirement

ANALYSIS

- Centers must have a license to open unless the state/local authorities won't license centers on Federal property
- Language provide relief from compliance for special circumstances, and the Administrator has authority to issue waivers

→ tomorrow: at 10:00 pm

Ag.
VA 50 centers
NASA - 8 ctrs
all reg'd
DOT - licensed

- ensure State + local licens
- waiting toward accreditn

- more flexibility: pr w/ private sector → greater affordability

Lucy.

SECT. 3(B)(2), HEALTH, SAFETY AND FACILITY STANDARDS

PROVISION

- The Administrator must establish governmentwide standards for Health, Safety and Facilities, and publish the requirements in a regulation
- Child care in Executive facilities must comply

ANALYSIS

- No governmentwide standards currently exist
- Some agencies, including GSA, have developed standards, and review compliance with standardized instruments
- Language leaves development of standards in the hands of the Executive branch; agencies can collaborate to develop standards

SECT. 3(b)3 - ACCREDITATION STANDARDS

eligible centers

70% DOD GSA-75% eligible

PROVISION

- Governmentwide regulation will require, to the maximum extent possible, that Executive centers comply with accreditation standards
- Compliance, or substantial progress toward it, is required within 5 years after enactment
- Contracts/licensing agreements with Providers must contain this condition
- Centers are subject to monitoring for compliance

non-DOD non GSA/ >20% govt-wide

ANALYSIS

- Language does not require accreditation; centers must meet the standards for accreditation
- The Administrator has the flexibility to determine if "substantial progress" toward meeting accreditation standards has been made
- Many centers are already accredited, or in the process with NAEYC
- Language does not have a 100% standard

Criteria - reg's diligent

SECT. 3(b)(4)(A) - EVALUATION AND COMPLIANCE

PROVISION

- The Administrator must evaluate compliance with the requirements directly or through an entity independent of the sponsoring agency
- The Administrator must notify the agency of identification of non-compliance

ANALYSIS

- Agencies must have an outside entity to review compliance
- Language does not preclude an agency from obtaining reviews from another agency
- The reviewer must provide results for each center to the agency

SECT. 3(b)(4)(B) - EVALUATION AND COMPLIANCE EFFECT OF NON-COMPLIANCE

PROVISION

- The agency head must do, or require the Provider to:
  - Correct life threatening deficiencies within 2 days, and other deficiencies within 4 months of notification
  - Notify parents of identified deficiencies and provide a corrective action plan
  - Certify to the Administrator the center is in compliance
  - Notify the Administrator if the center is closed
  - Close the center if life threatening/risk of serious bodily harm deficiencies cannot be corrected within 2 days

ANALYSIS

- Language does not define "life threatening" or "risk of serious bodily harm"; the Administrator makes this determination
- Notification to parents is required for <u>all</u> deficiencies, serious and minor; this legal requirement may open up the potential for litigation
- The agency head is responsible for closing the center if deficiencies cannot be corrected within specified timeframes. Remaining open is <u>not optional</u>
- Language requires closure of the entire center, regardless of where the deficiency is located

SECT. 3(b)(4)(c), and 3(f) - COST REIMBURSEMENT FOR SERVICES

PROVISION

- Agencies in non-GSA facilities shall reimburse GSA for services rendered related to evaluation and compliance
- Multiple sponsors will pay a pro-rata share of costs
- The Administrator may provide technical assistance, studies, and reviews, on a reimbursable basis

ANALYSIS

- Language provides latitude for the Administrator to provide many services, and a requirement for reimbursement
- Agencies may need to budget for reimbursement to GSA for services

SECT. 3(c) and (d) - LEGISLATIVE AND JUDICIAL BRANCH STANDARDS AND COMPLIANCE

PROVISION/ANALYSIS

- Legislative and Judicial Branch requirements mirror those of the Executive Branch

SECT. 3(e) - APPLICATION (OVERSIGHT OF CENTERS AND DELEGATION OF AUTHORITY)

PROVISION

- The Administrator will delegate evaluation and compliance authorities and responsibilities to agencies with 8 or more centers in facilities they own or lease (non-GSA)

ANALYSIS

- The Administrator retains the requirement to establish and publish standards and requirements in a regulation
- Evaluation and compliance will be delegated to VA, USDA, DOT and NASA agency heads
- Centers in GSA facilities remain under GSA oversight; agencies with less than 8 centers which they control move under GSA oversight

SECT. 3(f) - COUNCIL

PROVISION

- The Administrator shall establish an interagency child care council comprised of all agencies with 8 or more centers
- Judicial and Legislative Branch will have a representative on the council
- The council will develop and coordinate policy and share best practices

ANALYSIS

- Language does not preclude broader membership on the council
- The Interagency Federal Child Care Council is under development, and is projected to meet in January 1998

SECT. 3(h) - AUTHORIZATION OF APPROPRIATIONS

PROVISION

- Authorizes $900K for FY98 and "such sums as are necessary for each subsequent FY" to carry out the section

ANALYSIS

- $900K authorization represents agency expenses, and reimbursables to GSA for evaluation and compliance services
- The amount does not include facilities construction and renovation costs

Joan rl 703-660-8924

Message

- Not testifying until Wednesday

  ↳ Be ready + stay longer:

  Fast track right now:

  Just better if it's another week:

① Crim background checks: → stat.

All child care in fed prop.

- whether compliance in GSA/non-GSA

GSA at time 2 yrs ago

- Out of compliance - some of our licensing agreement.

Getting clearances has been complicated -

tremendous backlog → has already left.

↳ Child care coordinators - state clearances are done - FBI clearance.

- Vigorous & not in compliance w/ state + local laws: gather materials

Call Mary: left message

↳ Annual survey of centers:

- Can tell ~~some~~ agencies computerize every ~~child~~ agency care

with child care centers.

↳ $1 million - agencies have

ATTACHMENT 4

DEVELOP NEW INITIATIVES AND LEGISLATIVE PROPOSALS TO ENSURE FINANCIAL SUSTAINABILITY

The Academy Study Team recommends that consideration be given to:

6. Collaboration among federal agencies and between federal agencies and states, local governments, the private sector, and community-based organizations to identify areas where federal employees' child care needs might be met via existing resources within the community. In this regard, consideration should be given to allowing federal agencies to use their available funds and resources to invest in start-up costs in non-federal child care enterprises.

7. Enacting legislation to give department and agency heads the flexibility to decide the level and kind of support they will provide for child care programs consistent with the availability of appropriated funds. ?

flexible department

8. Amending the Trible Amendment to modify the minimum 50 percent federal employee enrollment requirement for individual government child care centers.

9. Authorizing demonstration projects that would grant selected federal departments and agencies expanded authority to pilot alternative forms of child care assistance. family based ? non-center based

10. Establishing demonstration sites so OPM can pilot test cafeteria-style benefits programs for federal employees, which would include child care as an option.

11. A study by OPM of the feasibility of removing the statutory barrier to federal employees having access to the Dependent Care Assistance Program (DCAP). The study team recommends the concept be evaluated for its potential to help low income federal parents, the impact of tax revenue loss, and administrative costs to the government. During the study, OPM should review the New York State DCAP to assess how it is benefitting low- to moderate-income employees.

not needed

In addition to describing the background, history and environment of child care in the federal civilian agencies, the study details support for each of the findings and recommendations.

GILMAN / JEFFORDS

an Executive agency, the Administrator shall delegate to the head of the agency the evaluation and compliance responsibilities assigned to the Administrator under subsection (b)(4)(A).

(f) Technical Assistance, Studies, and Reviews.--The Administrator may provide technical assistance, and conduct and provide the results of studies and reviews, for Executive agencies, and entities sponsoring child care centers in executive facilities, on a reimbursable basis, in order to assist the entities in complying with this section. The Architect of the Capitol and the Director of the Administrative Office of the United States Courts may provide technical assistance, and conduct and provide the results of studies and reviews, or request that the Administrator provide technical assistance, and conduct and provide the results of studies and reviews, for legislative offices and judicial offices, respectively, and entities operating child care centers in legislative facilities and judicial facilities, respectively, on a reimbursable basis, in order to assist the entities in complying with this section.

(g) Council.--The Administrator shall establish an interagency council, comprised of all Executive agencies described in subsection (e), a representative of the Office of Architect of the Capitol, and a representative of the Administrative Office of the United States Courts, to facilitate cooperation and sharing of best practices, and to develop and coordinate policy, regarding the provision of child care in the Federal Government.

INTERAGENCY COUNCIL

(h) Authorization of Appropriations.--There is authorized to be appropriated to carry out this section $900,000 for fiscal year 1998 and such sums as may be necessary for each subsequent fiscal year. PROV

PRESIDENT CLINTON SENDS NATIONAL CRIME PREVENTION AND PRIVACY COMPACT TO CONGRESS

October 23, 1997

transmission sent up the Hill

not introduced

computer [illegible] → Jama [illegible] → Peter [illegible] checks to computer legislative [illegible]

Today, President Clinton transmitted the National Crime Prevention and Privacy Compact to Congress. The compact will facilitate effective background checks on child care providers by eliminating state law barriers to the sharing of criminal history information for purposes other than ongoing criminal investigations. The vast majority of child care providers are caring people who have dedicated their lives to teaching and nurturing children. But one tragedy in child care is too many, and background checks are one important way to ensure that the people watching our children are fit for this responsibility.

[illegible] Kent Markus

Current Limitations on Information. Many states currently have laws prohibiting release of criminal history records for purposes other than ongoing criminal investigations -- such as in connection with background checks for employment or licensing. This means that a child care agency wishing to do a nationwide check to determine whether a potential child care worker has a criminal history will not be able to gain direct access to all states' records but instead must go to the FBI for information. FBI records, however, are not nearly as complete as states' own records because state reporting of criminal dispositions to the FBI is wholly voluntary. In addition, FBI checks can take weeks or months to complete because of the total volume of FBI records and the FBI's nationwide criminal responsibilities.

Effect of the Compact. Under the compact, each ratifying state would agree to release its own criminal history information to other ratifying states for any purpose authorized by the receiving state's law. This means an agency wanting to do a nationwide check for a purpose authorized by state law need not rely on incomplete FBI records, but may gain access directly to other states' complete criminal records. The only role played by the FBI would be to give the requesting agency a list of the states in which the individual has a criminal record (information which the FBI would have in complete form), so that the agency can access those states' records directly. In this way, the compact will vastly increase the effectiveness and efficiency of nationwide criminal background checks.

One Step in Ensuring Safety of Child Care. A background check is only a first step in assuring that our children are cared for safely. Many people who are unsuited to be child care providers are never arrested or convicted of a crime; most child abuse cases, for example, are not prosecuted in criminal court. A recent study by the American Bar Association's Center for Children and the Law found that personal interviews and reference checks are essential tools in checking the credentials of caregivers.

PROPOSED REDRAFT OF 40 U.S.C. 490b -- Child Care services for Federal employees in Federal building.

(a) Allotment of space; conditions

If any individual or entity which provides or proposed to provide child care services for Federal employees applies to the officer or agency of the United States charged with the allotment of space in the Federal buildings in the community or district in which such individual or entity provides or proposes to provide such service, such officer or agency may allot space in such a building to such individual or entity if--

(1) such space is available;

(2) such officer or agency determines that such space will be used to provide child care services to **children of Federal employees or on site Federal contractors, or dependent children who live with Federal employees or on site Federal contractors;**

(3) such officer or agency determines that such individual or entity will give priority for available child care services in such space to Federal employees **and on site Federal contractors; and**

(4) the Administrator of General Services Administration must confirm that at least 50 percent of aggregate enrollment in Federal centers governmentwide are children of Federal employees, or on site Federal contractors, or dependent children who live with Federal employees or on site contractors. Providers at individual centers will maintain the same percentage as a goal. In the event that enrollment at a center drops below the Federal enrollment goal percentage, the provider will develop and implement a business plan with the sponsoring agency(ies) to achieve the goal percentage within a reasonable timeframe. This plan must be approved by the Administrator of General Services based on its compliance with standards established by the Administrator, as well as its effect on achieving the aggregate Federal enrollment percentage goal.

(b) Charges for rent or services; payment of costs, accreditation fees, and travel and per diem expenses; "services" defined

(1) If an officer or agency allots space to an individual or entity under subsection (a) of this section, such space may be provided to such individual or entity without charge for rent or services.

(2) If there is an agreement for the payment of costs

associated with the provision of space allotted under subsection (a) of this section or services provided in connection with such space, nothing in Title 31, or any other provision of law, shall be construed to prohibit or restrict payment by reimbursement to the miscellaneous receipts or other appropriate account of the Treasury.

(3) If an agency has a child care facility in its space, or is a sponsoring agency for a child care facility in other Federal or leased space, the agency or the General Services Administration may pay accreditation fees, including renewal fees, for that center to be accredited by a nationally recognized early childhood professional organization **and, notwithstanding the provisions of the Act of September 13, 1982 (Public Law 97-258, 31 U.S.C. 1345), any agency, department or instrumentality of the United States which provides or proposes to provide child care services for children of Federal employees as described in Subsection (a)(2) above, may reimburse any Federal employee or any person employed to provide such services for the costs of training programs, conferences and meetings and related travel, transportation, and subsistence expenses incurred in connection with those activities: Provided, That any per diem allowance made pursuant to this section shall not exceed the rate specified in regulations prescribed pursuant to section 5707 of title 5, United States Code.**

(4) For the purposes of this subsection, the term "services" includes the providing of lighting, heating, cooling, electricity, office furniture, office machines and equipment, classroom furnishings and equipment, kitchen appliances, playground equipment, telephone service (including installation of lines and equipment and other expenses associated with telephone services), and security systems (including installation and other expenses associated with security systems), including replacement equipment, as needed.

(c) Guidance, assistance, and oversight

Through the General Services Administration's licensing agreements, the Administrator of General Services shall provide guidance, assistance, and oversight to Federal agencies for the development of child care centers to promote the provision of economical and effective child care for Federal workers.

(d) **Consortium with private entities**

(1) If a Federal agency has a child care facility in its space, or is a sponsoring agency for a child care facility in other Federal or leased space, the agency, Child Care Center Board of Directors, or the General Services Administration may enter into an agreement with one or more private entities under which such private entities would assist in defraying the general operating expenses of the child care provider including, but not limited to, salaries and tuition assistance programs at the facility.

(2)(A)(i) Notwithstanding any other provision of law, if a Federal agency which does not have a child care program, or the General Services Administration has identified a need for child care for Federal employees which does not meet the criteria of subsection (a) above, the agency or GSA may enter into an agreement with an existing non-Federal, licensed and accredited child care facility or a planned child care facility, which must become licensed and accredited, for the provision of child care services for children of Federal employees.

(ii) Prior to entering into an agreement, the Head of the Federal agency[ies] must determine that child care services to be provided through the agreement are more cost effectively provided through this arrangement than through establishment of a Federal child care facility.

(iii) The agency may provide any of the "services" defined in subsection (b)(4) above, and in exchange for such "services", the facility would reserve child care spaces for children of Federal employees as defined in subsection (a)(2) above, as agreed to by the parties. The cost of any "services" provided by an agency to a child care facility on behalf of another agency will be reimbursed by the receiving agency.

(B) This subsection does not apply to residential child care programs.

(e)(1) Upon approval of the Agency head, an Agency may conduct pilot projects not otherwise authorized by law for up to 2 years to test innovative approaches to provide alternative forms of quality child care assistance for Federal employees. Agency heads may extend pilot projects for an additional 2 year period at their discretion. Before any pilot project may be implemented, a determination must be made by the agency head that the cost of initiating the pilot project would be more cost effective than establishing a new child care facility. Costs of any pilot project will be borne solely by the agency conducting the pilot project.

(2) The General Services Administration will serve as an information clearinghouse for pilot projects initiated by other agencies to provide information concerning the pilot projects to the other agencies.

(3) The Agency conducting the pilot project shall provide for an evaluation of the impact of the delivery of child care services to Federal employees within 6 months of completion of the initial 2 year pilot project period, and shall submit the results of its evaluation to the Administrator of General Services who shall share the results with other Federal agencies.

TRIBLE AMENDMENT

Authority allowing Federal agencies to establish child care centers is provided under 40 U.S.C 490b, commonly known as the "Trible Amendment." It states:

SEC. 139. (a) Notwithstanding section 101(i) and section 102(c) of this joint resolution, and notwithstanding any provision of H.R. 3036, if any individual or entity which provides or proposes to provide child care services for Federal employees applies to the officer or agency of the United States charged with the allotment of space in the Federal Buildings in the community or district in which such individual or entity provides or proposes to provide such services, such officer or agency may allot space in such a building to such individual or entity if -

(1) such space is available:

(2) such officer or agency determines that such space will be used to provide child care services to a group of individuals of whom at least 50 percent are Federal employees; and

(3) such officer or agency determines that such individual or entity will give priority for available child care services in such space to Federal employees.

(b)(1) if an officer or agency allots space to an individual or entity under subsection (a), such space may be provided to such individual or entity without charge for rent or services.

(2) If there is an agreement for the payment of costs associated with the provision of space allotted under subsection (a) or services provided in connection with such space, nothing in title 31, United States Code, or any other provision of law, shall be construed to prohibit or restrict payment by reimbursement to the miscellaneous receipts or other appropriate account of the Treasury.

(3) For the purpose of this section, the term "services" includes the providing of lighting, heating, cooling, electricity, office furniture, office machines and equipment, telephone service (including installation of lines and equipment and other expenses associated with telephone service), and security systems (including installation and other expenses associated with security systems).

every effort will be made by the Postal Service to recognize the rapid rate of population growth in Las Cruces and to automate the Las Cruces, New Mexico postal facility in order that mail processing can be expedited and handled in Las Cruces.

SEC. 522. None of the funds in this Act may be used to reduce the rank or rate of pay of a career appointee in the SES upon reassignment or transfer.

Nebraska
Iowa

SEC. 523. No funds in this Act may be used to award a Federal agency lease in the Omaha, Nebraska—Council Bluffs, Iowa, geographical area, which does not meet the following criteria:

Any Federal agency which leases commercial space in the Omaha, Nebraska—Council Bluffs, Iowa, geographical area, when entering into new leases, shall give preference to space available meeting standard Government lease criteria, provided, the space also meets the occupying agency's mission requirement. The agency shall give priority consideration to space offered at the lowest cost per square foot within the geographical area, provided that the space under consideration also affords accessibility to the greatest number of members of the public served by the Federal agency, and to other factors set out in the applicable statutes and regulations.

SEC. 524. Such sums as may be necessary for fiscal year 1993 pay raises for programs funded by this Act shall be absorbed within the levels appropriated by this Act.

SEC. 525. No part of any appropriation contained in this Act shall be available to pay the salary for any person filling a position, other than a temporary position, formerly held by an employee who has left to enter the Armed Forces of the United States and has satisfactorily completed his period of active military or naval service and has within ninety days after his release from such service or from hospitalization continuing after discharge for a period of not more than one year made application for restoration to his former position and has been certified by the Office of Personnel Management as still qualified to perform the duties of his former position and has not been restored thereto.

SEC. 526. None of the funds made available to the United States Customs Service may be used to collect or impose any land border processing fee at ports of entry along the United States-Mexico border.

SEC. 527. Where appropriations in this Act are expendable for travel expenses of employees and no specific limitation has been placed thereon, the expenditures for such travel expenses may not exceed the amount set forth therefor in the budget estimates submitted for the appropriations without the advance approval of the House and Senate Committees on Appropriations: *Provided*, That this section shall not apply to travel performed by uncompensated officials of local boards and appeal boards of the Selective Service System; to travel performed directly in connection with care and treatment of medical beneficiaries of the Department of Veterans Affairs; to travel of the Office of Personnel Management in carrying out its observation responsibilities of the Voting Rights Act; or to payments to interagency motor pools where separately set forth in the budget schedules.

Day care

SEC. 528. Section 616 of the Act of December 22, 1987 (40 U.S.C. 490b) is amended—

(1) by amending subsection (a)(2) to read as follows:

"(2) such officer or agency determines that such space will be used to provide child care services to children of whom at least 50 percent have one parent or guardian who is employed by the Federal Government; and";

(2) by amending subsection (b)(3) to read as follows:

"(3) For the purpose of this subsection, the term 'services' includes the providing of lighting, heating, cooling, electricity, office furniture, office machines and equipment, classroom furnishings and equipment, kitchen appliances, playground equipment, telephone service (including installation of lines and equipment and other expenses associated with telephone services), and security systems (including installation and other expenses associated with security systems), including replacement equipment, as needed.";

(3) by redesignating subsection (b)(3), as amended by paragraph (2), as subsection (b)(4), and inserting after subsection (b)(2) the following:

"(3) If an agency has a child care facility in its space, or is a sponsoring agency for a child care facility in other Federal or leased space, the agency or the General Services Administration may pay accreditation fees, including renewal fees, for that center to be accredited by a nationally recognized early-childhood professional organization, and travel and per diem expenses for attendance by representatives of the center at the annual General Services Administration child care conference."; and

(4) by adding at the end the following:

"(c) Through the General Services Administration's licensing agreements, the Administrator of General Services shall provide guidance, assistance, and oversight to Federal agencies for the development of child care centers to promote the provision of economical and effective child care for Federal workers.

"(d) If a Federal agency has a child care facility in its space, or is a sponsoring agency for a child care facility in other Federal or leased space, the agency or the General Services Administration may enter into a consortium with one or more private entities under which such private entities would assist in defraying the costs associated with the salaries and benefits provided for any personnel providing services at such facility.".

SEC. 529. Section 532 of the Act of November 5, 1991 (104 Stat. 1470; Public Law 100–509), is amended—

(1) by inserting "(a)" immediately before the first sentence inside the quotation marks; and

(2) by adding before the close quotation marks at the end the following new subsection:

"(b) The Internal Revenue Service may use competitive procedures or procedures other than competitive procedures to procure the services of attorneys for use in litigating actions under the Internal Revenue Code to which a foreign-controlled corporation is a party. The Internal Revenue Service need not provide any written justification for the use of procedures other than competitive procedures when procuring attorney services for such cases and need not furnish for publication in the Commerce Business Daily or otherwise any notice of solicitation or synopsis with respect to such procurement.".

SEC. 530. (a) None of the funds made available by this Act may be used to implement, administer, enforce, or otherwise carry out any change in the terms or conditions gover[illegible] benefits under

1981 ... CHANGES ... (2)

every effort will be made by the Postal Service to recognize the rapid rate of population growth in Las Cruces and to automate the Las Cruces, New Mexico postal facility in order that mail processing can be expedited and handled in Las Cruces.

SEC. 522. None of the funds in this Act may be used to reduce the rank or rate of pay of a career appointee in the SES upon reassignment or transfer.

Nebraska. Iowa.

SEC. 523. No funds in this Act may be used to award a Federal agency lease in the Omaha, Nebraska—Council Bluffs, Iowa, geographical area, which does not meet the following criteria:

Any Federal agency which leases commercial space in the Omaha, Nebraska—Council Bluffs, Iowa, geographical area, when entering into new leases, shall give preference to space available meeting standard Government lease criteria, provided the space also meets the occupying agency's mission requirement. The agency shall give priority consideration to space offered at the lowest cost per square foot within the geographical area, provided that the space under consideration also affords accessibility to the greatest number of members of the public served by the Federal agency, and to other factors set out in the applicable statutes and regulations.

SEC. 524. Such sums as may be necessary for fiscal year 1993 pay raises for programs funded by this Act shall be absorbed within the levels appropriated by this Act.

SEC. 525. No part of any appropriation contained in this Act shall be available to pay the salary for any person filling a position, other than a temporary position, formerly held by an employee who has left to enter the Armed Forces of the United States and has satisfactorily completed his period of active military or naval service and has within ninety days after his release from such service or from hospitalization continuing after discharge for a period of not more than one year made application for restoration to his former position and has been certified by the Office of Personnel Management as still qualified to perform the duties of his former position and has not been restored thereto.

SEC. 526. None of the funds made available to the United States Customs Service may be used to collect or impose any land border processing fee at ports of entry along the United States-Mexico border.

SEC. 527. Where appropriations in this Act are expendable for travel expenses of employees and no specific limitation has been placed thereon, the expenditures for such travel expenses may not exceed the amount set forth therefor in the budget estimates submitted for the appropriations without the advance approval of the House and Senate Committees on Appropriations: *Provided*, That this section shall not apply to travel performed by uncompensated officials of local boards and appeal boards of the Selective Service System; to travel performed directly in connection with care and treatment of medical beneficiaries of the Department of Veterans Affairs; to travel of the Office of Personnel Management in carrying out its observation responsibilities of the Voting Rights Act; or to payments to interagency motor pools where separately set forth in the budget schedules.

7.87 amendments

Day care.

SEC. 528. Section 616 of the Act of December 22, 1987 (40 U.S.C. 490b) is amended—

(1) by amending subsection (a)(2) to read as follows:

"(2) such officer or agency determines that such space will be used to provide child care services to children of whom at least 50 percent have one parent or guardian who is employed by the Federal Government; and";

(2) by amending subsection (b)(3) to read as follows:

"(3) For the purpose of this subsection, the term 'services' includes the providing of lighting, heating, cooling, electricity, office furniture, office machines and equipment, classroom furnishings and equipment, kitchen appliances, playground equipment, telephone service (including installation of lines and equipment and other expenses associated with telephone services), and security systems (including installation and other expenses associated with security systems), including replacement equipment, as needed.";

(3) by redesignating subsection (b)(3), as amended by paragraph (2), as subsection (b)(4), and inserting after subsection (b)(2) the following:

"(3) If an agency has a child care facility in its space, or is a sponsoring agency for a child care facility in other Federal or leased space, the agency or the General Services Administration may pay accreditation fees, including renewal fees, for that center to be accredited by a nationally recognized early-childhood professional organization, and travel and per diem expenses for attendance by representatives of the center at the annual General Services Administration child care conference."; and

may

(4) by adding at the end the following:

"(c) Through the General Services Administration's licensing agreements, the Administrator of General Services shall provide guidance, assistance, and oversight to Federal agencies for the development of child care centers to promote the provision of economical and effective child care for Federal workers.

"(d) If a Federal agency has a child care facility in its space, or is a sponsoring agency for a child care facility in other Federal or leased space, the agency or the General Services Administration may enter into a consortium with one or more private entities under which such private entities would assist in defraying the costs associated with the salaries and benefits provided for any personnel providing services at such facility.".

pt ships

SEC. 529. Section 632 of the Act of November 5, 1991 (104 Stat. 1470; Public Law 100-509), is amended—

(1) by inserting "(a)" immediately before the first sentence inside the quotation marks; and

(2) by adding before the close quotation marks at the end the following new subsection:

"(b) The Internal Revenue Service may use competitive procedures or procedures other than competitive procedures to procure the services of attorneys for use in litigating actions under the Internal Revenue Code to which a foreign-controlled corporation is a party. The Internal Revenue Service need not provide any written justification for the use of procedures other than competitive procedures when procuring attorney services for such cases and need not furnish for publication in the Commerce Business Daily or otherwise any notice of solicitation or synopsis with respect to such procurement.".

SEC. 530. (a) None of the funds made available by this Act may be used to implement, administer, enforce, or otherwise carry out any change in the terms or conditions govern[illegible] benefits under

ATTACHMENT (1)

IG REPORT

In Central Office, the Office of Workplace Initiatives, an element of the Office Policy, Planning and Evaluation, provides advice and assistance on a number of programs designed to create a climate that provides GSA and other Federal employees with a family friendly workplace, including child care centers. In each region, a child care coordinator has been designated. The coordinators have overall responsibility for administration of the child care program in Federally provided space, and the specific responsibility to work with other Federal agencies at the regional level in promoting onsite child care.

Child care center providers are required to have each child care center employee submit fingerprint cards and a Statement of Personal History (GSA Form 176) for the criminal history background checks. In addition, many states have special requirements or forms for requesting information from their criminal history state repositories. The regional CSRS[1] input agent in FPS receives the documentation and transmits some of the information to Central Office via computer modem. The signature pages of the Statements of Personal History and the fingerprint cards are sent to the Office of Physical Security and Law Enforcement, Public Buildings Service (PBS), in Central Office, where information is to be requested from the FBI and the state criminal history repository for all states in which the applicant has resided. According to FBI officials, their background check includes a name search and a fingerprint check. The fingerprint checks include about 7 million records that are not a part of the name search in the National Crime Information Center, a nationwide computerized information system established as a service to all criminal justice agencies--local, state, and Federal. The results of the background check are then forwarded to the regional FPS personnel, who should advise appropriate regional officials and, eventually, the child care providers, of the results.

Can check law + see if mentions non-GSA

Objectives, Scope and Methodology

The objective of the audit was to answer the following question:

NB

> Is GSA in compliance with Public Law 101-647 which requires that criminal history background checks be conducted for all child care employees in Federally provided space?

---

[1] The Contractor Suitability Reporting System (CSRS) is an electronic tracking system for the contract suitability process. It is also used to help manage criminal history background checks for child care center employees.

FEB-21-1998 15:18 FROM GSA REGION 3 ASD TO 912024562878 P.007/010

FEB-21-1998 15:16 FROM GSA REGION 3 ASD TO 912024562878 P.003/010

'ATTACHMENT (3) JEFFORDS / GILMAN PROPOSED

S. 1490 - QUALITY CHILD CARE FOR FEDERAL EMPLOYEES ACT

SECT. 3(b)3 - ACCREDITATION STANDARDS

lower the GSA

Slow

PROVISION

- Governmentwide regulation will require, to the maximum extent possible, that Executive centers comply with ~~accreditation standards~~
- Compliance, or substantial progress toward it, is required within 5 years after enactment
- Contracts/licensing agreements with Providers must contain this condition
- Centers are subject to monitoring for compliance

ANALYSIS

- Language does not require accreditation; centers must meet the standards for accreditation
- The Administrator has the flexibility to determine if "substantial progress" toward meeting accreditation standards has been made
- Many centers are already accredited, or in the process with NAEYC
- Language does not have a 100% standard why not?

Refine - develop collaboratively

Examples

negative - Check this -

If provider changes accreditation - walks out door -

Can this be changed - + - Data re turnover

Generally 5%

licensing agreement - some other agencies have adopted it

background check:

Don't know about compliance for anyone?
↳ Report GSA's ~~source~~ GSA compliance?

Lucy Haack:

1. Accreditation rates ~~so low~~ are much lower
20% - 55% - GSA
↳ 69%
24% → non-GSA
14% VA

One every ctr get accredited by year 2000

Trouble req for accreditation
How to meet reg's
GSA/HHS

Legislation → help w/ costs
Exec order:
↳ asking cabinet officer do what they need to do to help ae accredited
76%
↳ Naeyc → NAEGYC] generally.

Natural accreditation → DOD

New legislation: Gilman/Jeffords
↳ ~~3~~ 3 years
By the year 2000,

2. build a little but: take: we referral system -
helps system - tax credit
Information OPM → directive to OPM
↳ one part ↳ asking OPM to
get info to all fed emples
→ info on local resources
→ information at referral
→ public subsidies

tomorrow night
w/ ptrship:

+ 75872104
#4129

10am

3. ugi ptrships to - both throughout govt
↳ w/ public sectors - improve affordability:
↳ pooling resources

to letter

4. Chart either: PMC - Bill Halter:
Interagency Mgt of Child Care
Chair GSA → Jeffries/Gilman

May Bocciolotti?
why did they did?

Gilman

PMC - w/ coming up w/ strategic plan to
make it more affordable

Q: do we run into trouble

↳ President's Management Council:
Deputies → Gov chairs sometimes
Dave Barram - cochairs w/?

↳ what do we know about GSA?

In March: recommendation for plans to
improve child care = budgetary?

Monday aft?

PMC → strategic plan → GSA take lead:

DoCap: → federal ↳ we didn't do anything?

Nat'l academy for Public Admin:
→ poorly done!

Interagency Council on child care: We did:
Just been officially chartered - charge
interagency council: federal employees

model employer?
↑ prov

Federal gov't should be a model?
Gov't as an employer - step up to plate
Work family issue:
73%
21% - Non GSA
~~50%~~

Wally Mother: →

① Order
② Background
③ Q+A

So many real people don't

Trible
Landrieu
Democrat:

① compliance

② accreditation: nationally ~~registered~~ recognized accreditat

↳ data collection

③ OPM - state credits - per child tax credit
- link to resource
↳ do they give info military - share w/ military

④ In set up?
acknowledge - DOD ≠ w/ private sector
↳ set up - we need to model

$9 million GSA

④ Ptrships - directing general directive explore private sector ptrship

7 Linda Smith
7 OMB
7 ~~Jean~~ Jennifer Cheng

[PMC] let know:

8:30 am:

ЧИ NAEYC-
↑ Barbara Woolley:

DRAFT 10:30am 2/22/98

Date

MEMORANDUM FOR HEADS OF FEDERAL DEPARTMENTS AND AGENCIES

SUBJECT: Steps to Improve Federally-Sponsored Child Care

Now more than ever, America's working parents struggle to balance their obligations to be good workers -- and their more important obligations to be good parents. By choice or by financial necessity, millions of Americans rely on child care to care for their children for part of each day. Parents deserve to know that their children are safe and nurtured in child care.

One of my highest priorities is to make child care better, safer, and more affordable. That is why my balanced budget includes the largest single investment in child care in our nation's history, and proposes specific measures to improve child care quality.

As a supplier of child care and as an employer that must recruit and retain a strong workforce, the federal government should lead the way in improving child care. I am proud that our military has developed one of the finest child care delivery systems in the world, and that the Department of Defense, at my request, is sharing its expertise with the public and private sectors. Still, we need to do more. The executive branch of the federal government operates xxx child care centers -- 811 by the military, 109 by the General Services Administration, and 133 by other federal departments. In addition, the military sponsors 10,000 professional family child care providers. In total, approximately xxx children are in our care.

Today, I am directing my Cabinet to take significant new steps to improve the quality of federally-sponsored child care. First, I want to ensure that all child care workers in federally-sponsored centers undergo thorough background checks to make sure they are they are suitable for the job. The vast majority of child care providers are caring people who have dedicated their lives to teaching and nurturing children. But one tragedy in child care is too many, and criminal and civil background checks are important ways to know that the people caring for our children are fit for this responsibility. Background checks for federal child care workers are required under federal law, and I want to guarantee that they are being administered appropriately and in a timely fashion. In addition, I want to make sure that we know as much as we can about what is happening in federally-sponsored child care by stepping up data collection and maintenance.

Second, I believe that all federally-sponsored child care should achieve nationally-recognized, independent accreditation to ensure and maintain quality. Currently, xx percent of eligible, federally-administered child care centers in the executive branch are accredited. By the year 2000, I want one hundred percent to be accredited. Third, I am asking my Cabinet to explore ways to form partnerships among federal departments and agencies and with the private sector to maximize existing resources and improve child care quality. And finally, I want to ensure that all federal workers have full information on child care benefits and options available to them at the national, state, and local levels.

Therefore, today, I am directing:

I. Administrator of the General Services Administration David Barram to report to me within ninety days with a plan to ensure complete and timely background checks, to the fullest extent possible, for all child care workers in non-military, federally-sponsored child care settings. Administrator Barram will also report to me on plans to improve data collection and maintenance concerning non-military, federally-sponsored child care. Agencies with oversight of non-military child care settings will report to the Administrator within sixty days on this matter.

II. Secretary of Defense William Cohen and Administrator David Barram to report to me within ninety days with a plan to ensure, to the fullest extent possible, independent, nationally-recognized accreditation of all eligible, federally-sponsored child care by the year 2000. Agencies with oversight of non-military child care settings will report to the Administrator within sixty days on this matter.

III. Administrator Barram to work with the heads of all federal departments and agencies to explore opportunities for collaboration both within government and with the private sector to leverage resources to improve child care quality and affordability in federally-sponsored settings.

IV. Director of the Office of Personnel Management Janet LaChance to ensure that all federal workers receive full information about the child care benefits available to them on the federal, state, and local levels, including information on resource and referral networks, available tax credits such as the Child and Dependent Care Tax Credit and the Child Tax Credit, as well as public subsidies.

PRESIDENT CLINTON:
IMPROVING THE QUALITY OF FEDERAL CHILD CARE CENTERS

Kids + in terms

February 24, 1998

7100 + x kids non GSA kids

Today, the President is issuing a directive to all federal agencies that sponsor child care centers to improve the quality of child care in order to make the federal government a leader in ensuring that its workers have access to safe, quality child care for their families. This directive builds on President Clinton's efforts to improve the quality of child care for all Americans.

Non-Gov

FEDERAL CHILD CARE CENTERS TODAY: There are nearly 250 non-military federal child care centers; 109 are controlled by the General Services Administration, and 133 are controlled by other federal agencies. Many of them ensure the safety of the children in their care by conducting criminal background checks on their child care workers.[Check] In addition, only roughly half of them have received accreditation from a nationally recognized accreditation organization. Accreditation is a rigorous process that ensures that child care centers are of the highest quality because they have met health and safety standards; are providing learning environments for children; and are promoting staff development or training activities.

Slowness & FBI

ENSURING THE QUALITY OF THE FEDERAL CHILD CARE SYSTEM: The directive the President issued today will improve the quality of the federal child care system by: ensuring that every federal child care center conducts criminal background checks of its employees; that all centers are accredited by the year 2000; that all federal workers are informed about national as well as state efforts to help with their child care costs; and that all agencies explore public-private partnerships to both improve quality and increase the affordability of federal child care centers.

Criminal and civil **Background Checks:** The President's directive requires that the General Services Administration (GSA) report within ninety days on a plan to ensure complete and timely back ground checks for all child care workers in all non-military, federally-sponsored child care settings.

Raising Standards: The President also directed the GSA and the Department of Defense to provide him with a plan to ensure independent, nationally-recognized accreditation by the year 2000.

Informing the Consumers of Federal Child Care Services: The President directed the Office of Personnel Management to provide information to all federal employees on federal, ~~and~~ state, + local initiatives to reduce the cost of child care and family tax liability, through such measures as the Child and Dependent Tax Credit, the Child Tax Credit, the Earned Income Tax Credit.

Forming Partnerships with the Public and Private Sector: The President directed all agencies to explore partnerships with other federal and state agencies, as well as the private sector, to improve the quality and affordability of child care that federal workers receive.

THE AGENDA AHEAD: Today's efforts build on the President's child care initiative, which will make child care better, safer, and more affordable by:

<u>Doubling the number of children receiving child care subsidies</u> to more than two million by the year 2003, <u>increasing tax credits for three million working families</u> to help them pay for child care, and providing <u>a new tax credit for businesses</u> that offer child care services for their employees.

<u>Improving the quality of care our children receive</u> by supporting programs that improve early learning and the safety of child care for children ages zero to five through a new Early Learning Fund, as well as by <u>supporting enforcement of state child care health and safety standards</u>.

<u>Providing after-school programs</u> for up to half a million children per year.

Cost of compliance? money? How much out of our budget?
Range of few hundred to few thousand per center.

DRAFT

Date

MEMORANDUM FOR HEADS OF FEDERAL DEPARTMENTS AND AGENCIES

SUBJECT: Steps to Improve Federally-Sponsored Child Care

Now more than ever, America's working parents struggle to balance their obligations to be good workers -- and their more important obligations to be good parents. By choice or by financial necessity, millions of Americans rely on child care to care for their children for part of each day. Parents deserve to know that their children are safe and nurtured in child care.

One of my highest priorities is to make child care better, safer, and more affordable. That is why my balanced budget includes the largest single investment in child care in our nation's history, and proposes specific measures to improve child care quality.

As a supplier of child care and as an employer that must recruit and retain a strong workforce, the federal government should lead the way in improving child care. I am proud that our military has developed one of the finest child care delivery systems in the world, and that the Department of Defense, at my request, is sharing its expertise with the public and private sectors. Still, we need to do more. The executive branch of the federal government operates xxx child care centers -- 811 by the military, 109 by the General Services Administration, and 133 by other federal departments. In addition, the military sponsors 10,000 professional family child care providers. In total, approximately xxx children are in our care.

Today, I am directing my Cabinet to take significant new steps to improve the quality of federally-sponsored child care. First, I want to ensure that all child care workers in federally-sponsored centers undergo thorough background checks to make sure they are they are suitable for the job. The vast majority of child care providers are caring people who have dedicated their lives to teaching and nurturing children. But one tragedy in child care is too many, and civil + criminal background checks are one important way to know that the people ~~watching~~ caring for our children are fit for this responsibility. Background checks for federal child care workers are required under federal law, and I want to guarantee that they are being administered appropriately and in a timely fashion.
criminal ~~eligible~~

Second, I believe that all of ~~eligible~~ child care centers federally-sponsored child care should achieve nationally-recognized, independent accreditation to ensure and maintain quality. Currently, xx percent of eligible federally-administered child care centers in the executive branch are accredited. By the year 2000, I want one hundred percent to be accredited. Third, I am asking my Cabinet to explore ways to form partnerships among federal departments and agencies and with the private sector to maximize existing resources and improve child care quality. And finally, I want to ensure that all federal workers have full information on child care benefits and options available to them at the national and local levels.

Therefore, today, I am directing:

I. Administrator of the General Services Administration David Barram to report to me within ninety days with a plan to ensure complete and timely background checks, to the fullest extent possible, for all child care workers in non-military, federally-sponsored child care settings. Administrator Barrum will also report to me on plans to improve data collection and maintenance concerning non-military, federally-sponsored child care. (Agencies with oversight of non-military child care settings will report to the Administrator within sixty days on this matter.)

II. Secretary of Defense William Cohen and Administrator David Barram to report to me within ninety days with a plan to ensure, to the fullest extent possible, independent, nationally-recognized accreditation of all eligible, federally-sponsored child care by the year 2000.

III. ~~The heads of~~ All federal departments and agencies to explore opportunities for collaboration both within government and with the private sector to leverage resources and improve child care quality in federally-sponsored settings. 2 ~~afford~~ a to improve Interagency Council

IV. Director of the Office of Personnel Management Janet LaChance to ensure that all federal workers receive full information about the child care benefits available to them, including information on resource and referral networks, available tax credits such as the Child and Dependent Care Tax Credit and the Child Tax Credit, as well as public subsidies.

on fire federal, state + local level

? GSA to work w/ Administer

STATEMENT OF SUSAN CLAMPITT

ASSOCIATE ADMINISTRATOR

OFFICE OF MANAGEMENT AND WORKPLACE PROGRAMS

GENERAL SERVICES ADMINISTRATION

BEFORE THE

SUBCOMMITTEE ON GOVERNMENT MANAGEMENT,

INFORMATION AND TECHNOLOGY

COMMITTEE ON GOVERNMENT REFORM & OVERSIGHT

U. S. HOUSE OF REPRESENTATIVES

FEBRUARY 11, 1998

GENERAL SERVICES ADMINISTRATION

Office of Congressional and
Intergovernmental Affairs
Washington, DC 20405

February 12, 1998

MEMORANDUM FOR: DAVID BARRAM
ADMINISTRATOR (A)

THURMAN DAVIS
DEPUTY ADMINISTRATOR (AD)

MARTHA JOHNSON
CHIEF OF STAFF (AC)

ERIC DODDS
DEPUTY CHIEF OF STAFF (ACD)

HEADS OF SERVICES AND STAFF OFFICES

REGIONAL ADMINISTRATORS

FROM: WILLIAM R. RATCHFORD
ASSOCIATE ADMINISTRATOR (S)

RACHEL HIRSCHBERG
CONGRESSIONAL LIAISON

SUBJECT: Legislative Hearing on HR 2982, the "Quality Child Care for Federal Employees Act"

On Wednesday, February 11, 1998, at 2:00 p.m. and Thursday, February 12, 1998 at 10:00 a.m., a two-part hearing was conducted by the Subcommittee on Government Management, Information and Technology of the House Government Reform and Oversight Committee. The hearing addressed the quality, affordability and accessibility of child care for Federal employees.

Witnesses for the hearing were divided into two panels. Testifying on the first panel (February 11th) was Susan Clampitt, Associate Administrator for the

General Services Administration's (GSA) Management and Workplace Programs. The witness on the second panel (February 12th) was Congressman Ben Gilman from New York. (The panels were split due to time and scheduling constraints).

Members of the Subcommittee attending the hearing included Chairman Steve Horn and Ranking Member Carolyn Maloney.

Chairman Steve Horn opened the hearing with background information about the history of child care legislation in Congress. He stated that there is a need for child care facilities to be affordable and accessible to Federal government employees. He asked Susan Clampitt to summarize her opening statement so he could focus the time on questions to GSA.

Susan Clampitt entered her written testimony into the record which she summarized by stating that Federal workers walk the same tightrope as the rest of society - balancing the need to work and the desire to have quality child care. About one-quarter of all Federal workers have children under the age of six who need care at some time during the work day. Surveys show that 75% of these workers could use assistance to help meet their families' dependent care needs.

Ms. Clampitt stated that GSA oversees 109 child care centers in its public buildings across the country, and that other Federal agencies - not including GSA - sponsor a total of 133 centers. She continued by recognizing that the Federal child care system needs more adequate funding, better information, more cohesion, and more flexibility to pursue new funding and partnership initiatives. Further, Ms. Clampitt discussed how H.R. 2982 would help bring more accountability to Federal child care by requiring uniform regulations (health, safety, accreditation, licensing, and facility standards) for GSA and other agencies and representatives of the Judicial and Legislative branches. She also discussed how the amendments to the Trible legislation would allow more flexible use of resources in supporting government-sponsored child care centers by broadening the definition of Federal employee children and allowing for demonstration projects.

Members' questions and concerns for GSA included: the need to raise standards and monitor them within Federal child care centers; creating a system of high quality, affordability and accessibility for Federal employees; and allowing for lactation areas for breast feeding mothers. The questions lasted approximately 1hour 10 minutes.

Congressman Horn asked specific questions regarding contracts and licensing agreements, and asked that GSA's Legal Counsel for Child Care, Lesly Wilson, be sworn in to answer a few technical questions. Lesly discussed standard forms of the licensing agreements between child care providers and government agencies as the Congressman was interested in "Hold Harmless" clauses. Mr. Horn wanted to make sure that a child care provider would be held liable for their actions if they were found to be illegal, non-compliant etc.

Congressman Gilman testified on February 12th that there is a need for enhanced standards for Federal child care centers. Mr. Gilman will offer amendments to provide that 50% of spaces in Federally-sponsored child care centers be reserved for sons and daughters of Federal employees system-wide, as opposed to the current requirement that each center have 50% children of Federal employees.

The Subcommittee mark up of H.R. 2982 followed Congressman Gilman's testimony. Two amendments were offered and approved by voice vote. The first amendment would ensure that a lactation area or room would be provided for nursing mothers, and the second amendment would ensure parental notification of problems in Federal child care facilities. The Full Committee mark up, expected to occur today, was postponed for one month due to pending discussions on child care.

This legislation is expected to be approved when considered in the House. Identical legislation (S. 1490) will soon go to the floor of the Senate for a unanimous consent vote.

If you have any questions or would like a copy of Susan Clampitt and/or Congressman Gilman's written testimony, please call Bill Ratchford or Rachel Hirschberg at (202) 501-0563.

2/12/98

To: Susan

From: Cheryl

The following people assisted in preparing your for the 2/11 hearing:

Von Harrison
Lesly Wilson
Sharon Roach
Nancy Norris (Reg 4 Regnl Child Care Coor)
Keith Donohue
Lucy Hackney
Rachel Hirschberg
Cheryl De Atley
David Bibb

STATEMENT OF SUSAN CLAMPITT

ASSOCIATE ADMINISTRATOR

OFFICE OF MANAGEMENT AND WORKPLACE PROGRAMS

GENERAL SERVICES ADMINISTRATION

BEFORE THE

SUBCOMMITTEE ON GOVERNMENT MANAGEMENT,

INFORMATION AND TECHNOLOGY

COMMITTEE ON GOVERNMENT REFORM & OVERSIGHT

U. S. HOUSE OF REPRESENTATIVES

FEBRUARY 11, 1998

Thank you, Mr. Chairman, Ms. Ranking Member and Members of the Committee for this opportunity to testify on the issue of child care and the work of the General Services Administration. My name is Susan Clampitt, and I am the Associate Administrator for the Office of Management and Workplace Programs. As manager of a program that affects all of government, I understand the seriousness and importance of the role of this Committee. I welcome the chance to appear before you and continue our conversation on the Federal Child Care program.

I request that my written remarks be added to the record.

At this transformational moment in our society, when the way we work and care for our families evolves into an ever-trickier balancing act, the issue of affordable, quality child care confronts us all. Parents with young children struggle with what's best for their family, their jobs and budgets. All of us are stakeholders in that decision, for the choices made today have a profound ripple effect on us all, today and in the years ahead, when those children grow up and replace us.

Federal workers walk that same tightrope as the rest of society. A 1992 study showed that about one-quarter of all Federal workers had children under the age of six for whom they were responsible and who needed care at some time during the work day. That same survey said that 75 percent of those people could use assistance to help meet their families' dependent care needs. That's a lot of children.

Federal agencies have responded to that need in a number of ways. GSA oversees 109 centers in its public buildings across the country. As you know, the Department of Defense has an extensive child care program that they operate for military families, funded in part through appropriations. Other Federal agencies, not including GSA, sponsor a total of 133 centers.

Today, I want to discuss generally GSA's child care program and talk about the two critical issues we face – quality and affordability, and to give you my thoughts on the pending legislation that we believe strengthens the ability of the Federal government to provide affordable, quality child care for its employees.

Child care has been a big priority at GSA for a dozen years. In that time, we have earned a reputation for quality programs and concern for the safety and security of the children. In 1996, more than 7,100 children – a mix of Federal and non-Federal families – were cared for in GSA buildings. Since coming to GSA last summer, I have made it part of my mission to go out and visit some of those centers and see firsthand the care those children receive.

I am pleased to report that the overall quality of child care in GSA-sponsored centers is equal to, and often, better than other privately-run child care facilities. The centers in GSA-controlled space are all operated by private non-profit or commercial organizations under the terms of licensing agreements which set standards designed to ensure quality. Because of this authority to set standards, we know these children in GSA-controlled spaces are safe and well cared for.

As with any child care program as extensive as the one GSA sponsors, there are differences of degrees in quality. One downtown center that I visited in Seattle last month, for example, was an oasis of care and compassion. Of course, that center had a strong and active board and a staff committed to quality curriculum and best practices. Part of our job in the years ahead is to raise the bar for all of our centers.

Each of GSA's 109 centers is operated independently, either by a large or small provider, for profit or not-for-profit, locally-run or as part of a national chain. Some of the centers have established boards, made up primarily of parents, who enter into contracts with the child care provider to maintain a degree of responsibility and oversight for the care of their children. These boards are also instrumental in local fundraising, which is used for curriculum enrichment and tuition assistance.

GSA, parents, providers, Congress and the Administration have been concerned for some time about affordability issues. Last year Congress directed the Office of Management & Budget to report on that topic, and OMB requested that we investigate. GSA commissioned a study through the National Academy of Public Administration on "Accessibility & Affordability in Federal Child Care" which addresses those issues.

Key findings of the study were:

- The Federal child care system needs more adequate funding.

- Federal child care needs better information and more cohesion.
- Agencies may need more flexibility to pursue new funding and partnership initiatives.
- There is no "silver bullet" that will solve the affordability problem.

How do we go about addressing consistency in quality and affordability? We believe that the legislation pending before Congress, H.R. 2982, the Quality Child Care for Federal Employees Act, and the Administration's proposed amendments to the Trible Amendment, are important steps.

H.R. 2982 will help bring more accountability to Federal child care. All Federal child care centers would be required to adhere to a uniform set of regulations which will be developed by GSA with the assistance of other agencies and representatives of the Judicial and Legislative branches. These regulations would help set national health, safety and facility standards and require that centers meet the standards for state/local licensing and national accreditation.

While agencies which sponsor eight or more child care centers would be delegated responsibility for compliance with the law, child care centers at other Federal, non-DOD agencies which sponsor fewer than eight would come under GSA oversight.

The legislation also sets up an interagency council to coordinate policy and share best practices. This council will give more cohesion to the Federal efforts, and a draft charter has already been developed.

The Administration's proposed amendments to the Trible Amendment would allow more flexible use of resources in supporting government-sponsored child care centers.

It modifies the 50 percent rule for Federal family enrollment from center by center to a national average, yet children of Federal workers would still have priority.

The proposed language broadens the definition of Federal employee children to include all children in the custody of federal employees, such as grandparents and legal guardians, as well as on-site government contractors.

It will allow us to partner with private centers to reserve spaces for Federal employee children in non-government child care centers when it is more cost effective to do so.

Perhaps most importantly, the legislation allows for some experimentation. Pilot tests and demonstration projects are authorized and encouraged, including those with the private sector. This flexibility for innovation may well prove the most important part of the package. Such innovation will need to have some evaluation component, in order for us to determine what works and what does not.

The Quality Child Care for Federal Employees Act and its amendments are part of the strategy to make quality child care affordable for the Federal worker. We have asked all of our eligible centers to apply for participation in the Combined

Federal Campaign, and that will help address the problem. The Interagency Child Care Council will help. The lessons learned from the Department of Defense and the Department of Labor's apprenticeship program for child care workers will help. Flexibility for pilot partnerships will help. Strong local boards at our centers will help. And I know this Committee will help, and I thank you for this opportunity.

The Washington Post

December 17, 1997, Wednesday, Final Edition

SECTION: A SECTION; Pg. A04

LENGTH: 826 words

HEADLINE: State Budget Surpluses Persist in Strong Economy; Governors Cautious Despite Encouraging Report

BYLINE: Edward Walsh, Washington Post Staff Writer

BODY:

For the nation's 50 state governments, this holiday season will be a time to celebrate prosperity thanks largely to a strong national economy that has pushed up state revenue and preserved budget surpluses even as legislators were enacting modest tax cuts.

Those cheery tidings were proclaimed yesterday by the National Governors' Association (NGA) and the National Association of State Budget Officers in their semiannual "Fiscal Survey of the States."

But Raymond C. Scheppach, NGA's executive director, said despite this encouraging fiscal picture, governors and state legislatures have been cautious in increasing spending and enacting new programs, in part because of painful memories of how past national economic downturns swiftly punished state government finances. He said for this fiscal year, which ends next June 30 in most states, overall spending will increase by 5.5 percent, less than the average 6.8 percent increase in state spending during the last 20 years.

Scheppach said the main exception to this cautious approach appears to be in early childhood development programs that focus on children up to about age 3. Spurred by recent scientific studies -- highlighted at White House conference earlier this year -- that underscore the importance of these years to a child's future, some states, such as Ohio, have increased spending in this area by more than 100 percent, he said. And while total spending on early childhood development remains low compared with other state expenditures, Scheppach said, "it is probably the fastest growing component of state government."

Child care is another area receiving increased state attention, especially since enactment last year of federal legislation overhauling the welfare system and giving states increased responsibility for welfare programs. With welfare caseloads declining, according to the report, states have begun to shift funds into child care and other employment-related programs.

Scheppach said state governments are becoming "more concerned that working America is not getting adequate child care." When governors deliver their "State of the State" addresses to their legislatures early next year, he predicted, "this whole issue of child care will be front and center."

The growing state emphasis on children and the "working poor" was illustrated earlier this week when Govs. Parris N. Glendening (D) of Maryland and George Allen (R) of Virginia announced plans to tap a new federal program to provide comprehensive medical coverage to 120,000 children whose parents work but are too poor to afford health insurance.

Both states enjoy budget surpluses and healthy economies, making it easier for their governors to propose spending $ 30 million each to trigger federal matching funds for the program.

With state revenue rising, there has not been "the race to the bottom" in welfare benefits that many critics of the federal overhaul legislation feared, Scheppach said. For the current fiscal year, 41 states maintained their cash assistance benefit levels and nine increased benefits, he said.

One reason states have been able to maintain welfare benefit levels and modestly increase other spending has been a dramatic turnaround in the cost of Medicaid, the joint federal-state program that provides health insurance to the poor. In the early 1990s the program's costs were growing by 20 percent to 30 percent a year as it overtook higher education as the second-largest category of state spending.

But according to the survey of state finances, in 1996 Medicaid costs grew by only 3.3 percent, one of the smallest annual increases since the program was enacted in 1965. Scheppach said Medicaid spending growth slowed because of the strong economy and because "states are pretty good at using managed care" and other cost-control approaches to health care.

The overall result of a strong national economy in state capitals has been a steady rise in revenue that has allowed a modest increase in spending and left room for tax cuts and budget surpluses. While states budgeted a 5.5 percent increase in spending during the current fiscal year, they also enacted $ 4.6 billion in cuts in state taxes and fees.

The states are projected to end the fiscal year with budget surpluses totaling $ 24 billion, down slightly from the record surplus of $ 29.2 billion at the end of fiscal 1997. But Scheppach warned "there are risks out there" if the national economy begins to slow.

In 1980, total state budget surpluses stood at 9 percent of spending. Then came the recession of the early 1980s, which reduced the surplus to 2.9 percent of spending in two years. The same pattern repeated itself in the early 1990s, when the states went from a surplus of 3.4 percent of spending in 1990 to a surplus of 1.1 percent of spending in 1991.

"If we do have a serious economic downturn, the surpluses can evaporate pretty rapidly," Scheppach said.

As of 11/21/97

BILL TEXT Report for S.1490
As introduced in the Senate, November 8, 1997

S.1490 As introduced in the Senate, November 8, 1997

105th CONGRESS
1st Session

II

S. 1490

To improve the quality of child care provided through Federal facilities and programs, and for other purposes.

IN THE SENATE OF THE UNITED STATES
November 8, 1997
Mr. Jeffords introduced the following bill; which was read twice and referred to the Committee on Governmental Affairs

---

A BILL
To improve the quality of child care provided through Federal facilities and programs, and for other purposes.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Quality Child Care for Federal Employees Act".

SEC. 2. DEFINITIONS.

In this Act:

(1) Accredited child care center.--The term "accredited child care center" means--

(A) a center that is accredited, by a child care credentialing or accreditation entity recognized by a State, to provide child care to children in the State (except children who a tribal organization elects to serve through a center described in subparagraph (B));

(B) a center that is accredited, by a child care credentialing or accreditation entity recognized by a tribal organization, to provide child care for children served by the tribal organization;

(C) a center that is used as a Head Start center under the Head Start Act (42 U.S.C. 9831 et seq.) and is in compliance with any applicable performance standards established by regulation under such Act for Head Start programs; or

(D) a military child development center (as defined in section 1798(1) of title 10, United States Code).

(2) Child care credentialing or accreditation entity.--The term "child care credentialing or accreditation entity" means a nonprofit private organization or public agency that--

(A) is recognized by a State agency or tribal organization; and

(B) accredits a center or credentials an individual to provide child care on the basis of--

(i) an accreditation or credentialing instrument based on peer-validated research;

(ii) compliance with applicable State and local licensing requirements, or standards described in section 658E(c)(2)(E)(ii) of the Child Care and Development Block Grant Act (42 U.S.C. 9858c(c)(2)(E)(ii)), as appropriate, for the center or individual;

(iii) outside monitoring of the center or individual; and

(iv) criteria that provide assurances of--

(I) compliance with age-appropriate health and safety standards at the center or by the individual;

(II) use of age-appropriate developmental and educational activities, as an integral part of the child care program carried out at the center or by the individual; and

(III) use of ongoing staff development or training activities for the staff of the center or the individual, including related skills-based testing.

(3) Credentialed child care professional.--The term "credentialed child care professional" means--

(A) an individual who is credentialed, by a child care credentialing or accreditation entity recognized by a State, to provide child care to children in the State (except children who a tribal organization elects to serve through an individual described in subparagraph (B)); or

(B) an individual who is credentialed, by a child care credentialing or accreditation entity recognized by a tribal organization, to provide child care for children served by the tribal organization.

(4) State.--The term "State" has the meaning given the term in section 658P of the Child Care and Development Block Grant Act (42 U.S.C. 9858n).

SEC. 3. PROVIDING QUALITY CHILD CARE IN FEDERAL FACILITIES.

(a) Definition.--In this section:

(1) Administrator.--The term "Administrator" means the Administrator of General Services.

(2) Entity sponsoring a child care center.--The term "entity sponsoring a child care center" means a Federal agency that operates, or an entity that enters into a contract or licensing agreement with a Federal agency to operate, a child care center.

(3) Executive agency.--The term "Executive agency" has the meaning given the term in section 105 of title 5, United States Code, except that the term--

(A) does not include the Department of Defense; and

(B) includes the General Services Administration, with respect to the administration of a facility described in paragraph (4)(B).

(4) Executive facility.--The term "executive facility"--

(A) means a facility that is owned or leased by an Executive agency; and

(B) includes a facility that is owned or leased by the General Services Administration on behalf of a judicial office.

(5) Federal agency.--The term "Federal agency" means an Executive agency, a judicial office, or a legislative office.

(6) Judicial facility.--The term "judicial facility" means a facility that is owned or leased by a judicial office (other than a facility that is also a facility described in paragraph (4)(B)).

(7) Judicial office.--The term "judicial office" means an entity of the judicial branch of the Federal Government.

(8) Legislative facility.--The term "legislative facility" means a facility that is owned or leased by a legislative office.

(9) Legislative office.--The term "legislative office" means an entity of the legislative branch of the Federal Government.

(b) Executive Branch Standards and Compliance.--

(1) State and local licensing requirements.--

(A) In general.--Any entity sponsoring a child care center in an executive facility shall--

(i) obtain the appropriate State and local licenses for the center; and

(ii) in a location where the State or locality does not license executive facilities, comply with the appropriate State and local licensing requirements related to the provision of child care.

(B) Compliance.--Not later than 6 months after the date of enactment of this Act--

(i) the entity shall comply, or make substantial progress (as determined by the Administrator) toward complying, with subparagraph (A); and

(ii) any contract or licensing agreement used by an Executive agency for the operation of such a child care center shall include a condition that the child care be provided by an entity that complies with the appropriate State and local licensing requirements related to the provision of child care.

(2) Health, safety, and facility standards.--The Administrator shall by regulation establish standards relating to health, safety, facilities, facility design, and other aspects of child care that the Administrator determines to be appropriate for child care centers in executive facilities, and require child care centers, and entities sponsoring child care centers, in executive facilities to comply with the standards.

(3) Accreditation standards.--

(A) In general.--The Administrator shall issue regulations requiring, to the maximum extent possible, any entity sponsoring an eligible child care center (as defined by the Administrator) in an executive facility to comply with child care center accreditation standards issued by a nationally recognized accreditation organization approved by the Administrator.

(B) Compliance.--The regulations shall require that, not later than 5 years after the date of enactment of this Act--

(i) the entity shall comply, or make substantial progress (as determined by the Administrator) toward complying, with the standards; and

(ii) any contract or licensing agreement used by an Executive agency for the operation of such a child care center shall include a condition that the child care be provided by an entity that complies with the standards.

(C) Contents.--The standards shall base accreditation on--

(i) an accreditation instrument described in section 2(2)(B);

(ii) outside monitoring described in section 2(2)(B), by--

(I) the Administrator; or

(II) a child care credentialing or accreditation entity, or other entity, with which the Administrator enters into a contract to provide such monitoring; and

(iii) the criteria described in section 2(2)(B).

(4) Evaluation and compliance.--

(A) In general.--The Administrator shall evaluate the compliance, with the requirements of paragraph (1) and the regulations issued pursuant to paragraphs (2) and (3), of child care centers, and entities sponsoring child care centers, in executive facilities. The Administrator may conduct the evaluation of such a child care center or entity directly, or through an agreement with another Federal agency or private entity, other than the Federal agency for which the child care center is providing services. If the Administrator determines, on the basis of such an evaluation, that the child care center or entity is not in compliance with the requirements, the Administrator shall notify the Executive agency.

(B) Effect of noncompliance.--On receipt of the notification of noncompliance issued by the Administrator, the head of the Executive agency shall--

(i) if the entity operating the child care center is the agency--

(I) within 2 business days after the date of receipt of the notification correct any deficiencies that are determined by the Administrator to be life threatening or to present a risk of serious bodily harm;

(II) develop and provide to the Administrator a plan to correct any other deficiencies in the operation of the center and bring the center and entity into compliance with the requirements not later than 4 months after the date of receipt of the notification;

(III) provide the parents of the children receiving child care services at the center with a notification detailing the deficiencies described in subclauses (I) and (II) and actions that will be taken to correct the deficiencies;

(IV) bring the center and entity into compliance with the requirements and certify to the Administrator that the center and entity are in compliance, based on an on-site evaluation of the center conducted by an independent entity with expertise in child care health and safety; and

(V) in the event that deficiencies determined by the Administrator to be life threatening or to present a risk of serious bodily harm cannot be corrected within 2 business days after the date of receipt of the notification, close the center until such deficiencies are corrected and notify the Administrator of such closure; and

(ii) if the entity operating the child care center is a contractor or licensee of the Executive agency--

(I) require the contractor or licensee within 2 business days after the date of receipt of the notification, to correct any deficiencies that are determined by the Administrator to be life threatening or to present a risk of serious bodily harm:

(II) require the contractor or licensee to develop and provide to the head of the agency a plan to correct any other deficiencies in the operation of the center and bring the center and entity into compliance with the requirements not later than 4 months after the date of receipt of the notification;

(III) require the contractor or licensee to provide the parents of the children receiving child care services at the center with a notification detailing the deficiencies described in subclauses (I) and (II) and actions that will be taken to correct the deficiencies;

(IV) require the contractor or licensee to bring the center and entity into compliance with the requirements and certify to the head of the agency that the center and entity are in compliance, based on an on-site evaluation of the center conducted by an independent entity with expertise in child care health and safety; and

(V) in the event that deficiencies determined by the Administrator to be life threatening or to present a risk of serious bodily harm cannot be corrected within 2 business days after the date of receipt of the notification, close the center until such deficiencies are corrected and notify the Administrator of such closure, which closure shall be grounds for the immediate termination or suspension of the contract or license of the contractor or licensee.

(C) Cost reimbursement.--The Executive agency shall reimburse the Administrator for the costs of carrying out subparagraph (A) for child care centers located in an executive facility other than an executive facility of the General Services Administration. If an entity is sponsoring a child care center for 2 or more Executive agencies, the Administrator shall allocate the costs of providing such reimbursement with respect to the entity among the agencies in a fair and equitable manner, based on the extent to which each agency is eligible to place children in the center.

(c) Legislative Branch Standards and Compliance.--

(1) State and local licensing requirements, health, safety, and facility standards, and accreditation standards.--The Architect of the Capitol shall issue regulations approved by the Senate Committee on Rules and Administration and the House Oversite Committee for child care centers, and entities sponsoring child care centers, in legislative facilities, which shall be no less stringent in content and effect than the requirements of subsection (b)(1) and the regulations issued by the Administrator under paragraphs (2) and (3) of subsection (b), except to the extent that the Architect with the consent and approval of the Senate Committee on Rules and Administration and the House Oversight Committee, may determine, for good cause shown and stated together with the regulations, that a modification of such regulations would be more effective for the implementation of the requirements and standards

described in paragraphs (1), (2), and (3) of subsection (b) for child care centers, and entities sponsoring child care centers, in legislative facilities.

(2) Evaluation and compliance.--

(A) Architect of the capitol.--The Architect of the Capitol shall have the same authorities and duties with respect to the evaluation of, compliance of, and cost reimbursement for child care centers, and entities sponsoring child care centers, in legislative facilities as the Administrator has under subsection (b)(4) with respect to the evaluation of, compliance of, and cost reimbursement for such centers and entities sponsoring such centers, in executive facilities.

(B) Head of a legislative office.--The head of a legislative office shall have the same authorities and duties with respect to the compliance of and cost reimbursement for child care centers, and entities sponsoring child care centers, in legislative facilities as the head of an Executive agency has under subsection (b)(4) with respect to the compliance of and cost reimbursement for such centers and entities sponsoring such centers, in executive facilities.

(d) Judicial Branch Standards and Compliance.--

(1) State and local licensing requirements health, safety, and facility standards, and accreditation standards.--The Director of the Administrative Office of the United States Courts shall issue regulations for child care centers, and entities sponsoring child care centers, in judicial facilities, which shall be no less stringent in content and effect than the requirements of subsection (b)(1) and the regulations issued by the Administrator under paragraphs (2) and (3) of subsection (b), except to the extent that the Director may determine, for good cause shown and stated together with the regulations, that a modification of such regulations would be more effective for the implementation of the requirements and standards described in paragraphs (1), (2), and (3) of subsection (b) for child care centers, and entities sponsoring child care centers, in judicial facilities.

(2) Evaluation and compliance.--

(A) Director of the administrative office of the united states courts.--The Director of the Administrative Office of the United States Courts shall have the same authorities and duties with respect to the evaluation of, compliance of, and cost reimbursement for child care centers, and entities sponsoring child care centers, in judicial facilities as the Administrator has under subsection (b)(4) with respect to the evaluation of, compliance of, and cost reimbursement for such centers and entities sponsoring such centers, in executive facilities.

(B) Head of a judicial office.--The head of a judicial office shall have the same authorities and duties with respect to the compliance of and cost reimbursement for child care centers, and entities sponsoring child care centers, in judicial facilities as the head of an Executive agency has under subsection (b)(4) with respect to the compliance of and cost reimbursement for such centers and entities sponsoring such centers, in executive facilities.

(e) Application.--Notwithstanding any other provision of this section, if 8 or more child care centers are sponsored in facilities owned or leased by an Executive agency, the Administrator shall delegate to the head of the agency the evaluation and compliance responsibilities assigned to the Administrator under subsection (b)(4)(A).

(f) Technical Assistance, Studies, and Reviews.--The Administrator may provide technical assistance, and conduct and provide the results of studies and reviews, for Executive agencies, and entities sponsoring child care centers in executive facilities, on a reimbursable basis, in order to assist the entities in complying with this section. The Architect of the Capitol and the Director of the Administrative Office of the United States Courts may provide technical assistance, and conduct and provide the results of studies and reviews, or request that the Administrator provide technical assistance, and conduct and provide the results of studies and reviews, for legislative offices and judicial offices, respectively, and entities operating child care centers in legislative facilities and judicial facilities, respectively, on a reimbursable basis, in order to assist the entities in complying with this section.

(g) Council.--The Administrator shall establish an interagency council, comprised of all Executive agencies described in subsection (e), a representative of the Office of Architect of the Capitol, and a representative of the Administrative Office of the United States Courts, to facilitate cooperation and sharing of best practices, and to develop and coordinate policy, regarding the provision of child care in the Federal Government.

(h) Authorization of Appropriations.--There is authorized to be appropriated to carry out this section $900,000 for fiscal year 1998 and such sums as may be necessary for each subsequent fiscal year.

Doesn't really cost anything.

ONE HUNDRED FIFTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515–6143

MAJORITY (202) 225–5074
MINORITY (202) 225–5051
TTY (202) 225–6852

"Legislative Hearing on H.R. 2982, the Quality Child Care for Federal Employees Act"

February 11, 1998

OPENING STATEMENT
REPRESENTATIVE STEPHEN HORN (R-CA)

Chairman, Subcommittee on Government Management, Information, and Technology

In 1987, Congress passed Public Law 100-202, which allowed day care centers to be based in Federal buildings for the convenience of Federal employees and their agencies. This program has shown explosive growth in recent years. This is a result of the emphasis the Congress and the Executive Branch have placed on the family-friendly aspect of public service. For example, the Department of Defense operates over 800 child care centers, while GSA operates over 100. Other agencies, such as the Department of Agriculture and the Department of Veterans Affairs, operate over 120 such centers. That makes for over one thousand Federally-operated or sponsored centers with approximately 200,000 slots for children.

We all agree that the children of Federal employees deserve safe, quality child care facilities. According to recent statistics, well over half of all Federal child care centers are accredited, that compares to a national average of less than 10 percent.

In our hearing today, we will examine a proposal by a distinguished member of our committee, Mr. Gilman of New York, to provide for enhanced standards for Federal child care centers. In addition, several other relevant legislative issues will be discussed, including an amendment to this bill Mr. Gilman will offer at full committee. This amendment would provide that 50 percent of spaces in Federally-sponsored child care centers be reserved for sons and daughters of Federal employees systemwide, as opposed to the current requirement that each center have 50 percent children of Federal employees. I will ask Ms. Clampett from the General Services Administration to comment on this proposal, which has been shared with her prior to the hearing.

With that, I would like to ask the ranking minority member for an opening statement.

STATEMENT OF SUSAN CLAMPITT

ASSOCIATE ADMINISTRATOR

OFFICE OF MANAGEMENT AND WORKPLACE PROGRAMS

GENERAL SERVICES ADMINISTRATION

BEFORE THE

SUBCOMMITTEE ON GOVERNMENT MANAGEMENT,

INFORMATION AND TECHNOLOGY

COMMITTEE ON GOVERNMENT REFORM & OVERSIGHT

U. S. HOUSE OF REPRESENTATIVES

FEBRUARY 11, 1998

Thank you, Mr. Chairman, Ms. Ranking Member and Members of the Committee for this opportunity to testify on the issue of child care and the work of the General Services Administration. My name is Susan Clampitt, and I am the Associate Administrator for the Office of Management and Workplace Programs. As manager of a program that affects all of government, I understand the seriousness and importance of the role of this Committee. I welcome the chance to appear before you and continue our conversation on the Federal Child Care program.

I request that my written remarks be added to the record.

At this transformational moment in our society, when the way we work and care for our families evolves into an ever-trickier balancing act, the issue of affordable, quality child care confronts us all. Parents with young children struggle with what's best for their family, their jobs and budgets. All of us are stakeholders in that decision, for the choices made today have a profound ripple effect on us all, today and in the years ahead, when those children grow up and replace us.

Federal workers walk that same tightrope as the rest of society. A 1992 study showed that about one-quarter of all Federal workers had children under the age of six for whom they were responsible and who needed care at some time during the work day. That same survey said that 75 percent of those people could use assistance to help meet their families' dependent care needs. That's a lot of children.

Federal agencies have responded to that need in a number of ways. GSA oversees 109 centers in its public buildings across the country. As you know, the Department of Defense has an extensive child care program that they operate for military families, funded in part through appropriations. Other Federal agencies, not including GSA, sponsor a total of 133 centers.

Today, I want to discuss generally GSA's child care program and talk about the two critical issues we face – quality and affordability, and to give you my thoughts on the pending legislation that we believe strengthens the ability of the Federal government to provide affordable, quality child care for its employees.

Child care has been a big priority at GSA for a dozen years. In that time, we have earned a reputation for quality programs and concern for the safety and security of the children. In 1996, more than 7,100 children – a mix of Federal and non-Federal families – were cared for in GSA buildings. Since coming to GSA last summer, I have made it part of my mission to go out and visit some of those centers and see firsthand the care those children receive.

I am pleased to report that the overall quality of child care in GSA-sponsored centers is equal to, and often, better than other privately-run child care facilities. The centers in GSA-controlled space are all operated by private non-profit or commercial organizations under the terms of licensing agreements which set standards designed to ensure quality. Because of this authority to set standards, we know these children in GSA-controlled spaces are safe and well cared for.

As with any child care program as extensive as the one GSA sponsors, there are differences of degrees in quality. One downtown center that I visited in Seattle last month, for example, was an oasis of care and compassion. Of course, that center had a strong and active board and a staff committed to quality curriculum and best practices. Part of our job in the years ahead is to raise the bar for all of our centers.

Each of GSA's 109 centers is operated independently, either by a large or small provider, for profit or not-for-profit, locally-run or as part of a national chain. Some of the centers have established boards, made up primarily of parents, who enter into contracts with the child care provider to maintain a degree of responsibility and oversight for the care of their children. These boards are also instrumental in local fundraising, which is used for curriculum enrichment and tuition assistance.

GSA, parents, providers, Congress and the Administration have been concerned for some time about affordability issues. Last year Congress directed the Office of Management & Budget to report on that topic, and OMB requested that we investigate. GSA commissioned a study through the National Academy of Public Administration on "Accessibility & Affordability in Federal Child Care" which addresses those issues.

Key findings of the study were:

- The Federal child care system needs more adequate funding.

- Federal child care needs better information and more cohesion.
- Agencies may need more flexibility to pursue new funding and partnership initiatives.
- There is no "silver bullet" that will solve the affordability problem.

How do we go about addressing consistency in quality and affordability? We believe that the legislation pending before Congress, H.R. 2982, the Quality Child Care for Federal Employees Act, and the Administration's proposed amendments to the Trible Amendment, are important steps.

H.R. 2982 will help bring more accountability to Federal child care. All Federal child care centers would be required to adhere to a uniform set of regulations which will be developed by GSA with the assistance of other agencies and representatives of the Judicial and Legislative branches. These regulations would help set national health, safety and facility standards and require that centers meet the standards for state/local licensing and national accreditation.

While agencies which sponsor eight or more child care centers would be delegated responsibility for compliance with the law, child care centers at other Federal, non-DOD agencies which sponsor fewer than eight would come under GSA oversight.

The legislation also sets up an interagency council to coordinate policy and share best practices. This council will give more cohesion to the Federal efforts, and a draft charter has already been developed.

The Administration's proposed amendments to the Trible Amendment would allow more flexible use of resources in supporting government-sponsored child care centers.

It modifies the 50 percent rule for Federal family enrollment from center by center to a national average, yet children of Federal workers would still have priority.

The proposed language broadens the definition of Federal employee children to include all children in the custody of federal employees, such as grandparents and legal guardians, as well as on-site government contractors.

It will allow us to partner with private centers to reserve spaces for Federal employee children in non-government child care centers when it is more cost effective to do so.

Perhaps most importantly, the legislation allows for some experimentation. Pilot tests and demonstration projects are authorized and encouraged, including those with the private sector. This flexibility for innovation may well prove the most important part of the package. Such innovation will need to have some evaluation component, in order for us to determine what works and what does not.

The Quality Child Care for Federal Employees Act and its amendments are part of the strategy to make quality child care affordable for the Federal worker. We have asked all of our eligible centers to apply for participation in the Combined

Federal Campaign, and that will help address the problem. The Interagency Child Care Council will help. The lessons learned from the Department of Defense and the Department of Labor's apprenticeship program for child care workers will help. Flexibility for pilot partnerships will help. Strong local boards at our centers will help. And I know this Committee will help, and I thank you for this opportunity.