§ 590. Child care

(a) 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 provide economical and effective child care for federal workers.

(b) Allotment of Space in Federal Buildings.—

(1) Definitions.— In this subsection, the following definitions apply:

(A) Child care provider.— The term “child care provider” means an individual or entity that provides or proposes to provide child care services for federal employees.

(B) Allotment officer.— The term “allotment officer” means an officer or agency of the Federal Government charged with the allotment of space in federal buildings.

(2) Allotment.— A child care provider may be allotted space in a federal building by an allotment officer if—

(A) the child care provider applies to the allotment officer in the community or district in which child care services are to be provided;

(B) the space is available; and

(C) the allotment officer determines that—

(i) the space will be used to provide child care services to children of whom at least 50 percent have one parent or guardian employed by the Government; and

(ii) the child care provider will give priority to federal employees for available child care services in the space.

(e) Payment for Space and Services.—

(1) Definition.— For 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.

(2) No charge.— Space allotted under subsection (b) may be provided without charge for rent or services.

(3) Reimbursement for costs.— For space allotted under subsection (b), if there is an agreement for the payment of costs associated with providing space or services, neither title 31, nor any other law, prohibits or restricts payment by reimbursement to the miscellaneous receipts or other appropriate account of the Treasury.

(d) Payment of Other Costs.— 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 Administration may—

(1) pay accreditation fees, including renewal fees, for the child care facility to be accredited by a nationally recognized early-childhood professional organization;

(2) pay travel and per diem expenses for representatives of the child care facility to attend the annual Administration child care conference; and

(3) enter into a consortium with one or more private entities under which the private entities assist in defraying costs associated with the salaries and benefits for personnel providing services at the facility.
(e) **Reimbursement for Employee Training.**— Notwithstanding section 1345 of title 31, an agency, department, or instrumentality of the Government that provides or proposes to provide child care services for federal employees may reimburse a federal employee or any individual employed to provide child care services for travel, transportation, and subsistence expenses incurred for training classes, conferences, or other meetings in connection with providing the services. A per diem allowance made under this subsection may not exceed the rate specified in regulations prescribed under section 5707 of title 5.

(f) **Criminal History Background Checks.**—

(1) **Definition.**— In this subsection, the term “executive facility” means a facility owned or leased by an office or entity within the executive branch of the Government. The term includes a facility owned or leased by the General Services Administration on behalf of an office or entity within the judicial branch of the Government.

(2) **In general.**— All workers in a child care center located in an executive facility shall undergo a criminal history background check as defined in section 231 of the Crime Control Act of 1990 (42 U.S.C. 13041).

(3) **Nonapplication to legislative branch facilities.**— This subsection does not apply to a facility owned by or leased on behalf of an office or entity within the legislative branch of the Government.

(g) **Appropriated Amounts for Affordable Child Care.**—

(1) **Definition.**— For purposes of this subsection, the term “Executive agency” has the meaning given that term in section 105 of title 5, but does not include the Government Accountability Office.

(2) **In general.**— In accordance with regulations the Office of Personnel Management prescribe, an Executive agency that provides or proposes to provide child care services for federal employees may use appropriated amounts that are otherwise available for salaries and expenses to provide child care in a federal or leased facility, or through contract, for civilian employees of the agency.

(3) **Affordability.**— Amounts used pursuant to paragraph (2) shall be applied to improve the affordability of child care for lower income federal employees using or seeking to use the child care services.

(4) **Advances.**— Notwithstanding section 3324 of title 31, amounts may be paid in advance to licensed or regulated child care providers for services to be rendered during an agreed period.

(5) **Notification.**— No amounts made available by law may be used to implement this subsection without advance notice to the Committees on Appropriations of the House of Representatives and the Senate.


### Historical and Revision Notes

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In subsection (a), the word “provide” is substituted for “promote the provision of” to eliminate unnecessary words.

In subsection (f)(2), the word “workers” is substituted for “existing and newly hired workers” to eliminate unnecessary words.

In subsection (g)(2), the word “hereafter” is omitted as unnecessary.

In subsection (g)(4), the words “as appropriate” are omitted as unnecessary.

In subsection (g)(5), the words “in this or any other Act” are omitted as unnecessary. The words “of the House of Representatives and the Senate” are added for consistency in the revised title.

**Amendments**

