

115TH CONGRESS  
2D SESSION

# S. 2565

To amend title 38, United States Code, to require the Secretary of Veterans Affairs to provide child care assistance to veterans receiving certain training or vocational rehabilitation, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MARCH 15, 2018

Ms. DUCKWORTH (for herself, Ms. HIRONO, Mr. BLUMENTHAL, Ms. KLOBUCHAR, Mrs. GILLIBRAND, Ms. HASSAN, Ms. SMITH, and Mr. NELSON) introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

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## A BILL

To amend title 38, United States Code, to require the Secretary of Veterans Affairs to provide child care assistance to veterans receiving certain training or vocational rehabilitation, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Veteran Employment  
5 and Child Care Access Act of 2018”.

1 **SEC. 2. CHILD CARE ASSISTANCE FOR VETERANS RECEIV-**  
2 **ING CERTAIN TRAINING OR VOCATIONAL RE-**  
3 **HABILITATION.**

4 (a) IN GENERAL.—Chapter 31 of title 38, United  
5 States Code, is amended by adding at the end the fol-  
6 lowing new section:

7 **“§ 3123. Child care assistance for veterans receiving**  
8 **training or vocational rehabilitation**

9 “(a) IN GENERAL.—(1) Except as provided in para-  
10 graph (2), the Secretary shall provide child care assistance  
11 to an eligible veteran for any period that the veteran—

12 “(A) receives any training or vocational reha-  
13 bilitation under this chapter, chapter 41, or section  
14 1718, 2021, or 2021A of this title; and

15 “(B) is required to travel to and return from a  
16 facility for the receipt of such training or vocational  
17 rehabilitation.

18 “(2)(A) Except as provided in subparagraph (B), the  
19 Secretary may only provide child care assistance under  
20 paragraph (1)—

21 “(i) once for a child; and

22 “(ii) for a period shorter than six months.

23 “(B) The Secretary may waive the limitations of sub-  
24 paragraph (A) as the Secretary considers appropriate.

25 “(b) ELIGIBLE VETERANS.—For purposes of this  
26 section, an eligible veteran is any veteran—

1 “(1) who—

2 “(A) is the primary caretaker of a child or  
3 children; and

4 “(B) is—

5 “(i) receiving training or vocational  
6 rehabilitation described in subsection  
7 (a)(1) on a full-time basis; or

8 “(ii) in need of such training or voca-  
9 tional rehabilitation on a full-time basis,  
10 and but for lack of child care services,  
11 would receive such training or vocational  
12 rehabilitation on a full-time basis; and

13 “(2) whose family’s adjusted gross income does  
14 not exceed 85 percent of the median adjusted gross  
15 income of the State in which the veteran resides.

16 “(c) CHILD CARE ASSISTANCE.—(1) Child care as-  
17 sistance provided under this section may include any of  
18 the following:

19 “(A) A stipend for the payment of child care of-  
20 fered by a licensed child care center (either directly  
21 or through a voucher program).

22 “(B) Direct provision of child care at an on-site  
23 facility of the Department or the Department of  
24 Labor.

1           “(C) A collaboration with a facility or program  
2 of another Federal department or agency.

3           “(D) Such other form of assistance as the Sec-  
4 retary considers appropriate.

5           “(2) In the case that child care assistance under this  
6 section is provided as a stipend under paragraph (1)(A),  
7 such stipend—

8           “(A) shall cover the full cost of such child care  
9 and associated fees, including application fees and  
10 full day, full week, and full month requirements of  
11 the child care provider; and

12           “(B) such stipend shall be paid to the eligible  
13 veteran.

14           “(d) COORDINATION.—Whenever practicable, the  
15 Secretary shall coordinate with the heads of other Federal  
16 agencies and with States and local entities in carrying out  
17 this section to ensure accessibility and continuity of care.

18           “(e) RULE OF CONSTRUCTION.—Nothing in this sec-  
19 tion shall be construed to require any provider of child  
20 care to change the provider’s standard eligibility require-  
21 ments or practices.

22           “(f) DEFINITIONS.—In this section:

23           “(1) Notwithstanding section 101 of this title,  
24 the term ‘child’ means—

25           “(A) a person—

1 “(i) who is under the age of 13 years;

2 or

3 “(ii)(I) who is under the age of 18

4 years;

5 “(II) who is 13 years of age or older;

6 and

7 “(III) who is physically or mentally

8 incapable of caring for themselves; or

9 “(B) such other person as the Secretary  
10 considers appropriate.

11 “(2) The term ‘licensed child care center’  
12 means a center-based child care provider, a family  
13 child care provider, or another provider of child care  
14 services for compensation on a regular basis, that is  
15 licensed, regulated, or registered under Federal or  
16 State law.

17 “(3) The term ‘primary caretaker’, with respect  
18 to a child, means—

19 “(A) the parent of the child; or

20 “(B) such other individual as the Secretary  
21 considers appropriate.”.

22 (b) CLERICAL AMENDMENT.—The table of sections  
23 at the beginning of such chapter is amended by inserting  
24 after the item relating to section 3122 the following new  
25 item:

“3123. Child care assistance for veterans receiving training or vocational rehabilitation.”.

