Lisa B. Fairhall

08/02/99 02:27:36 PM

Record Type: Record

To: Nicole R. Rabner/WHO/EOP@EOP

cc: Daniel LaPlaca/OMB/EOP@EOP, Charles E. Kieffer/OMB/EOP@EOP
Subject: Child Care Language for the TY/GG Conferees Letter.

See below for the language we have proposed to include in the TY/GG conferees letter. We have not yet heard back from Dan Mendelson on the language. Your views on the language are welcome; I know that the letter is expected to be wrapped up shortly.

Thanks.

--------------------- Forwarded by Lisa B. Fairhall/OMB/EOP on 08/02/99 02:25 PM ---------------------------

Daniel LaPlaca 08/02/99 12:56:56 PM

Record Type: Record

To: Daniel N. Mendelson/OMB/EOP@EOP, Bruce D. Long/OMB/EOP@EOP

cc: See the distribution list at the bottom of this message
Subject: Child Care Language for the TY/GG Conferees Letter.

Dan:

We followed up with Kim Weaver and Cynthia Brock-Smith of OPM regarding the Morella (R-MD) and Jeffords (R-VT) child care provisions in the House- (sec 643) and Senate-passed (Title VII) versions of the Treasury, Postal and General Government Appropriations bill. They report that the House Democrats support the Morella language and that Senator Landrieu (D-LA) offered language identical to Morella's which was rejected in favor of Jeffords' language. Per your request, we have also placed a call into Patricia Schluter (Approps. committee), but have yet to receive a call back.

OPM suggests that the following language would be acceptable. This language does not outwardly support either Morella or Jeffords and simply states the Administration's support of Agency flexibility to use appropriated funds for child care services.

"The Administration supports language that would allow Federal agencies the flexibility to use appropriated funds to provide child care services."

Please let us know if you concur with this language; we will then forward to BRD for inclusion in the Conferees letter.

- Dan L.

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NTEU
The National Treasury Employees Union

FROM THE DESK OF:

SUSAN SHAW
NTEU LEGISLATION DEPARTMENT
901 E STREET, NW SUITE 600
WASHINGTON, DC 20004

PHONE: 202-508-3718

FAX: 202-508-3708

TO: Nicole Rabner

FAX#: 456-6687

TOTAL NUMBER OF PAGES: 3

COMMENTS:

Notes on Child Care Legislation for Federal Workers

- The Senate has included in the Treasury-Postal Appropriations bill language similar to the Jeffords-Dodd-Landrieu Child Care bill. This would allow Executive, Legislative and Judicial branch agencies to subsidize child care for their employees within their existing budgets and mandate that such child care centers are licensed by a national licensing organization. Executive Branch facilities are already under an Executive Order requiring them to meet state licensing standards.

- Under current law, federal agencies may provide space, heat, equipment etc. for federal child care centers but (except for DoD) may not provide any direct subsidy to lower-graded federal employees.

- The House also included child care language in the Treasury-Postal Appropriations bill that matches HR 206, the Morella bill that has been reported out by the House Government Reform Committee. This provision provides subsidies only. It does not require the licencing standards nor does it cover non-Executive Branch facilities.

- The Conference Committee is expected to meet soon. It is feared that differences between the House and Senate versions will destroy any chance for federal employees to obtain these much needed subsidies, as happened last year. Some House members have objected to standards as the first step to federal regulation of private child care facilities. They also object to coverage of the three Legislative Branch child care facilities.

- In 1998, while federal child care provisions passed the House as legislation and the Senate as an appropriations amendment, final enactment never occurred. Part of the problem was end of session chaos. Unresolved policy issues included a desire by some in the Senate to include standards and a desire by some in the House to exempt the Legislative and Judicial branches.

NTEU
The National Treasury Employees Union

AFFORDABLE CHILD CARE FOR FEDERAL WORKERS

Allowing federal agencies the discretion to use already appropriated funds to subsidize child care expenses for their lower graded employees is extremely important. It would give federal agencies the same authority the Defense Department has to assist uniformed military employees with child care expenses.

During the 105th Congress, similar legislation (H.R.4280) was approved by the Government Reform Committee without dissent and then passed the House of Representatives without opposition. The Senate included identical language in its version of the Treasury Appropriations measure, H.R.4104. When H.R.4104 was included in the Omnibus Appropriations bill, unfortunately this provision was dropped from the final measure.

It requires no new government spending or appropriations and would allow each agency to determine what funds, if any, it will allocate to this benefit, and under what criteria. Programs will be tailored to the specific needs and resources of each agency.

In 1989, Congress recognized that assisting Defense Department (DoD) employees with child care expenses would reap job performance and productivity benefits. The Military Child Care Act of 1989 (P.L. 101-189), permitted DoD to use its funds to subsidize child care expenses for the uniformed military. Like their military counterparts, federal civilian workers are pressed to find affordable, safe, quality child care.

For working families with children between the ages of three and five, child care is the second or third largest household expense. For example, at the IRS Service Center in Andover, Mass., infant care runs $650 per month and the average employee at that center earns $27,600. The federal child care center in Minneapolis/St. Paul charges $1400 monthly for the care of two children. At the NRC Child Care Center in White Flint, Md., infant care runs $1000 per month.

Many federal facilities, in conjunction with NTEU and other unions, have set up child care centers for their employees. These centers are not only easily accessible to the parents' workplace, they help increase worker productivity. However, despite the quality and accessibility of these centers, lower graded public workers are mostly unable to afford them. As a result, most of the children in federal child care facilities are those of the most highly compensated employees or private citizens. This was not the intent of the original law. We urge inclusion of provisions to allow agency subsidies for low wage federal employees in the final Treasury Appropriations bill.

901 E Street, N.W. • Suite 600 • Washington, D.C. 20004-2037 • (202) 783-4444

August 3, 1999 (10:47AM)
Draft

The Honorable C. W. Bill Young
Chairman
Committee on Appropriations
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

The purpose of this letter is to provide the Administration's views on H.R. 2490, the Treasury and General Government Appropriations Bill, FY 2000, as passed by the House and the Senate. As you develop the conference version of the bill, your consideration of the Administration's views would be appreciated.

The Administration appreciates the Congress' efforts to accommodate the President's priorities within the 302(b) allocation. Within the 302(b) allocation, the Senate and the House made difficult choices to produce a balanced bill. The President's FY 2000 Budget proposes levels of discretionary spending that meet important national needs while conforming to the Bipartisan Budget Agreement by making savings proposals in mandatory and other programs available to help finance this spending. Congress has approved and the President has signed into law nearly $29 billion of such offsets in appropriations legislation since 1995. The Administration urges the Congress to consider such proposals as the FY 2000 appropriations process moves forward. In particular, with respect to this bill, the Administration urges the Congress to consider our proposals for Customs user fees.

The following discussion highlights our specific concerns with the House and the Senate versions of the bill. We look forward to working with the conferees to resolve these issues as the bill moves forward.

Internal Revenue Service (IRS)

The Administration strongly opposes the House and Senate reductions to IRS programs and urges that the conferees restore IRS to the level requested in the President's Budget. The House has reduced IRS resources by $139 million and the Senate by $58 million from levels requested in the President's FY 2000 Budget. These cuts would seriously jeopardize Commissioner Rossotti's critical efforts to modernize the IRS and improve service as mandated by the Restructuring and Reform Act (RRA) of 1998. This landmark, bipartisan legislation established 71 new taxpayer rights provisions and mandated an entire new direction for the IRS. Implementing these provisions will require additional staff time and technology changes. Program reductions forced by the Committee cuts would significantly impair the ability of the IRS to implement the reforms that were mandated by the RRA and that have been embraced by both the Congress and the Administration. These program reductions would also threaten to make it more difficult to ensure a compliance effort robust enough to maintain taxpayer confidence in the fairness of the tax system.

Enforcement of Certain Anti-Terrorism Judgments

The Administration strongly opposes section 118 of the Senate-passed bill. This section could cost the U.S. taxpayer hundreds of millions of dollars by attempting to make U.S. Government debts and blocked foreign property available for attachment and execution of private judgments. This would undermine the usefulness of sanction programs as a tool to advance the foreign policy and national security interests of the United States. This provision could also cause the United States to violate a variety of international legal obligations. If adopted, this section might force the U.S. to violate provisions of the Vienna Conventions on Diplomatic and Consular Relations, which protect our diplomatic personnel abroad, and the 1981 Algiers Accords, which resulted in the release of American hostages from Iran. The provision could also interfere with the exercise of the President's Constitutional authority under the Reception Clause. Finally, this section would also fail to treat equitably all U.S. citizens with claims against foreign governments. For these reasons, the Administration strongly opposes this section and urges the conferees to delete this section from the final version of the bill.

General Services Administration

The Administration strongly opposes the reductions of $105 million and $175 million for building repairs and alterations, rental of space, and building operations made by the House and Senate, respectively, to the General Services Administration's (GSA) Federal Buildings Fund. These reductions would postpone critically needed safety and building systems repairs; impede GSA's ability to maintain and modernize its aging inventory of Government-owned buildings; challenge GSA's ability to ensure the safety of federal employees while at work; and hinder GSA's ability to meet contractual obligations for existing leases. The Administration therefore urges the conferees to restore funding levels for the GSA to the requested amounts.

The Administration is concerned that the Senate did not provide $4.3 million for the demolition of the U.S. Mission to the United Nations and that the House did not provide any of the $94 million for new construction projects. Postponement of these projects would result in inefficient space utilization by preventing consolidation of FDA facilities, for example, that are now spread out over 20 locations. This would also adversely affect public safety at five border stations because the transportation infrastructure is inadequate to accommodate increased traffic volumes. We would support efforts to restore funding for these projects.

Federal Employees Health Benefits Program

The Administration strongly opposes sections 509 and 510 of the House-passed bill. These provisions would restrict Federal Employees Health Benefits Program (FEHBP) coverage for abortions except in situations where the life of the mother is endangered or the pregnancy is the result of rape or incest. While the President believes that abortion should be safe, legal, and rare, the Administration does not believe that Federal employees and their families should be precluded from choosing to purchase health insurance that includes broader coverage. The Administration believes that the decision to cover abortion should be left to each health plan participating in the FEHBP. Federal employees who wished to purchase health coverage that does not include abortion services would have that choice. The provisions in the House-passed bill do not allow Federal employees and their families to make that choice; therefore we strongly support the Senate version of the bill, which does not include these restrictions.

The Administration appreciates the House and Senate action to ensure coverage of prescription contraceptives by health plans participating in the FEHBP. The Administration supports improvements in the basic health care coverage for women and the goal of reducing unwanted pregnancies and the need for abortion.

The Administration opposes section 514 of the House-passed bill, which would extend the one year moratorium on the application of Cost Accounting Standards (CAS) to experience-rated contracts awarded under the Federal Employees Health Benefits Program (FEHBP) enacted in last year's appropriations bill. We believe a statutory moratorium is not required as existing law provides for an administrative process that allows the CAS Board to exempt or waive classes or categories of contractors from any or all CAS requirements.

Child Care for Federal Employees

The Administration supports language that would allow Federal agencies the flexibility to use appropriated funds to provide child care services, as well as language that would improve the quality of federally-sponsored child care.

Chief Financial Officer (CFO) Provision

The Administration opposes section 638 of the House-passed bill, which seeks to establish a Chief Financial Officer (CFO) within the Executive Office of the President. The CFO provision violates the comity that exists between the President and the Congress. The President should have the discretion to establish the staffing requirements for the executive office in furtherance of his priorities. A CFO is unnecessary in that virtually all of the substantive functions proposed in section 638 are already performed by the Office of Administration (OA). Moreover, the reporting requirements contained in section 638 are already fulfilled by OA. The Administration has identified significantly greater costs associated with adhering to this provision than suggested by the Congressional Budget Office. Finally, the Administration believes that the current financial management system administered by OA is very efficient, given the complexity and diversity of twelve independent Executive Office of the President agencies.

Professional Liability Insurance

Section 642 of the House-passed bill would amend current law to require agencies to reimburse certain employees for up to one half of the cost of professional liability insurance. The Administration opposes making reimbursement mandatory, and urges the Conferees to adopt the Senate's position on this issue and maintain the current law without change.

Cuts to Treasury Department and Other Agency Programs

The Administration is very concerned that the Senate version of the bill does not include $81.5 million for the Treasury Department to annualize the January 1999 pay raise. Without this funding, the Department would need to cut 1,150 program positions in mission-critical areas. Because some program operations are relatively non-discretionary (such as tax return processing and fee-funded trade compliance), these cuts will be concentrated in a limited set of more discretionary activities (such as drug interdiction and compliance services to taxpayers). The Administration is also very concerned about similar cuts to the pay raise in other agencies' salaries and expense accounts elsewhere in the bill and, therefore, urges the conferees to restore these funds, thereby ensuring proper annualization of the pay increases.

Bureau of Alcohol, Tobacco, and Firearms

The Administration is concerned that neither the House nor the Senate have included the requested $15 million for the Bureau of Alcohol, Tobacco, and Firearm's (ATF's) headquarters site acquisition. The current location of ATF's headquarters does not meet the minimum security guidelines as described in the Department of Justice's 1995 Vulnerability Assessment and is less secure than many Federal buildings that do not house a law enforcement agency. We urge the conferees to ensure adequate security for ATF employees by funding the President's request for ATF's site acquisition.

Treasury Forfeiture Fund

The Administration is concerned that the Senate-passed bill uses $48 million from the Treasury Forfeiture Fund (TFF) Super Surplus to fund the base salaries and expenses associated with the Interagency Crime and Drug Enforcement (ICDE) program. The Administration urges the conferees to reserve TFF resources for the critical law enforcement needs identified in the President's request and to fully fund the program resources in the President's Budget request as well as the request for the ICDE program.

Office of National Drug Control Policy

The Administration opposes the Senate funding level for the Office of National Drug Control Policy's (ONDCP) National Youth Anti-Drug Media Campaign. The Senate provides only $145 million for this effort, $50 million, or 25 percent, below the President's request. Further, the Senate delays obligation of $49 million of those funds until the last day of Fiscal Year 2000. This action would effectively limit the Media Campaign to $96 million in FY 2000, nearly 48 percent below FY 1999. This level would not be sufficient to implement the President's program of targeted prevention messages to at-risk youth and their adult influencers. It would seriously reduce the reach and frequency of the advertising component of the campaign, reduce the local and ethnic component, reduce the interactive and partnership components of the campaign, and diminish opportunities for corporate support. We therefore urge the conferees to adopt the House funding levels for the ONDCP.

Separation of Powers

Section 622 of both the House and Senate-passed bills raises substantial separation of powers concerns. The Administration objects to this provision because it could be read to limit the ability of the President and his appointed heads of departments to supervise and control the operations of and communications of the Executive Branch, including the control of privileged and national security information. We would, therefore, urge the conferees to eliminate such language from the final bill.

There are numerous provisions in both the House and Senate-passed bills that purport to require Congressional approval before Executive Branch execution of aspects of the bill. Specifically, these provisions purport to condition the spending of already appropriated funds on less-than-full legislative action. The Administration will interpret such provisions to require notification only, since any other interpretation would contradict the Supreme Court ruling in INS v. Chadha.

National Intellectual Property Coordination Council

The Administration opposes language that would create a National Intellectual Property Coordination Council in the Executive Office of the President to coordinate domestic and international intellectual property policy.

It is not appropriate for Congress to mandate establishment of an interagency council in the EXOP, particularly as legislation is not necessary if the President determines that such a council is necessary or desirable. In addition, this proposal would duplicate ongoing efforts and dilute the authority of the United States Trade Representative which is already responsible for trade policy coordination, including intellectual property policy.

Salary of the President

The Administration supports section 644 of the House bill, which raises the President's salary effective with the beginning of the next Presidential term on January 20, 2001. The President's salary has not been increased for 30 years and, as a result, has declined significantly in value relative to inflation and wage growth in the economy. An increase would restore an appropriate relationship between the President's salary and the salaries of other senior Government officials and, in addition, would bring the salary of the President more in line with the duties and responsibilities of the Office. We urge the conferees to adopt this section as passed by the House.

We look forward to working with the Committee to address our mutual concerns. Additional Administration comments are contained in the enclosure.

Sincerely,

Jacob J. Lew
Director

Enclosure

Identical Letter Sent to the Honorable C.W. Bill Young,
The Honorable David R. Obey, The Honorable Jim Kolbe,
and The Honorable Steny H. Hoyer, The Honorable Ted Stevens,
The Honorable Robert C. Byrd, The Honorable Ben Nighthorse Campbell,
and the Honorable Byron L. Dorgan

Enclosure
(Conference Committee)

ADDITIONAL CONCERNS
TREASURY AND GENERAL GOVERNMENT APPROPRIATIONS BILL (AS PASSED BY THE HOUSE AND SENATE)

Executive Office of the President

- Unanticipated Needs. The Senate-passed bill fails to provide the requested $1 million to enable the President to meet unanticipated needs in furtherance of the national interest, security, or defense. We urge the Conferees to adopt the House funding level to ensure that the President has the same ability to meet such needs as previous Presidents have had.

General Services Administration

- Policy and Operations. The Administration is concerned that the House-passed bill does not include $10 million for "Accessibility for People with Disabilities," which implements section 508 of the Workforce Investment Partnership Act (P.L. 105-220) passed by Congress on August 7, 1998. This reduction would eliminate $8 million to fund a coordinated, inter-agency effort and $2 million for an underwriters laboratory to ensure interoperability and standardization of information technology hardware and software for use by people with disabilities. This initiative would promote and support employment by people with disabilities as envisioned by the Americans with Disabilities Act and ensure that participation by Americans with disabilities will become integral to the digital transformation of American society. The Administration urges restoration of these funds.

National Archives and Records Administration

- Records Declassification. The Administration objects to the House-passed $5 million reduction to the request for the National Archives and Records Administration (NARA) to accelerate the declassification of Federal records. Pursuant to Executive Order 12958, "Classified National Security Information," agencies must review all records 25 years old or older for declassification by April 17, 2000. As the agency responsible for oversight of the Government's entire classification and declassification program and one of the four agencies most heavily involved in records declassification (others include CIA, Defense, and Energy), NARA would use the additional funding to support 50 additional declassification experts as well as to strengthen the Information Security Oversight Office to help it meet this deadline.

Morris K. Udall Scholarship and Environmental Dispute Resolution Funds

- General Funding. The Administration strongly opposes the Senate's elimination of funding for the Morris K. Udall Scholarship Fund, which occurred during floor consideration, and the Environmental Dispute Resolution Fund. This funding provides for needed scholarships to promote studies in the natural environment and in Native American health and tribal policy, and for operation of the newly created U.S. Institute for Environmental Conflict Resolution. The Institute is in its first year of operation, and the requested funding is necessary for its continued effective operation. The ultimate goal of the Institute is to become self-sustaining, but it is still in a start-up mode. Without the requested funding level, the Institute may have to discontinue its operations. In addition, the Scholarship Fund already took a one-time reduction last year to finance start-up operations for the new Institute. The Administration strongly urges the conferees to restore funding to both the Udall Scholarship Fund and the Environmental Dispute Resolution Fund.

Joint Financial Management Improvement Program

- Administrative Costs. The Administration commends the inclusion of provisions in both the House and Senate bills which transfer administrative support for the Joint Financial Management Improvement Program (JFMIP) from the General Accounting Office (GAO) to the General Services Administration (GSA), as proposed in the President's Budget for FY 2000. The Administration supports the House-passed version, which more closely corresponds with the provision proposed in the President's Budget by setting an upper limit on salary and expenses for management and staff support (Sec. 636). The House language also includes an Administration-supported amendment to provide for the transfer of personnel from GAO to the GSA (Sec. 646). Conferees are urged to approve the House-passed provisions to ensure that a proper and complete transfer can be implemented.

Interagency Funding for Government-wide Management Improvement Initiatives

- Program Implementation. The Administration is concerned that the Senate-passed bill does not include a provision which would authorize agencies to contribute voluntarily to a fund to support "government-wide financial, information technology, procurement, and other management innovations...,". This important provision is included in Sec. 637 of the House-passed bill, which the Administration would urge the conferees to adopt to ensure that essential government-wide initiatives can continue to be successfully developed and implemented.

The Honorable C. W. Bill Young
Chairman
Committee on Appropriations
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

The Honorable David R. Obey
Committee on Appropriations
U.S. House of Representatives
Washington, D.C. 20515

Dear Representative Obey:

The Honorable Jim Kolbe
Chairman
Subcommittee on Treasury, Postal Service,
and General Government
Committee on Appropriations
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

The Honorable Steny H. Hoyer
Subcommittee on Treasury, Postal Service,
and General Government
Committee on Appropriations
U.S. House of Representatives
Washington, D.C. 20515

Dear Representative Hoyer:

The Honorable Ted Stevens
Chairman
Committee on Appropriations
United States Senate

Washington, D.C. 20510

Dear Mr. Chairman:

The Honorable Robert C. Byrd
Committee on Appropriations
United States Senate
Washington, D.C. 20510

Dear Senator Byrd:

The Honorable Ben Nighthorse Campbell
Chairman
Subcommittee on Treasury, Postal Service,
and General Government
Committee on Appropriations
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

The Honorable Byron L. Dorgan
Subcommittee on Treasury, Postal Service,
and General Government
Committee on Appropriations
United States Senate
Washington, D.C. 20510

Dear Senator Dorgan:

SCHEDULING PROPOSAL TODAY'S DATE: 6/19/99

_______ACCEPT _______REGRET _______PENDING

TO:	Stephanie Streett Assistant to the President Director of Presidential Scheduling
FROM:	Bruce Reed Assistant to the President for Domestic Policy and Director of the Domestic Policy Council
REQUEST:	Attend Dinner for the Center to Prevent Handgun Violence
PURPOSE:	For the President to be honored by the Center to Prevent Handgun Violence for his leadership in the effort to prevent gun violence.
BACKGROUND:	In early 1998, Sarah Brady asked the President if he would be willing to be honored at a Los Angeles event for Handgun Control, Inc.'s education and legal action affiliate, the Center to Prevent Handgun Violence. Efforts to schedule to this dinner have not succeeded thus far. Sarah Brady and Handgun Control continue to request a date for the dinner. Handgun Control, Inc. is our lead advocate for the President's gun initiatives.
PREVIOUS PARTICIPATION:	The President has participated in several events with the Brady's and Handgun Control, Inc. during the Administration, including the May 10, 1999 Strategy Session on Children, Violence, and Responsibility, and several of the recent crime/gun events at the White House.
DATE AND TIME:	September/October TBD
BRIEFING TIME:	TBD
DURATION:	1 hour
LOCATION:	Los Angeles, CA

PARTICIPANTS:	Jim and Sarah Brady Supporters of the Center to Prevent Handgun Violence
REMARKS REQUIRED:	To be provided by speechwriting.
OUTLINE OF EVENTS:	TBD
MEDIA COVERAGE:	TBD
FIRST LADY'S ATTENDANCE:	Optional.
VPOTUS' ATTENDANCE:	N/A
SECOND LADY'S ATTENDANCE:	N/A
RECOMMENDED BY:	Bruce Reed Jose Cerda
CONTACT:	Karin Kullman X61732
ORIGIN OF THE PROPOSAL:	Handgun Control, Inc.

J. Eric Gould 08/03/99 10:49:38 AM

Record Type: Record

To: See the distribution list at the bottom of this message

cc:
Subject: NYC food stamp/Medicaid access

In regard to the NYC food stamp/Medicaid access case (Reynolds v. Giuliani), you'll remember that back in January a federal district court granted a preliminary injunction, in effect barring NYC from using certain procedures and opening up any new "job centers". The court directed NYC, among other things, to (1) allow all persons applying for food stamps, Medicaid, and cash assistance to apply for such benefits on the first day that they visit a job center and (2) process all applications for expedited food stamps at job centers within the time frames required by law. The court found that the plaintiffs and other applicants for food stamps, Medicaid and cash assistance would suffer irreparable harm if relief were not provided through a preliminary injunction.

Last Monday (7/26), during a conference call with the judge, attorneys for NYC were petitioning the court for a modification of the preliminary injunction to allow them to convert more welfare offices to "job centers." The focus of the evidentiary hearing was to allow the judge to review and rule on the adequacy of the audit procedures. Judge Pauley had conditioned further expansion of the "job centers" upon the plaintiffs and the city agreeing on auditing procedures to confirm compliance with the original injunction. In the conference with the judge, it was clear that NYC had no procedures ready and had not conferred with the plaintiffs. Since the City had no revised audit procedures available to test the effectiveness of the operation of the current job centers, the judge couldn't very well approve the opening of any more job centers. Accordingly, the city's motion to amend the preliminary injunction was denied. This means that NYC must continue to meet the terms of the original order and may not convert and more welfare offices to "job centers."

Message Sent To:

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child@gsa.gov

Issue 1.3 | *General Services Administration* | *Office of Child Care* | *May 13, 1999*

A Pregnant Pause

Child Care Bill Introduced in the Senate

On April 15, 1999, Senator James Jeffords of Vermont introduced in the Senate a bill cited as the "Federal Employees Child Care Act." The bill (S.813 was co-sponsored by Senators Landrieu, Dodd, Sarbanes and Kennedy. While there are several pieces of pending legislation that may affect the Federal child care system, the Federal Employees Child Care Act has the most direct impact for GSA. The Act would improve Federal child care in three main ways: consistent oversight, uniform health and safety guidelines, and the authority to spend appropriated funds to control tuition costs.

Meeting Established Standards

The bill states that child care centers located in Federal executive and judicial facilities will have to meet a health and safety standard no less stringent than those required of other child care facilities in the same geographical area. Within three years, those Federal centers will have to meet standards established by a child care accreditation entity. Procedures for dealing with those centers not in compliance with the rule include plans to correct deficiencies, close affected portions of centers if a situation is life-threatening or poses a danger of harm, and the disclosure of violations to parents and facility employees. It is important to note that the bill does not create new standards, but rather requires our programs to meet local licensing standards, accreditation standards, and existing Federal requirements.

Study of Child Care Delivery

In addition to these provisions for increasing health, safety and accreditation compliance, the bill provides for a joint study by the General Services Administration and the Office of Personnel Management on the Federal child care delivery system. The evaluation would contain information on the number of families not using child care because of the cost, and it would recommend ways to improving the quality and cost-effectiveness of child care as well as options for creating a better structure for delivering child care.

Availability to Onsite Contractors

A provision in the bill would include on-site Federal contractors and dependent children who live with Federal employees in the scope of those who would be given priority for available child care. Language was also inserted to change the 50 percent Federal worker rule from a center by center basis to a national aggregate. As it stands now, the bill also allows GSA to enter into partnerships with nongovernmental entities to increase the capacity, quality, affordability and range of child care.

A Window on Affordability

Also covered under the bill are provisions which authorize Federal agencies to use appropriated funds to subsidize or otherwise assist lower income employees meet the costs of child care provided through contract or on-site. Passage of the Act would reauthorize the Trible Amendment which would allow Federal agencies to conduct pilot projects with the private sector to provide employee child care services. With this authority, GSA could explore innovative approaches and partnerships that may defray the tuition fees for some Federal families. Payment of costs of training programs, including accreditation fees, is also covered by the Act. We'll keep you posted on the bill's progress.

Our New Name

We have changed the name of our newsletter from "baby talk" to child@gsa.gov. You can reach the editor of the newsletter through this e-mail address or by phoning 202/501-0945.

Are You Online?

How the Internet Can Help Federal Child Care

One of the more perplexing problems within the child care community has been how to share best practices in programming, funding, health and safety, facilities, and other aspects of early education. Because of the nature of the field, child care service providers are a mixture of for-profits, non-profits, national, regional, and local organizations, and the likelihood of sharing information and ideas is decreased if no central meeting place exists. Professionals in the field come together regularly for conferences and other meetings, but those opportunities for networking are few, far-between, and expensive.

Fortunately, an answer is at hand. The internet provides an inexpensive and effective means to that problem. Child care professionals from every corner of the country can find a place to meet, exchange ideas, and form a community that addresses common goals. In order to create a Federal child care community, we will have to proceed one step at a time.

Get Connected

The first step, if you have not already done so, is to get connected to the World Wide Web. You will need a computer with enough memory and speed to handle the variety of data that streams in from the Internet. Your computer should be equipped with the appropriate software and with some type of connection, such as a modem (which dials in through the telephone) or wired through your facility's electronic data transmission backbone (such as a T-1 line). If you don't know how to get connected, ask your local information technology expert.

Get Acclimated

The Web can be a daunting place, especially for beginners, and at first, dealing with e-mail and sifting through the thousands of websites with pertinent information is time-consuming and gray-hair inducing. For child care professionals in Federal systems, we will be giving you a series of pointers over the next few issues of baby talk to help you sort through. One good place to begin is GSA's own Center of Expertise on Child Care Operations. To get there, type in this address in your software browser (i.e., Netscape or Explorer):

http://www.gsa.gov/pbs/centers/child/child.htm

The Wild Wide Web

Sifting While Surfing

Here's the good news: there is no shortage of information about children, child care, and early education practices on the World Wide Web. That's the bad news, too. For many new users, the question is: where do I begin? How do I sift through all the information I come across while surfing the Web?

The Jump Station

Websites that provide comprehensive lists of links to other sources of information are typically called jump stations, because they have sorted other sites by subject matter, allowing users to jump to the right place. One excellent place for people interested in finding out more about child care is The National Child Care Information Center (NCCIC) which was established to complement, enhance and promote child care linkages and to serve as a mechanism for supporting quality, comprehensive services for children and families.

NCCIC is supported by a contract from the U.S. Department of Health and Human Services, Administration for Children and Families, Administration on Children, Youth and Families, Child Care Bureau, and to get to their website, type in:

http://nccic.org

Once you are onsite, you will find a Calendar, sections on Child Care Technical Assistance, scores of Internet Links including National Organizations, Publications and Other Resources, State Profiles and White House Initiatives. While not as flashy as some websites, the NCCIC site provides solid pointers to everything from Brain Development to statistics on the Child Care Workforce to Welfare Reform. It is a great place to begin. *Reviews of websites in the Wild Wide Web do not constitute any endorsement by the General Services Administration.*

California Here We Come!
GSA's Child Care Conference
JULY 7-9, 1999 in San Diego
For registration information call
202/501-3464 or 202/501-3965

May 25, 1999

The Honorable Stephen Horn
Chairman
Subcommittee on Government Management, Information & Technology
Committee on Government Reform
U.S. House of Representatives
B-373 Rayburn House Office Building
Washington, DC 20515

Dear Mr. Chairman:

The General Services Administration (GSA) has been asked to review "The Quality Child Care for Federal Employees Act" (H.R. 28) along with comments from other Executive Branch agencies and report back to you. GSA supports H.R. 28 and recommends a number of minor and technical modifications, detailed in an attachment to this letter.

"The Quality Child Care for Federal Employees Act" will bring more accountability to Federal child care. All Federal child care centers would be required to adhere to uniform guidelines on health and safety, and centers would have to meet standards for state/local licensing and national accreditation.

As part of our public responsibility to our employees and their children, the legislation will help improve the quality of our programs.

The Office of Management and Budget has advised that there is no objection from the standpoint of the Administration's program to the submission of this letter.

Sincerely,

Susan Clampitt
Associate Administrator
Office of Child Care

Attachment

cc: Honorable Jim Turner

RECOMMENDED CHANGES TO H.R. 28

SEC. 3. PROVIDING QUALITY CHILD CARE IN FEDERAL FACILITIES

(a) DEFINITION-In this section:

(2) ENTITY SPONSORING A CHILD CARE FACILITY - The term 'entity sponsoring a child care facility' 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 primarily for the use of Federal employees.

We recommend replacement language: The term 'entity sponsoring a child care facility' means a Federal agency that operates, or a ***Federal agency*** *that enters into a contract or licensing agreement with* ***an entity*** *to operate, a child care center primarily for the use of Federal employees.*

This will clarify the definition and assure that the agency, rather than the entity, will be responsible for determining compliance with regulations.

SEC. 3 (b) EXECUTIVE BRANCH STANDARDS AND COMPLIANCE-

(1) STATE AND LOCAL LICENSING REQUIREMENTS

(A) IN GENERAL - Any entity sponsoring a child care facility in an executive facility shall --

(i) comply with child care standards that **minimally encompass** State or local licensing requirements related to the provision of child care in that geographic area; **or**

(ii) obtain the appropriate State or local licenses for the facility.

We recommend that ***minimally encompass*** *be changed to* ***no less stringent than*** *in (i), and that* ***or*** *be changed to* ***and*** *in (i). These changes would insure that both licensure and actual compliance with standards should be required.*

SEC. 3 (b) EXECUTIVE BRANCH STANDARDS AND COMPLIANCE-

(3) ACCREDITATION STANDARDS -

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

We recommend that this requirement be changed from 5 years to ***1 year****.*

SEC. 3 (5) DISCLOSURE OF PRIOR VIOLATIONS TO PARENTS AND FACILITY EMPLOYEES-

(A) copies of all notifications of deficiencies that have been provided in the **past** with respect to the facility under paragraph (4) (B) etc.

*We recommend that this be clarified to the **past 12 months**.*

106th CONGRESS

1st Session

H. R. 28

To provide for greater access to child care services for Federal employees.

IN THE HOUSE OF REPRESENTATIVES

January 6, 1999

Mr. GILMAN (for himself, Mrs. MORELLA, Mrs. MALONEY of New York, Mr. WAXMAN, Mr.
ROMERO-BARCELO, Mrs. KELLY, and Mr. SHAYS) introduced the following bill; which was referred to the Committee
on Government Reform, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by theSpeaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To provide for greater access to child care services for Federal employees.

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 FACILITY- The term `accredited child care facility' means--

(A) a facility that is accredited, by a child care accreditation entity, as defined in paragraph (2);

(B) a facility 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

(C) an armed forces child development facility that is in compliance with any applicable performance standards established by regulation, rule, or military order.

(2) CHILD CARE ACCREDITATION ENTITY- The term `child care accreditation entity' means a nonprofit private organization or public agency that--

(A) is recognized by a State agency or by a national organization which serves as a peer review panel for the standards and procedures of public and private childcare or school accrediting bodies; and

(B) accredits a facility to provide child care on the basis of--

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

(ii) compliance with applicable State or local licensing requirements, as appropriate, for the facility;

(iii) outside monitoring of the facility; and

(iv) criteria that provide assurances of--

(I) developmentally appropriate health and safety standards at the facility;

(II) use of developmentally appropriate educational activities, as an integral part of the child care program carried out at the facility; and

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

(3) 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 FACILITY- The term `entity sponsoring a child care facility'
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 primarily for the use of Federal employees.

(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 the Coast Guard; 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 or a judicial 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.

(b) EXECUTIVE BRANCH STANDARDS AND COMPLIANCE-

(1) STATE AND LOCAL LICENSING REQUIREMENTS-

(A) IN GENERAL- Any entity sponsoring a child care facility in an executive facility shall--

(i) comply with childcare standards that minimally encompass State or local licensing requirements related to the provision of child care in that geographic area; or

(ii) obtain the appropriate State or local licenses for the facility.

(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 or 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 in executive facilities, and require child care facilities, and entities sponsoring child care facilities, in executive facilities to comply with the standards. Such standards shall include requirements that child care facilities be inspected for, and be free of, lead hazards.

(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 accreditation standards as identified in section 2(2)(A).

(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 provision of child care services shall include a condition that the child care be provided by an entity that complies with the standards.

(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 facilities, and entities sponsoring child care services, 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 facility is providing services. If the Administrator determines, on the basis of such an evaluation, that the child care facility 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) no later than 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 and employees of the center with a notification detailing the deficiencies described in subclauses (I) and (II) and actions that will be taken to correct the deficiencies, and post a copy of the notification in a conspicuous place in the facility for a period of 5 working days or until the deficiencies are corrected, whichever is later;

(IV) bring the facility and entity into compliance with the requirements and certify to the Administrator that the facility and entity are in compliance, based on an on-site evaluation of the facility 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 facility or the affected portion of the facility, until such deficiencies are corrected and notify the Administrator of such closure; and

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

(I) require the contractor or licensee no later than 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 facility and employees of the facility with a notification detailing the deficiencies described in subclauses (I) and (II) and actions that will be taken to correct the deficiencies, and to post a copy of the notification in a conspicuous place in the facility for 5 working days or until the deficiency is corrected, whichever is later;

(IV) require the contractor or licensee to bring the facility and entity into compliance with the requirements and certify to the head of the agency that the facility and entity are in compliance, based on an on-site evaluation of the facility 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 facility or the affected portion of the facility until such deficiencies are corrected and notify the Administrator of such closure, which closure may 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 facilities located in an executive facility other than an executive facility of the General Services Administration. If an entity is sponsoring a child care facility 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 facility.

(5) DISCLOSURE OF PRIOR VIOLATIONS TO PARENTS AND FACILITY EMPLOYEES- The Administrator shall issue regulations that require that each Executive agency that operates a child care facility, and each entity that enters into a contract or licensing agreement with an Executive agency to operate a child care

facility, upon receipt by the facility or the agency or entity (as applicable) of a request by any individual who is a parent of any child enrolled at the facility, a parent of a child for whom there has been submitted an application to enroll at the facility, or an employee of the facility, shall provide to the individual--

(A) copies of all notifications of deficiencies that have been provided in the past with respect to the facility under paragraph (4)(B) (i)(III) or (ii)(III), as applicable; and

(B) a description of the actions that were taken to correct the deficiencies.

(c) APPLICATION- Notwithstanding any other provision of this section, if 8 or more child care facilities 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).

(d) 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.

(e) COUNCIL- The Administrator shall establish an interagency council, comprised of all Executive agencies described in subsection (d), to facilitate cooperation and sharing of best practices, and to develop and coordinate policy, regarding the provision of child care, including areas for nursing mothers and other lactation support facilities and services, in the Federal Government.

(f) AUTHORIZATION OF APPROPRIATIONS- There is authorized to be appropriated to carry out this section $900,000 for fiscal year 2000 and such sums as may be necessary for each subsequent fiscal year.

SEC. 4. MISCELLANEOUS PROVISIONS RELATING TO CHILD CARE PROVIDED BY FEDERAL AGENCIES.

(a) AVAILABILITY OF FEDERAL CHILD CARE CENTERS FOR ON-SITE CONTRACTORS; PERCENTAGE

GOAL- Section 616(a) of the Act of December 22, 1987 (40 U.S.C. 490b), is amended--

(1) in subsection (a), by striking paragraphs (2) and (3) and inserting the following:

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

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

(2) by adding at the end the following:

`(e)(1) The Administrator of General Services must confirm that at least 50 percent of aggregate enrollment in Federal child care centers governmentwide are children of Federal employees or on-site Federal contractors, or dependent children who live with Federal employees or on-site Federal contractors. Each provider of child care services at an individual Federal child care center shall maintain this percentage as a goal for enrollment at the center. If enrollment at a center drops below the goal, the provider shall develop and implement a business plan with the sponsoring Federal agency to achieve the goal 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, and its effect on achieving the aggregate Federal enrollment percentage goal.

`(2) The Administrator of General Services Administration may enter into public-private partnerships or contracts with nongovernmental entities to increase the capacity, quality, affordability, or range of child care and related services and may, on a demonstration basis, waive subsection (a)(3) and paragraph (1) of this subsection.'.

(b) PAYMENT OF COSTS OF TRAINING PROGRAMS- Section 616(b)(3) of such Act (40 U.S.C. 490(b)(3)) is amended to read as follows:

`(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. Any agency, department, or instrumentality of the United States that provides or proposes to provide child care services for children referred to in subsection (a)(2), 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. 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.'.

(c) PROVISION OF CHILD CARE BY PRIVATE ENTITIES- Section 616(d) of such Act (40 U.S.C. 490b(d)) is amended to read as follows:

`(d)(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, the 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) Notwithstanding any other provision of law, if a Federal agency does not have a child care program, or if the Administrator of General Services has identified a need for child care for Federal employees at an agency providing child care services that do not meet the criteria of subsection (a), the agency or the Administrator may enter into an agreement with an existing non-Federal, licensed, and accredited child care facility, or a planned child care facility that will become licensed and accredited, for the provision of child care services for children of Federal employees.

`(B) Prior to entering into an agreement, the head of the Federal agency must determine that child care services to be provided through the agreement are more cost effectively provided through this arrangement than through establishment of an Executive child care facility.

`(C) The agency may provide any of the services described in subsection (b)(3) if, in exchange for such services, the facility reserves child care spaces for children referred to in subsection (a)(2), as agreed to by the parties. The cost of any such services provided by an agency to a child care facility on behalf of another agency shall be reimbursed by the receiving agency.

`(3) This subsection does not apply to residential child care programs.'.

(d) PILOT PROJECTS- Section 616 of such Act (40 U.S.C. 490b) is further amended by adding at the end the following:

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

`(2) The Administrator of General Services shall serve as an information clearinghouse for pilot projects initiated by other agencies to disseminate information concerning the pilot projects to the other agencies.

`(3) Within 6 months after completion of the initial 2-year pilot project period, an agency conducting a pilot project under this subsection shall provide for an evaluation of the impact of the project on the delivery of child care services to Federal employees, and shall submit the results of the evaluation to the Administrator of General Services. The Administrator shall share the results with other Federal agencies.'.

(e) BACKGROUND CHECK- Section 616 of such Act (40 U.S.C. 490b) is further amended by adding at the end the following:

`(g) All existing and newly hired workers in any child care center located in federally owned or leased facilities shall undergo a criminal history background check as defined in 42 U.S.C. 13401.'.

SEC. 5. REQUIREMENT TO PROVIDE LACTATION SUPPORT IN NEW EXECUTIVE CHILD
CARE FACILITIES.

The head of each Federal agency shall require that each child care facility first operated after the one-year period beginning on the date of the enactment of this Act by the Federal agency, or under a contract or licensing agreement with the Federal agency, shall provide reasonable accommodations for the needs of breast fed infants and their mothers, including by providing a lactation area or a room for nursing mothers as part of the operating plan for the center.

END