

105TH CONGRESS  
2D SESSION

# H. R. 4844

To improve the quality of child care through grants and a commission on child care standards, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 15, 1998

Mr. STARK introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To improve the quality of child care through grants and a commission on child care standards, 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 “Child Care Quality  
5 Improvement Act of 1998”.

6 **SEC. 2. REFERENCE.**

7 Except as otherwise expressly provided in this Act,  
8 wherever in this Act a section or other provision is amend-

1 ed or repealed, the amendment or repeal shall be consid-  
2 ered to be made to that section or other provision of the  
3 Child Care and Development Block Grant Act of 1990 (42  
4 U.S.C. 4858 et seq.).

5 **SEC. 3. QUALITY IMPROVEMENT GRANTS.**

6 (a) **FUNDING.**—Section 418 of the Social Security  
7 Act (42 U.S.C. 618) is amended—

8 (1) by redesignating subsections (c) and (d) as  
9 subsections (d) and (e), respectively; and

10 (2) by inserting after subsection (b) the follow-  
11 ing:

12 “(c) **APPROPRIATIONS FOR CHILD CARE QUALITY**  
13 **IMPROVEMENT GRANT PROGRAM.**—

14 “(1) **APPROPRIATION.**—Out of any money in  
15 the Treasury of the United States not otherwise ap-  
16 propriated, there are appropriated \$600,000,000 for  
17 each of the fiscal years 1999 through 2003 for car-  
18 rying out activities that a State or territory deems  
19 appropriate to realize the goal specified in section  
20 658A(b)(6) of the CCDBG Act and the goals set  
21 forth in the State’s or territory’s plan pursuant to  
22 section 658E(c)(2) of such Act.

23 “(2) **RESERVATION AND ALLOTMENT OF**  
24 **FUNDS.**—

1           “(A) INDIAN TRIBES.—The Secretary shall  
2           reserve 2 percent of the total amount appro-  
3           priated pursuant to paragraph (1) of this sub-  
4           section for each fiscal year for payments to In-  
5           dian tribes. From the amount so reserved for a  
6           fiscal year, the Secretary shall allot to an In-  
7           dian tribe for the fiscal year an amount that  
8           bears the same proportion to the amount so re-  
9           served as the proportion of funds provided to  
10          the Indian tribe under section 6580(c) of the  
11          CCDBG Act for the fiscal year bears to the  
12          total amount paid to all Indian tribes under  
13          such section for the fiscal year.

14          “(B) TERRITORIES.—The Secretary shall  
15          reserve  $\frac{1}{2}$  of 1 percent of the total amount ap-  
16          propriated pursuant to paragraph (1) of this  
17          subsection for any fiscal year for payments to  
18          the territories. From the amount so reserved  
19          for a fiscal year, the Secretary shall allot to a  
20          territory for the fiscal year an amount that  
21          bears the same ratio to the amount so reserved  
22          as the amount provided to the territory under  
23          the CCDBG Act for fiscal year 1998 bears to  
24          the total amount provided to all territories  
25          under such Act for fiscal year 1998.

1           “(C) STATES.—The Secretary shall allot  
2           the total amount appropriated for a fiscal year  
3           pursuant to paragraph (1) of this subsection  
4           that remains after applying subparagraphs (A)  
5           and (B) of this paragraph for the fiscal year,  
6           among the qualifying States pursuant to the  
7           formula used for determining the amount to be  
8           allotted to the State under section 6580 of the  
9           CCDBG Act.

10           “(3) MATCHING PAYMENTS TO STATES AND  
11           TERRITORIES.—

12           “(A) IN GENERAL.—The Secretary shall  
13           pay to each State and each territory that is a  
14           qualifying jurisdiction for a fiscal year an  
15           amount equal to the lesser of—

16                   “(i) the amount allotted to the State  
17                   or territory under paragraph (2) of this  
18                   subsection; or

19                   “(ii) 80 percent of expenditures by the  
20                   State or territory for activities that the  
21                   State or territory deems appropriate to re-  
22                   alize the goal specified in section  
23                   658A(b)(6) of the CCDBG Act and the  
24                   goals set forth in the State’s or territory’s

1           plan pursuant to section 658E(c)(2) of  
2           such Act.

3           “(B)           REDISTRIBUTION.—Subsection  
4           (a)(2)(D) shall apply to amounts allotted to  
5           States under this subsection.

6           “(4) PAYMENTS TO INDIAN TRIBES.—The Sec-  
7           retary shall pay to each Indian tribe for a fiscal year  
8           an amount equal to the lesser of—

9           “(A) the amount allotted to the Indian  
10          tribe under paragraph (2)(A) of this subsection;  
11          or

12          “(B) the total amount of expenditures by  
13          the tribe for activities that the tribe deems ap-  
14          propriate to realize the goal specified in section  
15          658A(b)(6) of the CCDBG Act.

16          “(5) DEFINITIONS.—In this subsection:

17          “(A) CCDBG ACT.—The term ‘CCDBG  
18          Act’ means the Child Care and Development  
19          Block Grant Act of 1990 (42 U.S.C. 9801 et  
20          seq.).

21          “(B) QUALIFYING JURISDICTION.—The  
22          term ‘qualifying jurisdiction’ means a State or  
23          territory that has in effect under its plan under  
24          section 658E(c) of the CCDBG Act goals listed  
25          pursuant to paragraph (2)(I) of such section.

1           “(C) TERRITORY.—The term ‘territory’  
2           means Puerto Rico, the United States Virgin  
3           Islands, Guam, and the Commonwealth of the  
4           Northern Mariana Islands.”.

5           (b) GOALS.—Section 658A(b) (42 U.S.C. 9801 note)  
6 is amended—

7           (1) in paragraph (4), by striking “and”;  
8           (2) in paragraph (5), by striking the period and  
9           inserting “; and”; and  
10          (3) by adding at the end the following:

11           “(6) to assist States in improving the quality of  
12          child care for infants and children.”.

13          (c) APPLICATION; USE OF FUNDS.—Section 658E  
14 (42 U.S.C. 9858c) is amended—

15          (1) in subsection (c)(2), by adding at the end  
16          the following:

17           “(I) QUALITY BENCHMARKS.—In an appli-  
18          cation in which the State requests amounts  
19          available under section 418(c) of the Social Se-  
20          curity Act, list established goals for quantifiable  
21          improvements in child care quality within the  
22          State, that accomplish the following:

23           “(i) Increased training for child care  
24          providers and administrators.

1           “(ii) Enhanced licensing standards  
2           (including at a minimum health and safe-  
3           ty, adult-to-child ratios, groups sizes, and  
4           criminal background checks) that will  
5           apply to a broader range of child care fa-  
6           cilities.

7           “(iii) Reduced number of unlicensed  
8           facilities offering child care.

9           “(iv) Increased State monitoring and  
10          enforcement of licensed providers.

11          “(v) Decreased caregiver turnover  
12          rates at child care facilities through incen-  
13          tives such as increased compensation.

14          “(vi) Higher levels of accreditation  
15          among licensed child care facilities.

16          “(vii) Other standards and practices  
17          to improve the quality of child care.”;

18          (2) in paragraph (c)(3), by striking “(3) USE”  
19          and inserting “(3) GENERAL USE”;

20          (3) in subparagraph (c)(3)(B)—

21                  (A) by striking “(5)” and inserting “(6)”;

22          and

23                  (B) by adding at the end the following:

24                          “The State shall use amounts provided to the  
25                          State for each fiscal year under section 418(c)

1 of the Social Security Act only for activities  
2 that the State deems appropriate to realize the  
3 goal specified in section 658A(b)(6) of this Act  
4 and the goals set forth in the State’s plan pur-  
5 suant to section 658E(c)(2) of this Act. Child  
6 care providers that meet the definition in sec-  
7 tion 658P(5)(B) of this Act and family child  
8 care providers (unless the family child care pro-  
9 vider is an eligible child care provider under  
10 section 658P(5)(A) of this Act) shall not be eli-  
11 gible for amounts provided to the State under  
12 section 418(c) of the Social Security Act.”;

13 (4) by redesignating subsection (d) as sub-  
14 section (e); and

15 (5) by inserting after subsection (c) the follow-  
16 ing:

17 “(d) GRANTS TO LOCAL COLLABORATIVES.—

18 “(1) IN GENERAL.—A State that receives  
19 amounts provided under section 418(c) of the Social  
20 Security Act shall use such amounts, to the extent  
21 possible, to make grants, on a competitive basis, to  
22 local collaboratives to carry out child care quality  
23 improvement activities.

1           “(2) USE OF FUNDS.—A local collaborative that  
2 receives a grant made under paragraph (1) may use  
3 funds made available through the grant—

4           “(A) to provide, in the community, activi-  
5 ties designed to strengthen the quality of child  
6 care for young children and expand the supply  
7 of high quality child care services for young  
8 children; and

9           “(B) to pay for the salary and expenses of  
10 the administrator described in paragraph  
11 (5)(D), in accordance with such regulations as  
12 the Secretary shall prescribe.

13           “(3) MULTI-YEAR FUNDING.—In making grants  
14 under this subsection, a State may make grants for  
15 grant periods of more than 1 year to local  
16 collaboratives with demonstrated success in carrying  
17 out young child assistance activities.

18           “(4) ELIGIBILITY.—To be eligible to receive a  
19 grant under this subsection for a community, a local  
20 collaborative shall demonstrate that the local collabo-  
21 rative—

22           “(A) is able to provide, through a coordi-  
23 nated effort, child care quality improvement ac-  
24 tivities; and

25           “(B) includes—

1           “(i) parents of young children in the  
2           community;

3           “(ii) all public agencies primarily pro-  
4           viding services to young children in the  
5           community;

6           “(iii) businesses in the community;

7           “(iv) representatives of the local gov-  
8           ernment for the county or other political  
9           subdivision in which the community is lo-  
10          cated;

11          “(v) officers of community organiza-  
12          tions serving low-income individuals, as de-  
13          fined by the Secretary, in the community;

14          “(vi) community-based organizations  
15          providing services to young children and  
16          the parents of young children, such as or-  
17          ganizations providing child care, carrying  
18          out Head Start programs, or providing  
19          pre-kindergarten education, mental health,  
20          or family support services; and

21          “(vii) nonprofit organizations that  
22          serve the community and that are de-  
23          scribed in section 501(c)(3) of the Internal  
24          Revenue Code of 1986 and exempt from

1           taxation under section 501(a) of such  
2           Code.

3           “(5) APPLICATION.—To be eligible to receive a  
4           grant under this subsection, a local collaborative  
5           shall submit an application to the State at such  
6           time, in such manner, and containing such informa-  
7           tion as the State may require. At a minimum, the  
8           application shall contain—

9                   “(A) sufficient information about the en-  
10                  tity described in paragraph (4)(B) to enable the  
11                  State to determine whether the entity complies  
12                  with the requirements of such paragraph; and

13                   “(B) a comprehensive plan for carrying out  
14                  child care quality improvement activities in the  
15                  community, including information indicating—

16                           “(i) the availability and cost of quality  
17                          child care in the community, as of the date  
18                          of submission of the plan, including infor-  
19                          mation on efforts to improve the quality;

20                           “(ii) the unmet needs of young chil-  
21                          dren, and parents of young children, in the  
22                          community for quality child care;

23                           “(iii) the manner in which funds made  
24                          available through the grant will be used to  
25                          improve child care quality in the commu-

1 nity and assist the State in accomplishing  
2 the following:

3 “(I) Increased training for child  
4 care providers and administrators.

5 “(II) Enhanced licensing stand-  
6 ards (including at a minimum health  
7 and safety, adult-to-child ratios,  
8 groups sizes, and criminal background  
9 checks) that will apply to a broader  
10 range of child care facilities.

11 “(III) Reduced number of unli-  
12 censed facilities offering child care.

13 “(IV) Increased State monitoring  
14 and enforcement of licensed providers.

15 “(V) Decreased caregiver turn-  
16 over rates at child care facilities  
17 through incentives such as increased  
18 compensation.

19 “(VI) Higher levels of accredita-  
20 tion among licensed child care facili-  
21 ties.

22 “(VII) Other standards and prac-  
23 tices to improve the quality of child  
24 care;

1           “(iv) how the local cooperative will use  
2           at least 60 percent of the funds made  
3           available through the grant to improve  
4           child care quality as described in para-  
5           graph (6);

6           “(v) the comprehensive methods that  
7           the collaborative will use to ensure that—

8                   “(I) each entity carrying out  
9                   child care quality activities through  
10                  the collaborative will coordinate the  
11                  activities with such activities carried  
12                  out by other entities through the col-  
13                  laborative; and

14                   “(II) the local collaborative will  
15                  coordinate the activities of the local  
16                  collaborative with—

17                           “(aa) other services provided  
18                           to young children, and the par-  
19                           ents of young children, in the  
20                           community; and

21                           “(bb) the activities of other  
22                           local collaboratives serving young  
23                           children and families in the com-  
24                           munity, if any; and

1                   “(vi) the manner in which the collabo-  
2                   rative will—

3                   “(I) evaluate the results achieved  
4                   by the collaboratives for improving  
5                   child care quality for young children  
6                   through activities carried out through  
7                   the grant; and

8                   “(II) prepare and submit to the  
9                   State annual reports describing the  
10                  results;

11                  “(C) an assurance that the local collabo-  
12                  rative will comply with the requirements of  
13                  clauses (iv), (v), and (vi) of subparagraph (B),  
14                  and paragraph (7); and

15                  “(D) an assurance that the local collabo-  
16                  rative will hire an administrator to oversee the  
17                  provision of the activities described in para-  
18                  graph (2).

19                  “(6) DISTRIBUTION.—In making grants under  
20                  this subsection, the State shall ensure that at least  
21                  60 percent of the funds made available through each  
22                  grant are used to improve child care quality for  
23                  young children who reside in school districts in  
24                  which half or more of the students receive free or re-

1       duced price lunches under the National School  
2       Lunch Act (42 U.S.C. 1751 et seq.).

3               “(7) LOCAL SHARE.—

4                       “(A) IN GENERAL.—The local collaborative  
5                       shall contribute a percentage (referred to in this  
6                       paragraph as the ‘local share’) of the cost of  
7                       carrying out child care improvement activities.

8                       “(B) PERCENTAGE.—The Secretary shall  
9                       by regulation specify the percentage referred to  
10                      in subparagraph (A).

11                     “(C) FORM.—The local share of the cost  
12                     shall be in cash.

13                     “(D) SOURCE.—The local collaborative  
14                     shall provide for the local share of the cost  
15                     through donations from private entities.

16                     “(E) WAIVER.—The State shall waive the  
17                     requirement of subparagraph (A) for poor rural  
18                     and urban areas, as defined by the Secretary.

19               “(8) MONITORING.—The State shall monitor  
20       the activities of local collaboratives that receive  
21       grants under this subsection to ensure compliance  
22       with the requirements of this subsection.”.

23       (d) IMPROVEMENTS ON EXISTING FACILITIES.—Sec-  
24       tion 658F(b) (42 U.S.C. 9858d(b)) is amended by adding  
25       at the end the following:

1           “(3) Notwithstanding paragraph (1) of this  
2 subsection, funds available under section 418(c) of  
3 the Social Security Act may be used to renovate or  
4 repair a child care facility, other than a private resi-  
5 dence, to the extent that such renovation or repair  
6 is necessary to bring the facility into compliance  
7 with State licensing requirements or requirements  
8 for accreditation by organizations with nationally  
9 recognized standards for providing high-quality care  
10 to children.”.

11           (e) CONSUMER EDUCATION; INFORMATION SHAR-  
12 ING.—Section 658I(a) (42 U.S.C. 9858g(a)) is amend-  
13 ed—

14           (1) in paragraph (2), by striking “and” at the  
15 end;

16           (2) in paragraph (3), by striking the period and  
17 inserting a semicolon; and

18           (3) by adding at the end the following:

19           “(4) collect, publish, and make available to  
20 States, child care providers, and the general public  
21 consumer education information designed to promote  
22 informed child care choices; and

23           “(5) provide technical assistance to enable  
24 States and local organizations—

1           “(A) to share information on best child  
2           care practices with the public; and

3           “(B) to conduct activities designed to im-  
4           prove the quality and availability of child  
5           care.”.

6           (f) COMPLIANCE.—Section 658I(b)(1) (42 U.S.C.  
7 9858g(b)(1)) is amended by inserting before the period  
8 the following: “, including the extent to which the State  
9 is achieving the goals listed in the plan pursuant to section  
10 658E(c)(2)(I)”.

11          (g) REPORTS BY STATES.—Section 658K (42 U.S.C.  
12 9858i) is amended—

13           (1) in the heading for such section, by striking  
14           “REPORTS” and inserting “**REPORTS**”;

15           (2) in paragraph (a)(2)—

16           (A) in subparagraph (D), by striking  
17           “and” at the end;

18           (B) in subparagraph (E), by adding “and”  
19           at the end; and

20           (C) by inserting after subparagraph (E)  
21           the following:

22           “(F) in the case of a State that receives  
23           amounts from funds provided under section  
24           418(c) of the Social Security Act—

1 “(i) the amount of such funds which  
2 were provided to local collaboratives under  
3 section 658E(d) of this Act;

4 “(ii) the manner in which such funds  
5 were used;

6 “(iii) the number of child care provid-  
7 ers that received funds from such amounts  
8 as separately identified based on the types  
9 of providers listed in section 658P(5) of  
10 this Act;

11 “(iv) the total number (without dupli-  
12 cation) of children and families served with  
13 such amounts; and

14 “(v) the progress, if any, that the  
15 State has made in attaining the goals list-  
16 ed under section 658E(c)(2)(I) of this Act  
17 in the plan submitted by the State.”.

18 (h) REPORTS BY SECRETARY.—Section 658L (42  
19 U.S.C. 9858j) is amended—

20 (1) in the heading for such section by striking  
21 “**REPORT**” and inserting “**REPORTS**”;

22 (2) by inserting “(a) ACCESS TO CHILD CARE  
23 REPORTS.—” before “Not later than”;

24 (3) in subsection (a), as so designated by para-  
25 graph (2) of this subsection—

1 (1) by inserting “and the Committee on  
2 Ways and Means” after “Opportunities”; and

3 (2) by adding at the end the following:  
4 “and progress on development and results of re-  
5 search and demonstration projects as carried  
6 out under section 658U” after “under section  
7 658K”; and

8 (4) by adding at the end the following:

9 “(b) QUALITY OF CHILD CARE REPORTS.—

10 “(1) BENCHMARK REPORTS.—Not later 1 year  
11 after the date of the enactment of the Child Care  
12 Quality Improvement Act of 1998, and annually  
13 thereafter, the Secretary shall transmit to Congress  
14 a report that contains a summary and analysis of  
15 the information provided to the Secretary in the  
16 State reports submitted pursuant to section  
17 658K(a)(2)(F).

18 “(2) IMPROVEMENT REPORTS.—Not later 5  
19 years after the date of the enactment of the Child  
20 Care Quality Improvement Act of 1998, the Sec-  
21 retary shall transmit to Congress a report that con-  
22 tains a summary and analysis of the extent to which  
23 funds provided under section 418(c) of the Social  
24 Security Act have improved the quality of child  
25 care.”.

1 (i) ESTABLISHMENT OF RESEARCH AND DEM-  
2 ONSTRATION ACTIVITIES.—The Child Care and Develop-  
3 ment Block Grant Act of 1990 (42 U.S.C. 9858 et seq.)  
4 is amended by adding at the end the following:

5 **“SEC. 658U. RESEARCH AND DEMONSTRATIONS.**

6 “(a) IN GENERAL.—The Secretary is authorized, ei-  
7 ther directly or through grants, contracts, cooperative  
8 agreements, or other arrangements, to carry out research,  
9 demonstration projects, and other activities relating to  
10 child care, including activities designed to improve the  
11 quality and increase the availability of child care. Such  
12 activities shall be coordinated with activities under the De-  
13 partment of Education’s Office of Educational Research  
14 and Improvement.

15 “(b) ALLOWABLE ACTIVITIES.—Activities under this  
16 section may include the following:

17 “(1) RESEARCH ON CHILD CARE NEEDS OF  
18 LOW-INCOME FAMILIES.—Research designed to iden-  
19 tify and overcome barriers restricting availability, af-  
20 fordability, and quality of child care for low-income  
21 families.

22 “(2) RESEARCH ON GOOD POLICIES AND PRAC-  
23 TICES.—Research designed to identify good child  
24 care policies and practices, including the types of  
25 child care settings, parent activities, and provider

1 training that most benefit the early development of  
2 children.

3 “(3) RESEARCH ON RETENTION OF CHILD CARE  
4 PROVIDER STAFF.—Research on factors affecting re-  
5 tention of child care provider staff, including the  
6 National Child Care Provider Scholarship Program  
7 under section 658G(b) and its subsequent effect on  
8 outcomes for children.

9 “(4) DEMONSTRATIONS OF TECHNOLOGY-  
10 BASED EDUCATION AND TRAINING.—Demonstration  
11 projects testing use of remote site and interactive  
12 computer technology to provide education and train-  
13 ing to child care providers and parents.

14 “(5) DEMONSTRATION PROJECTS FOR NEW  
15 METHODS.—Demonstration projects addressing ways  
16 to assist parents, such as parents who choose to stay  
17 at home with their children and parents with par-  
18 ticular child care needs, including parents of chil-  
19 dren with special health care needs or disabilities,  
20 homeless families, migrant families, teen parents  
21 and foster parents.

22 “(6) NATIONAL CENTER ON CHILD CARE STA-  
23 TISTICS.—Establishment and operation of a Na-  
24 tional Center on Child Care Statistics for the collec-

1       tion and dissemination of data and information on  
2       child care.

3               “(7) HOTLINE AND CONSUMER EDUCATION.—  
4       Establishment and operation of a hotline to assist  
5       parents to locate their local child care resource and  
6       referral agency and public education activities to as-  
7       sist parents in becoming informed consumers of  
8       quality child care.

9               “(c) AUTHORIZATION OF APPROPRIATIONS.—There  
10      is authorized to be appropriated to carry out this section  
11      \$30,000,000 for each of fiscal years 1999 through 2003.”.

12      **SEC. 4. ADVISORY COMMISSION.**

13              (a) ESTABLISHMENT.—There is established a com-  
14      mission to be known as the “Advisory Commission on  
15      Quality Child Care”.

16              (b) DUTIES.—The Commission shall—

17                      (1) identify and study—

18                              (A) the most important issues affecting the  
19                              quality of child care;

20                              (B) the most efficient and effective manner  
21                              of ensuring that families in the United States  
22                              will receive quality child care; and

23                              (C) other related topics that the Commis-  
24                              sion considers appropriate; and

1           (2) develop and make recommendations regard-  
2     ing—

3           (A) feasible goals and targets for child care  
4     programs operated by the States to improve the  
5     quality of child care provided in accordance  
6     with such programs;

7           (B) national standards for the quality of  
8     child care; and

9           (C) other related topics that the Commis-  
10    sion considers appropriate.

11    (c) NUMBER AND APPOINTMENT OF MEMBERS.—

12    The Commission shall be composed of 9 members who  
13    shall be appointed by the President before the expiration  
14    of the 6-month period beginning on the date of the enact-  
15    ment of this Act.

16    (d) QUALIFICATIONS OF MEMBERS.—Each of the in-  
17    dividuals appointed under subsection (a) shall be an indi-  
18    vidual with distinctive expertise or experience in child care  
19    or early childhood development.

20    (e) POLITICAL AFFILIATION.—Not more than 5  
21    members appointed may be of the same political party.

22    (f) TERMS.—Each member shall be appointed for the  
23    life of the Commission. Any vacancy in the Commission  
24    shall not affect its powers, but shall be filled in the manner  
25    in which the original appointment was made.

1 (g) BASIC PAY.—Each member shall serve without  
2 pay.

3 (h) TRAVEL EXPENSES.—Each member shall receive  
4 travel expenses, including per diem in lieu of subsistence,  
5 in accordance with sections 5702 and 5703 of title 5,  
6 United States Code.

7 (i) QUORUM.—A majority of the members of the  
8 Commission shall constitute a quorum but a lesser number  
9 may hold hearings.

10 (j) CHAIRPERSON.—The Chairperson of the Commis-  
11 sion shall be designated by the President. The term of of-  
12 fice of the Chairperson shall be for the life of the Commis-  
13 sion. A vacancy in the office of the Chairperson shall be  
14 filled in the manner in which the original designation was  
15 made.

16 (k) MEETINGS.—The Commission shall meet not less  
17 than 4 times. The initial meeting of the Commission shall  
18 be at the call of the Chairperson and shall occur within  
19 the 90-day period beginning on the date on which all mem-  
20 bers of the Commission have been appointed. After the  
21 initial meeting, the Commission shall meet at the call of  
22 the Chairperson or a majority of its members.

23 (l) DIRECTOR.—The Commission shall have a Direc-  
24 tor who shall be appointed by the Secretary of Health and

1 Human Services. The Secretary of Health and Human  
2 Services shall fix the pay of the Director.

3 (m) STAFF.—Upon request of the Commission, the  
4 Secretary of Health and Human Services shall detail, and  
5 the head of any other Federal department or agency may  
6 detail, on a reimbursable basis, any of the personnel of  
7 that department or agency to the Commission to assist  
8 it in carrying out its duties under this Act.

9 (n) ADMINISTRATIVE SUPPORT SERVICES.—Upon  
10 the request of the Commission, the Administrator of Gen-  
11 eral Services shall provide to the Commission, on a reim-  
12 bursable basis, the administrative support services nec-  
13 essary for the Commission to carry out its responsibilities  
14 under this Act.

15 (o) HEARINGS AND SESSIONS.—The Commission  
16 may, for the purpose of carrying out this Act, hold hear-  
17 ings, sit and act at times and places, take testimony, and  
18 receive evidence as the Commission considers appropriate.

19 (p) POWERS OF MEMBERS AND AGENTS.—Any mem-  
20 ber or agent of the Commission may, if authorized by the  
21 Commission, take any action that the Commission is au-  
22 thorized to take by this section.

23 (q) OBTAINING OFFICIAL DATA.—The Commission  
24 may secure directly from any department or agency of the  
25 United States information necessary to enable the Com-

1 mission to carry out this Act. Upon request of the Chair-  
2 person, the head of the department or agency shall furnish  
3 the information to the Commission.

4 (r) GIFTS, BEQUESTS, AND DEVISES.—The Commis-  
5 sion may accept, use, and dispose of gifts, bequests, or  
6 devises of services or property, both real and personal, for  
7 the purpose of aiding or facilitating the work of the Com-  
8 mission. Gifts, bequests, or devises of money and proceeds  
9 from sales of other property received as gifts, bequests,  
10 or devises shall be deposited in the Treasury and shall be  
11 available for disbursement upon order of the Commission.

12 (s) MAILS.—The Commission may use the United  
13 States mails in the same manner and under the same con-  
14 ditions as other departments and agencies of the United  
15 States.

16 (t) REPORTS.—

17 (1) INTERIM REPORTS.—As soon as practicable  
18 after any hearing held by the Commission, the Com-  
19 mission shall submit to the President, Congress, and  
20 the Secretary of Health and Human Services an in-  
21 terim report summarizing the hearing and contain-  
22 ing any other information the Commission considers  
23 appropriate.

24 (2) FINAL REPORT.—Not later than 2 years  
25 after the date of the initial meeting of the Commis-

1 sion, the Commission shall submit to the President,  
2 Congress, and the Secretary of Health and Human  
3 Services a final report that—

4 (A) shall set forth the consensus findings  
5 and recommendations of the Commission; and

6 (B) may set forth the majority but non-  
7 consensus findings and recommendations of the  
8 Commission and any other information that the  
9 Commission considers appropriate.

10 (3) REPORT BY SECRETARY.—Not later than 2  
11 years after the date on which the Commission sub-  
12 mits its final report, the Secretary of Health and  
13 Human Services shall submit to Congress a report  
14 describing any actions that the Secretary of Health  
15 and Human Services has taken with respect to the  
16 final report of the Commission.

17 (u) TERMINATION.—The Commission shall terminate  
18 2 years after the date of its initial meeting, or on the date  
19 on which the Commission submits its final report, which-  
20 ever occurs first.

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