

119TH CONGRESS
2^D SESSION

S. _____

To amend the Internal Revenue Code of 1986 to create a Business Child Care Liaison within the Internal Revenue Service.

IN THE SENATE OF THE UNITED STATES

Ms. HASSAN (for herself and Mr. SULLIVAN) introduced the following bill; which was read twice and referred to the Committee on

A BILL

To amend the Internal Revenue Code of 1986 to create a Business Child Care Liaison within the Internal Revenue Service.

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 Tax Benefit
5 Outreach and Assistance Act”.

6 **SEC. 2. BUSINESS CHILD CARE LIAISON.**

7 Section 7803 of the Internal Revenue Code of 1986
8 is amended by adding at the end the following new sub-
9 section:

1 “(g) BUSINESS CHILD CARE LIAISON.—

2 “(1) IN GENERAL.—The Commissioner of In-
3 ternal Revenue shall appoint within the Internal
4 Revenue Service a Business Child Care Liaison. The
5 appointment shall be made without regard to the
6 provisions of title 5, United States Code, relating to
7 appointments in the competitive service or Senior
8 Executive Service. At the Commissioner’s discretion,
9 the Commissioner may create an office with addi-
10 tional support staff to assist the Business Child
11 Care Liaison in carrying out the duties described in
12 this subsection.

13 “(2) DUTIES.—The Business Child Care Liai-
14 son shall—

15 “(A) act as a liaison between the Internal
16 Revenue Service, employer-provided child care
17 benefit advocates, businesses considering pro-
18 viding or expanding child care benefits for their
19 employees, state workforce boards, state eco-
20 nomic development agencies, child care resource
21 and referral agencies, tribal organizations (as
22 defined in section 4(l) of the Indian Self-Deter-
23 mination and Education Assistance Act), and
24 other stakeholders, including child development
25 experts,

1 “(B) provide public education and assist-
2 ance related to the expansion of employer-pro-
3 vided child care benefits through the establish-
4 ment and maintenance of practices that pro-
5 mote employer-provided child care benefits, in-
6 cluding the use of on-site or subsidized child
7 care, Dependent Care Flexible Spending Ac-
8 counts, child care stipends, near-site child care
9 partnerships, shared and pooled child-care ar-
10 rangements, backup child care, and resource
11 and referral services,

12 “(C) issue a fact sheet for use by tax re-
13 turn preparers listing the different tax benefits
14 for employer-provided child care and the appro-
15 priate rules for each such benefit,

16 “(D) help facilitate communication be-
17 tween businesses and the Internal Revenue
18 Service about the operational challenges and op-
19 portunities that exist to improve the use of
20 Federally incentivized child care benefits such
21 as Dependent Care Flexible Spending Accounts
22 and the credit under section 45F,

23 “(E) in collaboration with the General
24 Services Administration, within 120 days of the
25 date of the enactment of this subsection, estab-

1 lish a link on the homepage of SAM.gov, which
2 allows website visitors to access a landing page
3 on the SAM.gov website which is tailored to
4 helping businesses learn about utilizing the De-
5 pendent Care Assistance Program and the cred-
6 it under section 45, resources for understanding
7 the rules and regulations with these programs,
8 and the benefits of utilizing these programs on
9 worker recruitment, retention, productivity, and
10 well-being,

11 “(F) identify and recommend to Congress
12 potential legislative and administrative changes
13 to increase practices that promote employer-
14 provided child care benefits, and

15 “(G) coordinate with other Federal agen-
16 cies and officials, including the Secretary, the
17 Administrator of the Small Business Adminis-
18 tration, the Secretary of Commerce, the Sec-
19 retary of Health and Human Services, the Sec-
20 retary of the Interior, the Secretary of Labor,
21 and the Secretary of Education, or the designee
22 of any such individual, and State and local gov-
23 ernments on outreach and education to inform
24 employers and employees about the possibilities
25 and benefits of employer-provided child care

1 benefits and particularly reducing information
2 barriers for small businesses.

3 “(3) CONSULTATION AND INPUT.—The Com-
4 missioner of Internal Revenue shall solicit advice
5 and input from the Business Child Care Liaison in
6 developing regulations or interpretations of this title
7 that relate to employer-provided child care benefits.

8 “(4) COMPENSATION.—The Business Child
9 Care Liaison shall be entitled to compensation at the
10 same rate as the rate of basic pay in effect for a po-
11 sition at level V of the Executive Schedule under
12 section 5316 of title 5, United States Code.

13 “(5) ANNUAL REPORT.—

14 “(A) IN GENERAL.—Not later than De-
15 cember 31 of each calendar year beginning
16 after the date of the enactment of this sub-
17 section, the Business Child Care Liaison shall
18 submit a report to the Committee on Finance
19 of the Senate and the Committee on Ways and
20 Means of the House of Representatives on the
21 activities of the Business Child Care Liaison
22 during the fiscal year ending during such cal-
23 endar year.

24 “(B) CONTENTS.—Each report submitted
25 pursuant to subparagraph (A) shall—

1 “(i) summarize the assistance re-
2 quests received by the Business Child Care
3 Liaison during the fiscal year ending dur-
4 ing the calendar year of such report,

5 “(ii) describe the activities conducted
6 by the Business Child Care Liaison, in-
7 cluding the activities described under sub-
8 paragraphs (B) and (F) of paragraph (2),
9 and evaluate the effectiveness of the Busi-
10 ness Child Care Liaison during such fiscal
11 year,

12 “(iii) describe any significant prob-
13 lems the Business Child Care Liaison has
14 identified during such fiscal year and ways
15 to mitigate such problems,

16 “(iv) contain recommendations for
17 any administrative or legislative action
18 which may be appropriate to resolve bar-
19 riers to, and to incentivize, practices which
20 promote employer-provided child care bene-
21 fits, and

22 “(v) describe progress related to em-
23 ployer-provided child care benefits in busi-
24 nesses in the United States, including data
25 updated at least annually on the utilization

1 of Dependent Care Flexible Spending Ac-
2 counts and the credit under section 45F,
3 in particular—

4 “(I) the number of employers uti-
5 lizing these tax benefits,

6 “(II) a breakdown of the size of
7 employers utilizing these tax benefits,
8 and

9 “(III) other relevant information
10 as deemed appropriate by the Busi-
11 ness Child Care Liaison.

12 “(C) CONCURRENT SUBMISSION.—The
13 Business Child Care Liaison shall submit a
14 copy of each report submitted pursuant to sub-
15 paragraph (A) to the Commissioner of Internal
16 Revenue, and any other appropriate official, at
17 the same time such report is submitted pursu-
18 ant to such subparagraph.

19 “(D) PUBLIC AVAILABILITY.—The Com-
20 missioner shall make a copy of each report sub-
21 mitted pursuant to subparagraph (A) available
22 and widely accessible to the public.”.