



Office of the General Counsel

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August 23, 2013

Submitted Electronically

Office of Child Care
Attn: Cheryl Vincent
370 L'Enfant Promenade, S.W.
Washington, DC 20024

**Re: Notice of Proposed Rulemaking on the Child Care and
Development Fund (“CCDF”)
File Code No. ACF-2013-0001**

Dear Ms. Vincent:

On behalf of the United States Conference of Catholic Bishops (“USCCB”), we respectfully submit the following comments on the Notice of Proposed Rulemaking (“NPRM”) on the Child Care and Development Fund (“CCDF”). 78 Fed. Reg. 29441 (May 20, 2013).

The USCCB (through the United States Catholic Conference, a predecessor organization), along with other faith-based organizations, played an active and prominent role in the passage and subsequent implementation of the federal child care program, especially regarding the provisions on “parental choice” and the “child care certificate.” The program has worked well over the last two decades and continues to provide low-income working families with the child care assistance they need, from the provider they choose. Child care is an important part of the safety net and is critical for people in programs that have work requirements (e.g., Temporary Assistance for Needy Families) in particular. Funding should be at the highest level possible so that all eligible families have access to affordable and high-quality child care.

However, we are concerned particularly about the NPRM’s Subpart D – Program Operations (Child Care Services) – Parental Rights and Responsibilities; Section 98.30 – Parental Choice. We generally share the views articulated by Agudath Israel of America in its August 2, 2013 NPRM comments, which describe

in detail the legislative and regulatory history of this provision. Agudath Israel also explains how “de-emphasizing the preeminence of certificates may . . . have a detrimental effect on parental choice – the overarching and bedrock principle of the landmark federal child care program – in the larger context.” (Agudath Israel NPRM Comments at 2.) Further, we generally agree with the concerns articulated by the Institutional Religious Freedom Alliance (“IRFA”) in its August 5, 2013 NPRM comments, which describe how the proposed regulations will have the effect of “diminishing the place of faith-based providers within the array of child care providers that are supported by federal CCDF funds.” (IRFA NPRM Comments at 1.)

More generally, the CCDF currently utilizes an existing child care system that has a set of checks and balances firmly in place. Rather than requiring states to reconsider and redesign their regulatory standards and monitoring processes (*see* 78 Fed. Reg. 29452), which could create duplicative regulatory structures, funds could be better spent on allowing more children from low-income families to participate in the program. (*See generally* IRFA NPRM Comments at 3-4.)

Thank you for considering our views.

Respectfully submitted,



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