

**§ 9858p. Severability**

If any provision of this subchapter or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions of applications of this subchapter which can be given effect without regard to the invalid provision or application, and to this end the provisions of this subchapter shall be severable.

(Pub. L. 97-35, title VI, § 658R, as added Pub. L. 101-508, title V, § 5082(2), Nov. 5, 1990, 104 Stat. 1388-249; amended Pub. L. 102-401, § 3(a), Oct. 7, 1992, 106 Stat. 1959; Pub. L. 102-586, § 8(c)(1), Nov. 4, 1992, 106 Stat. 5036.)

## AMENDMENTS

1992—Pub. L. 102-401 and Pub. L. 102-586 made identical technical corrections to directory language of Pub. L. 101-508, § 5082(2), which added this section.

**§ 9858q. Miscellaneous provisions**

Notwithstanding any other law, the value of any child care provided or arranged (or any amount received as payment for such care or reimbursement for costs incurred for such care) under this subchapter shall not be treated as income for purposes of any other Federal or Federally-assisted program that bases eligibility, or the amount of benefits, on need.

(Pub. L. 97-35, title VI, § 658S, as added Pub. L. 102-586, § 8(b), Nov. 4, 1992, 106 Stat. 5035; amended Pub. L. 103-171, § 8, Dec. 2, 1993, 107 Stat. 1994.)

## AMENDMENTS

1993—Pub. L. 103-171 made technical correction to directory language of Pub. L. 102-586, § 8(b), which added this section.

## EFFECTIVE DATE

Section effective Nov. 4, 1992, but not applicable with respect to fiscal years beginning before Oct. 1, 1992, see section 8(d) of Pub. L. 102-586, set out as an Effective Date of 1992 Amendment note under section 9858h of this title.

**§ 9858r. Studies on waiting lists****(a) Study**

The Comptroller General of the United States shall conduct studies to determine, for each State, the number of families that—

- (1) are eligible to receive assistance under the Child Care and Development Block Grant Act of 1990 [42 U.S.C. 9857 et seq.];
- (2) have applied for the assistance, identified by the type of assistance requested; and
- (3) have been placed on a waiting list for the assistance.

**(b) Report**

The Comptroller General shall prepare a report containing the results of each study and shall submit the report to the Committee on Health, Education, Labor and Pensions of the Senate, and the Committee on Education and the Workforce of the House of Representatives—

- (1) not later than 2 years after November 19, 2014; and
- (2) every 2 years thereafter.

**(c) Definition**

In this section, the term “State” has the meaning given the term in section 658P of the

Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858n).

(Pub. L. 113-186, § 12, Nov. 19, 2014, 128 Stat. 2001.)

## REFERENCES IN TEXT

The Child Care and Development Block Grant Act of 1990, referred to in subsec. (a)(1), is subchapter C (§ 658A et seq.) of chapter 8 of subtitle A of title VI of Pub. L. 97-35, as added by Pub. L. 101-508, title V, § 5082(2), Nov. 5, 1990, 104 Stat. 1388-236, which is classified generally to this subchapter. For complete classification of this Act to the Code, see section 9857(a) of this title and Tables.

## CODIFICATION

Section was enacted as part of the Child Care and Development Block Grant Act of 2014, and not as part of the Child Care and Development Block Grant Act of 1990, which comprises this subchapter.

**SUBCHAPTER II—CHILD CARE SAFETY AND HEALTH GRANTS**

## CODIFICATION

This subchapter was enacted as part of title XIV of div. A of the Children’s Health Act of 2000, and not as part of chapter 8 of subtitle A of title VI of Pub. L. 97-35 which comprises this chapter.

**§ 9859. Definitions**

In this subchapter:

**(1) Child with a disability; infant or toddler with a disability**

The terms “child with a disability” and “infant or toddler with a disability” have the meanings given the terms in sections 1401 and 1431 of title 20.

**(2) Eligible child care provider**

The term “eligible child care provider” means a provider of child care services for compensation, including a provider of care for a school-age child during non-school hours, that—

- (A) is licensed, regulated, registered, or otherwise legally operating, under State and local law; and
- (B) satisfies the State and local requirements,

applicable to the child care services the provider provides.

**(3) Secretary**

The term “Secretary” means the Secretary of Health and Human Services.

**(4) State**

The term “State” means any of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

(Pub. L. 106-310, div. A, title XIV, § 1401, Oct. 17, 2000, 114 Stat. 1143.)

**§ 9859a. Authorization of appropriations**

There are authorized to be appropriated to carry out this subchapter \$200,000,000 for fiscal year 2001, and such sums as may be necessary for each subsequent fiscal year.