

(10) Regional Corporation

The term “Regional Corporation” means an entity listed in section 619(4)(B) of title 42.

(11) Secretary

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

(12) State

The term “State” means each of the several States of the United States, the District of Columbia, and the Commonwealth of Puerto Rico.

(13) Training

The term “training” means instruction in early learning that—

(A) is required for certification under State and local laws, regulations, and policies;

(B) is required to receive a nationally or State recognized credential or its equivalent;

(C) is received in a postsecondary education program focused on early learning or early childhood development in which the individual is enrolled; or

(D) is provided, certified, or sponsored by an organization that is recognized for its expertise in promoting early learning or early childhood development.

(14) Young child

The term “young child” means any child from birth to the age of mandatory school attendance in the State where the child resides.

(Pub. L. 106-554, §1(a)(1) [title VIII, §803], Dec. 21, 2000, 114 Stat. 2763, 2763A-81.)

§ 9403. Prohibitions**(a) Participation not required**

No person, including a parent, shall be required to participate in any program of early childhood education, early learning, parent education, or developmental screening pursuant to the provisions of this chapter.

(b) Rights of parents

Nothing in this chapter shall be construed to affect the rights of parents otherwise established in Federal, State, or local law.

(c) Particular methods or settings

No entity that receives funds under this chapter shall be required to provide services under this chapter through a particular instructional method or in a particular instructional setting to comply with this chapter.

(d) Nonduplication

No funds provided under this chapter shall be used to carry out an activity funded under another provision of law providing for Federal child care or early learning programs, unless an expansion of such activity is identified in the local needs assessment and performance goals under this chapter.

(Pub. L. 106-554, §1(a)(1) [title VIII, §804], Dec. 21, 2000, 114 Stat. 2763, 2763A-82.)

§ 9404. Authorization and appropriation of funds

There are authorized to be appropriated to the Department of Health and Human Services to carry out this chapter—

(1) \$750,000,000 for fiscal year 2001;

(2) \$1,000,000,000 for fiscal year 2002;

(3) \$1,500,000,000 for fiscal year 2003; and

(4) such sums as may be necessary for each of the fiscal years 2004 and 2005.

(Pub. L. 106-554, §1(a)(1) [title VIII, §805], Dec. 21, 2000, 114 Stat. 2763, 2763A-82.)

§ 9405. Coordination of Federal programs**(a) Coordination**

The Secretary and the Secretary of Education shall develop mechanisms to resolve administrative and programmatic conflicts between Federal programs that would be a barrier to parents, caregivers, service providers, or children related to the coordination of services and funding for early learning programs.

(b) Use of equipment and supplies

In the case of a collaborative activity funded under this chapter and another provision of law providing for Federal child care or early learning programs, the use of equipment and nonconsumable supplies purchased with funds made available under this chapter or such provision shall not be restricted to children enrolled or otherwise participating in the program carried out under this chapter or such provision, during a period in which the activity is predominately funded under this chapter or such provision.

(Pub. L. 106-554, §1(a)(1) [title VIII, §806], Dec. 21, 2000, 114 Stat. 2763, 2763A-82.)

§ 9406. Program authorized**(a) Grants**

From amounts appropriated under section 9404 of this title the Secretary shall award grants to States to enable the States to award grants to Local Councils to pay the Federal share of the cost of carrying out early learning programs in the locality served by the Local Council.

(b) Federal share**(1) In general**

The Federal share of the cost described in subsections (a) and (e) of this section shall be 85 percent for the first and second years of the grant, 80 percent for the third and fourth years of the grant, and 75 percent for the fifth and subsequent years of the grant.

(2) Non-Federal share

The non-Federal share of the cost described in subsections (a) and (e) of this section may be contributed in cash or in kind, fairly evaluated, including facilities, equipment, or services, which may be provided from State or local public sources, or through donations from private entities. For the purposes of this paragraph the term “facilities” includes the use of facilities, but the term “equipment” means donated equipment and not the use of equipment.

(c) Maintenance of effort

The Secretary shall not award a grant under this chapter to any State unless the Secretary first determines that the total expenditures by the State and its political subdivisions to sup-