

**Suspend the Rules and Pass the Bill (H.R. 7909), With an
Amendment**

**(The amendment strikes all after the enacting clause and inserts a
new text.)**

116TH CONGRESS
2^D SESSION

H. R. 7909

To facilitate access to child care services safely and securely during the
COVID-19 pandemic.

IN THE HOUSE OF REPRESENTATIVES

JULY 31, 2020

Ms. FINKENAUER (for herself and Mr. GUTHRIE) introduced the following bill;
which was referred to the Committee on Education and Labor

A BILL

To facilitate access to child care services safely and securely
during the COVID-19 pandemic.

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 “Ensuring Children and
5 Child Care Workers Are Safe Act of 2020”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) Child care is an essential service that sup-
2 ports children's early development and allows par-
3 ents to work.

4 (2) At least 1 out of 2 child care providers
5 closed at some point during the COVID-19 pan-
6 demic, and 2 out of 5 face the possibility of perma-
7 nent closure.

8 (3) The lack of access to child care services can
9 prevent parents from returning to work and can pre-
10 vent children from accessing critical services, includ-
11 ing meals.

12 (4) Ensuring the safe re-opening and operation
13 of child care service settings during periods of com-
14 munity transmission of COVID-19 will require child
15 care providers to adopt new measures and practices
16 in order to reduce the likelihood of COVID-19 trans-
17 mission.

18 (5) Such measures and practices must ensure
19 the safety of children as well as child care workers,
20 who may be at high risk of infection.

21 (6) Ensuring that working families have access
22 to safe child care service options is critical to sup-
23 porting young children's development and to return-
24 ing the economy back to its pre-pandemic levels.

1 **SEC. 3. TECHNICAL ASSISTANCE ON THE SAFE PROVISION**
2 **OF CHILD CARE SERVICES.**

3 (a) TECHNICAL ASSISTANCE TO STATES.—

4 (1) IN GENERAL.—The Secretary of Health and
5 Human Services (in this Act referred to as the Sec-
6 retary), in consultation with the Director of the Cen-
7 ters for Disease Control and Prevention, shall pro-
8 vide technical assistance to States, Indian Tribes,
9 and tribal organizations related to the safe provision
10 of child care services while there is community
11 transmission of COVID-19. Such technical assist-
12 ance shall include information about—

13 (A) the prevention of COVID-19 trans-
14 mission in child care provider settings, includ-
15 ing the use of face masks and other personal
16 protective equipment in such settings,

17 (B) training and professional development
18 on health and safety practices related to the
19 prevention of COVID-19 transmission in child
20 care provider settings,

21 (C) the acquisition and use of personal
22 protective equipment, and

23 (D) modifications of child care provider
24 settings and services to prevent COVID-19
25 transmission, such as optimal staff-to-child ra-

1 tios across such settings and the use of mental
2 health supports.

3 (2) MATERIALS.—As part of such technical as-
4 sistance efforts, the Secretary shall—

5 (A) publish educational materials related
6 to the prevention of COVID-19 transmission in
7 child care provider settings, including by post-
8 ing such materials on a website,

9 (B) update any such materials as nec-
10 essary to reflect advancements in the science of
11 COVID-19, and

12 (C) provide a mechanism through which
13 States may exchange best practices relating to
14 the safe operation of child care providers.

15 (b) TECHNICAL ASSISTANCE TO CHILD CARE PRO-
16 VIDERS.—

17 (1) IN GENERAL.—The Secretary may make
18 grants to lead agencies designated under section
19 658D(a) of the Child Care and Development Block
20 Grant Act of 1990 (42 U.S.C. 9858b(a)) to provide
21 guidance, technical assistance, and support to child
22 care providers, either directly or through resource
23 and referral agencies or staffed family child care
24 networks, regarding the safe operation of child care

1 providers while there is community transmission of
2 COVID-19.

3 (2) RESERVATION.—The Secretary shall reserve
4 2.75 percent of funds appropriated to carry out this
5 section to make payments to Indian Tribes, Tribal
6 organizations, or consortia of Indian Tribes and
7 Tribal organizations.

8 (3) ALLOTMENTS.—From amounts appro-
9 priated to carry out this section and not reserved
10 under paragraph (2), the Secretary shall allot to
11 Guam, American Samoa, the Virgin Islands of the
12 United States, and the Commonwealth of the North-
13 ern Mariana Islands and to the remaining States
14 amounts in accordance with subsections (a)(1) and
15 subsection (b) of section 6580 of the Child Care and
16 Development Block Grant Act of 1990 (42 U.S.C.
17 9858m), except that none of such remaining States
18 shall receive an allotment of less than \$10,000.

19 (4) REQUIREMENTS.—Each lead agency that
20 receives a grant under this section shall ensure
21 that—

22 (A) guidance, technical assistance, and
23 support are available to child care providers re-
24 gardless of such providers' settings, sizes, or
25 administrative capacities, and

1 (B) guidance, technical assistance, and
2 support are available in the languages most
3 commonly spoken in the State, Indian Tribe, or
4 Tribal organization.

5 (c) REPORT TO CONGRESS.—Not later than 60 days
6 after funds are appropriated to carry out this Act, the Sec-
7 retary shall provide to the Committee on Education and
8 Labor of the House of Representatives and to the Com-
9 mittee on Health, Education, Labor, and Pensions of the
10 Senate a report that includes—

11 (1) recommendations for how to ensure the safe
12 provision of child care services while there is commu-
13 nity transmission of COVID-19, including rec-
14 ommendations that address each of the issues de-
15 scribed in subparagraphs (A) through (D) of sub-
16 section (a)(1),

17 (2) recommendations for how to ensure the sup-
18 ply of child care services meets demand during peri-
19 ods when providers implement the recommendations
20 described in paragraph (1), including whether it will
21 be necessary to expand the number of child care pro-
22 viders to meet such demand and, if so, recommenda-
23 tions for how to expand the number of child care
24 providers, and

1 (3) the estimated cost of implementing the rec-
2 ommendations described in paragraphs (1) and (2).

3 **SEC. 4. DEFINITIONS.**

4 The terms “State”, “Indian Tribe”, and “Tribal or-
5 ganization” have the meanings given such terms in section
6 658P of the Child Care and Development Block Grant Act
7 of 1990 (42 U.S.C. 9858n).

8 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

9 There is authorized to be appropriated to carry out
10 this Act, \$5,000,000 for fiscal year 2021. Funds appro-
11 priated to carry out this Act shall remain available until
12 expended.