

116TH CONGRESS
2^D SESSION

H. R. 7909

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 17, 2020

Received; read twice and referred to the Committee on Health, Education,
Labor, and Pensions

AN ACT

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Ensuring Children and
3 Child Care Workers Are Safe Act of 2020”.

4 **SEC. 2. FINDINGS.**

5 Congress finds the following:

6 (1) Child care is an essential service that sup-
7 ports children’s early development and allows par-
8 ents to work.

9 (2) At least 1 out of 2 child care providers
10 closed at some point during the COVID–19 pan-
11 demic, and 2 out of 5 face the possibility of perma-
12 nent closure.

13 (3) The lack of access to child care services can
14 prevent parents from returning to work and can pre-
15 vent children from accessing critical services, includ-
16 ing meals.

17 (4) Ensuring the safe re-opening and operation
18 of child care service settings during periods of com-
19 munity transmission of COVID–19 will require child
20 care providers to adopt new measures and practices
21 in order to reduce the likelihood of COVID–19
22 transmission.

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

1 (6) Ensuring that working families have access
2 to safe child care service options is critical to sup-
3 porting young children’s development and to return-
4 ing the economy back to its pre-pandemic levels.

5 **SEC. 3. TECHNICAL ASSISTANCE ON THE SAFE PROVISION**
6 **OF CHILD CARE SERVICES.**

7 (a) TECHNICAL ASSISTANCE TO STATES.—

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

17 (A) the prevention of COVID–19 trans-
18 mission in child care provider settings, includ-
19 ing the use of face masks and other personal
20 protective equipment in such settings;

21 (B) training and professional development
22 on health and safety practices related to the
23 prevention of COVID–19 transmission in child
24 care provider settings;

1 (C) the acquisition and use of personal
2 protective equipment; and

3 (D) modifications of child care provider
4 settings and services to prevent COVID–19
5 transmission, such as optimal staff-to-child ra-
6 tios across such settings and the use of mental
7 health supports.

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

10 (A) publish educational materials related
11 to the prevention of COVID–19 transmission in
12 child care provider settings, including by post-
13 ing such materials on a website;

14 (B) update any such materials as nec-
15 essary to reflect advancements in the science of
16 COVID–19; and

17 (C) provide a mechanism through which
18 States may exchange best practices relating to
19 the safe operation of child care providers.

20 (b) TECHNICAL ASSISTANCE TO CHILD CARE PRO-
21 VIDERS.—

22 (1) IN GENERAL.—The Secretary may make
23 grants to lead agencies designated under section
24 658D(a) of the Child Care and Development Block
25 Grant Act of 1990 (42 U.S.C. 9858b(a)) to provide

1 guidance, technical assistance, and support to child
2 care providers, either directly or through resource
3 and referral agencies or staffed family child care
4 networks, regarding the safe operation of child care
5 providers while there is community transmission of
6 COVID-19.

7 (2) RESERVATION.—The Secretary shall reserve
8 2.75 percent of funds appropriated to carry out this
9 section to make payments to Indian Tribes, Tribal
10 organizations, or consortia of Indian Tribes and
11 Tribal organizations.

12 (3) ALLOTMENTS.—From amounts appro-
13 priated to carry out this section and not reserved
14 under paragraph (2), the Secretary shall allot to
15 Guam, American Samoa, the Virgin Islands of the
16 United States, and the Commonwealth of the North-
17 ern Mariana Islands and to the remaining States
18 amounts in accordance with subsections (a)(1) and
19 subsection (b) of section 6580 of the Child Care and
20 Development Block Grant Act of 1990 (42 U.S.C.
21 9858m), except that none of such remaining States
22 shall receive an allotment of less than \$10,000.

23 (4) REQUIREMENTS.—Each lead agency that
24 receives a grant under this section shall ensure
25 that—

1 (A) guidance, technical assistance, and
2 support are available to child care providers re-
3 gardless of such providers' settings, sizes, or
4 administrative capacities; and

5 (B) guidance, technical assistance, and
6 support are available in the languages most
7 commonly spoken in the State, Indian Tribe, or
8 Tribal organization.

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

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

21 (2) recommendations for how to ensure the sup-
22 ply of child care services meets demand during peri-
23 ods when providers implement the recommendations
24 described in paragraph (1), including whether it will
25 be necessary to expand the number of child care pro-

