

Calendar No. 370

116TH CONGRESS
1ST SESSION

S. 2683

To establish a task force to assist States in implementing hiring requirements for child care staff members to improve child safety.

IN THE SENATE OF THE UNITED STATES

OCTOBER 23, 2019

Mr. BURR (for himself, Mr. VAN HOLLEN, Mr. ISAKSON, Ms. SMITH, Mr. BRAUN, and Mr. JONES) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

DECEMBER 17, 2019

Reported by Mr. ALEXANDER, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

A BILL

To establish a task force to assist States in implementing hiring requirements for child care staff members to improve child safety.

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 “Child Care Protection
5 Improvement Act of 2019”.

1 **SEC. 2. TASK FORCE TO ASSIST IN IMPROVING CHILD SAFE-**
2 **TY.**

3 (a) **ESTABLISHMENT.**—There is established a task
4 force, to be known as the Interagency Task Force for
5 Child Safety (referred to in this section as the “Task
6 Force”) to identify, evaluate, and recommend best prac-
7 tices and technical assistance to assist Federal and State
8 agencies in fully implementing the requirements of section
9 658H(b) of the Child Care and Development Block Grant
10 Act of 1990 (42 U.S.C. 9858f(b)) for child care staff
11 members.

12 (b) **COMPOSITION.**—Not later than 60 days after the
13 date of enactment of this Act, the President shall appoint
14 the members of the Task Force, which shall include—

15 (1) the Director of the Office of Child Care of
16 the Department of Health and Human Services (or
17 the Director’s designee), the Associate Commissioner
18 of the Children’s Bureau of the Department of
19 Health and Human Services (or the Associate Com-
20 missioner’s designee), and the Director of the Fed-
21 eral Bureau of Investigation (or the Director’s des-
22 ignee); and

23 (2) such other Federal officials (or their des-
24 ignees) as may be designated by the President.

1 (c) CHAIRPERSON.—The chairperson of the Task
2 Force shall be the Assistant Secretary of the Administra-
3 tion for Children and Families.

4 (d) CONSULTATION.—The Task Force shall consult
5 with representatives from State child care agencies, State
6 child protective services, State criminal justice agencies,
7 and other relevant stakeholders on identifying problems
8 in implementing, and proposing solutions to implement,
9 the requirements of section 658H(b) of the Child Care and
10 Development Block Grant Act of 1990, as described in
11 that section.

12 (e) TASK FORCE DUTIES.—The Task Force shall—

13 (1) develop recommendations for improving im-
14 plementation of the requirements of section 658H(b)
15 of the Child Care and Development Block Grant Act
16 of 1990, including recommendations about how the
17 Task Force and member agencies will collaborate
18 and coordinate efforts to implement such require-
19 ments, as described in that section; and

20 (2) develop recommendations in which the Task
21 Force identifies best practices and evaluates tech-
22 nical assistance to assist relevant Federal and State
23 agencies in implementing section 658H(b) of the
24 Child Care and Development Block Grant Act of

1 1990, which identification and evaluation shall in-
2 clude—

3 (A) an analysis of available research and
4 information at the Federal and State level re-
5 garding the status of the interstate require-
6 ments of that section for child care staff mem-
7 bers who have resided in one or more States
8 during the previous 5 years and who seek em-
9 ployment in a child care program in a different
10 State;

11 (B) a list of State agencies that are not re-
12 sponding to interstate requests covered by that
13 section for relevant information on child care
14 staff members;

15 (C) identification of the challenges State
16 agencies are experiencing in responding to such
17 interstate requests;

18 (D) an analysis of the length of time it
19 takes the State agencies in a State to receive
20 such results from State agencies in another
21 State in response to such an interstate request,
22 in accordance with that section;

23 (E) an analysis of the average processing
24 time for the interstate requests, in accordance
25 with that section;

1 (F) identification of the fees associated
2 with the interstate requests in each State to
3 meet requirements, in accordance with that sec-
4 tion;

5 (G) a list of States that are participating
6 in the National Fingerprint File program, as
7 administered by the Federal Bureau of Inves-
8 tigation, and an analysis of reasons States have
9 or have not chosen to participate in the pro-
10 gram, including barriers to participation such
11 as barriers related to State regulatory require-
12 ments and statutes; and

13 (H) a list of States that have closed record
14 laws or systems that prevent the States from
15 sharing complete criminal records data or infor-
16 mation with State agencies in another State.

17 (f) MEETINGS.—Not later than 3 months after the
18 date of enactment of this Act, the Task Force shall hold
19 its first meeting.

20 (g) FINAL REPORT.—Not later than 1 year after the
21 first meeting of the Task Force, the Task Force shall sub-
22 mit to the Secretary of Health and Human Services, the
23 Committee on Health, Education, Labor, and Pensions of
24 the Senate, and the Committee on Education and Labor
25 of the House of Representatives a final report containing

1 all of the recommendations required by paragraphs (1)
2 and (2) of subsection (e).

3 (h) ~~EXEMPTION FROM FACA.~~—The Federal Advi-
4 sory Committee Act (5 U.S.C. App.) shall not apply to
5 the Task Force.

6 (i) ~~SUNSET.~~—The Task Force shall terminate 1 year
7 after submitting its final report, but not later than the
8 end of fiscal year 2021.

9 **SECTION 1. SHORT TITLE.**

10 *This Act may be cited as the “Child Care Protection*
11 *Improvement Act of 2019”.*

12 **SEC. 2. TASK FORCE TO ASSIST IN IMPROVING CHILD SAFE-**
13 **TY.**

14 (a) *ESTABLISHMENT.*—*There is established a task*
15 *force, to be known as the Interagency Task Force for Child*
16 *Safety (referred to in this section as the “Task Force”) to*
17 *identify, evaluate, and recommend best practices and tech-*
18 *nical assistance to assist Federal and State agencies in fully*
19 *implementing the requirements of section 658H(b) of the*
20 *Child Care and Development Block Grant Act of 1990 (42*
21 *U.S.C. 9858f(b)) for child care staff members.*

22 (b) *COMPOSITION.*—*Not later than 60 days after the*
23 *date of enactment of this Act, the President shall appoint*
24 *the members of the Task Force, which shall include—*

1 (1) *the Director of the Office of Child Care of the*
2 *Department of Health and Human Services (or the*
3 *Director’s designee), the Associate Commissioner of*
4 *the Children’s Bureau of the Department of Health*
5 *and Human Services (or the Associate Commis-*
6 *sioner’s designee), and the Director of the Federal Bu-*
7 *reau of Investigation (or the Director’s designee); and*

8 (2) *such other Federal officials (or their des-*
9 *ignees) as may be designated by the President.*

10 (c) *CHAIRPERSON.—The chairperson of the Task Force*
11 *shall be the Assistant Secretary of the Administration for*
12 *Children and Families.*

13 (d) *CONSULTATION.—The Task Force shall consult*
14 *with representatives from State child care agencies, State*
15 *child protective services, State criminal justice agencies,*
16 *and other relevant stakeholders on identifying problems in*
17 *implementing, and proposing solutions to implement, the*
18 *requirements of section 658H(b) of the Child Care and De-*
19 *velopment Block Grant Act of 1990, as described in that*
20 *section.*

21 (e) *TASK FORCE DUTIES.—The Task Force shall—*

22 (1) *develop recommendations for improving im-*
23 *plementation of the requirements of section 658H(b)*
24 *of the Child Care and Development Block Grant Act*
25 *of 1990, including recommendations about how the*

1 *Task Force and member agencies will collaborate and*
2 *coordinate efforts to implement such requirements, as*
3 *described in that section; and*

4 (2) *develop recommendations in which the Task*
5 *Force identifies best practices and evaluates technical*
6 *assistance to assist relevant Federal and State agen-*
7 *cies in implementing section 658H(b) of the Child*
8 *Care and Development Block Grant Act of 1990,*
9 *which identification and evaluation shall include—*

10 (A) *an analysis of available research and*
11 *information at the Federal and State levels re-*
12 *garding the status of the interstate requirements*
13 *of that section for child care staff members who*
14 *have resided in one or more States during the*
15 *previous 5 years and who seek employment in a*
16 *child care program in a different State;*

17 (B) *a list of State agencies that are not re-*
18 *sponding to interstate requests covered by that*
19 *section for relevant information on child care*
20 *staff members;*

21 (C) *identification of the challenges State*
22 *agencies are experiencing in responding to such*
23 *interstate requests;*

24 (D) *an analysis of the length of time it*
25 *takes the State agencies in a State to receive*

1 *such results from State agencies in another State*
2 *in response to such an interstate request, in ac-*
3 *cordance with that section;*

4 *(E) an analysis of the average processing*
5 *time for the interstate requests, in accordance*
6 *with that section;*

7 *(F) identification of the fees associated with*
8 *the interstate requests in each State to meet re-*
9 *quirements, in accordance with that section;*

10 *(G) a list of States that are participating*
11 *in the National Fingerprint File program, as*
12 *administered by the Federal Bureau of Investiga-*
13 *tion, and an analysis of reasons States have or*
14 *have not chosen to participate in the program,*
15 *including barriers to participation such as bar-*
16 *riers related to State regulatory requirements*
17 *and statutes; and*

18 *(H) a list of States that have closed record*
19 *laws or systems that prevent the States from*
20 *sharing complete criminal records data or infor-*
21 *mation with State agencies in another State.*

22 *(f) MEETINGS.—Not later than 3 months after the date*
23 *of enactment of this Act, the Task Force shall hold its first*
24 *meeting.*

1 (g) *FINAL REPORT.*—Not later than 1 year after the
2 first meeting of the Task Force, the Task Force shall submit
3 to the Secretary of Health and Human Services, the Com-
4 mittee on Health, Education, Labor, and Pensions of the
5 Senate, and the Committee on Education and Labor of the
6 House of Representatives a final report containing all of
7 the recommendations required by paragraphs (1) and (2)
8 of subsection (e). The report shall also include a list of the
9 members of the Task Force, the agencies such members rep-
10 resent, and the individuals and entities with whom the Task
11 Force consulted under subsection (d).

12 (h) *EXEMPTION FROM FACCA.*—The Federal Advisory
13 Committee Act (5 U.S.C. App.) shall not apply to the Task
14 Force.

15 (i) *SUNSET.*—The Task Force shall terminate 1 year
16 after submitting its final report, but not later than the end
17 of fiscal year 2021.

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