116TH CONGRESS 1ST SESSION

H. R. 3986

To establish a task force to improve child care protections provided through interstate criminal background checks.

IN THE HOUSE OF REPRESENTATIVES

July 25, 2019

Mrs. McBath (for herself, Mr. Taylor, Mrs. Axne, Mr. Keller, and Ms. Finkenauer) introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To establish a task force to improve child care protections provided through interstate criminal background checks.

- 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".
- 6 SEC. 2. TASK FORCE TO ASSIST IN IMPLEMENTING INTER-
- 7 STATE CRIMINAL BACKGROUND CHECKS FOR
- 8 CHILD CARE STAFF MEMBERS.
- 9 (a) Establishment.—There is established in the
- 10 Department of Health and Human Services a task force,

- 1 to be known as the Interagency Task Force for Child Safe-
- 2 ty (referred to in this section as the "Task Force"), to
- 3 identify, evaluate, and recommend best practices and tech-
- 4 nical assistance to assist Federal and State agencies in
- 5 fully implementing the requirements of section 658H(b)
- 6 of the Child Care and Development Block Grant Act of
- 7 1990 (42 U.S.C. 9858f(b)) for child care staff members.
- 8 (b) Composition.—Not later than 60 days after the
- 9 date of the enactment of this Act, the President shall ap-
- 10 point the members of the Task Force which shall in-
- 11 clude—
- 12 (1) the Director of the Office of Child Care of
- the Department of Health and Human Services, the
- 14 Associate Commissioner of the Children's Bureau of
- the Department of Health and Human Services, the
- 16 Director of the Federal Bureau of Investigation, or
- 17 their respective designees; and
- 18 (2) such other Federal officials as may be des-
- ignated by the President.
- 20 (c) Chairperson.—The chairperson of the Task
- 21 Force shall be the Assistant Secretary of the Administra-
- 22 tion for Children and Families of the Department of
- 23 Health and Human Services.
- 24 (d) Consultation.—The Task Force shall consult
- 25 with representatives from State child care agencies, State

- 1 child protective services, State criminal justice agencies,
- 2 providers of child care services, including those in the pri-
- 3 vate sector, and other relevant stakeholders on identifying
- 4 problems in implementing, and proposing solutions to im-
- 5 plement, the requirements of section 658H(b) of the Child
- 6 Care and Development Block Grant Act of 1990 (42
- 7 U.S.C. 9858f(b)) as described in such section. Such con-
- 8 sultation shall include State agencies that have been able
- 9 to implement such requirements as well as State agencies
- 10 that have not.
- 11 (e) Task Force Duties.—The Task Force shall—
- 12 (1) develop recommendations for improving im-
- plementation of the requirements of section 658H(b)
- of the Child Care and Development Block Grant Act
- of 1990 (42 U.S.C. 9858f(b)), including rec-
- ommendations about how the member agencies of
- the Task Force will collaborate and coordinate ef-
- forts to implement such requirements; and
- 19 (2) develop recommendations that identify best
- practices and evaluate technical assistance to assist
- 21 relevant Federal and State agencies in implementing
- section 658H(b) of the Child Care and Development
- 23 Block Grant Act of 1990 (42 U.S.C. 9858f(b)),
- 24 which identification and evaluation shall include—

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1	(A) an analysis of available research and
2	information at the Federal, State, and local lev-
3	els regarding the status of the interstate re-
4	quirements of such section for child care staff
5	members who have resided in one or more
6	States during the previous 5 years and who
7	seek employment in a child care program in a
8	different State;
9	(B) a list of State agencies that are not re-
10	sponding to interstate requests covered by such
11	section for relevant information on child care
12	staff members, and why they are not respond-
13	ing if aware of such requests;
14	(C) identification of the challenges State
15	agencies are experiencing in responding to such
16	interstate requests;
17	(D) an analysis of the length of time it
18	takes the State agencies in a State to receive
19	such results from State agencies in another

such results from State agencies in another
State in response to such an interstate request
in accordance with such section;
(E) an analysis of the average processing
time for the interstate requests, after such re-

sponse has been received, in accordance with

such section;

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- (F) identification of the fees and work burden associated with the interstate requests in
 each State to meet requirements in accordance
 with such section, including information regarding who pays the fees and whether and how the
 cost of the fees may be changed;
 - (G) a list of States that are participating in the National Fingerprint File program, as administered by the Federal Bureau of Investigation, and an analysis of reasons States have or have not chosen to participate in the program, including barriers to participation such as barriers related to State regulatory requirements and statutes; and
 - (H) a list of States that have closed record laws or systems that prevent the States from sharing complete criminal records data or information with State agencies in another State.
- 19 (f) MEETINGS.—Not later than 3 months after the 20 date of the enactment of this Act, the Task Force shall 21 hold its first meeting.
- 22 (g) FINAL REPORT.—Not later than 1 year after the 23 first meeting of the Task Force, the Task Force shall sub-24 mit to the Secretary of Health and Human Services, the 25 Committee on Health, Education, Labor, and Pensions of

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- 1 the Senate, and the Committee on Education and Labor
- 2 of the House of Representatives a final report containing
- 3 all of the recommendations required by subsection (e).
- 4 (h) Sunset.—The Task Force shall terminate 1 year
- 5 after submitting its final report under subsection (g), but
- 6 not later than September 30, 2021.

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