

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
13 the Department of Health and Human Services, the
14 Associate Commissioner of the Children’s Bureau of
15 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-
19 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-
13 plementation of the requirements of section 658H(b)
14 of the Child Care and Development Block Grant Act
15 of 1990 (42 U.S.C. 9858f(b)), including rec-
16 ommendations about how the member agencies of
17 the Task Force will collaborate and coordinate ef-
18 forts to implement such requirements; and

19 (2) develop recommendations that identify best
20 practices and evaluate technical assistance to assist
21 relevant Federal and State agencies in implementing
22 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—

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
20 State in response to such an interstate request
21 in accordance with such section;

22 (E) an analysis of the average processing
23 time for the interstate requests, after such re-
24 sponse has been received, in accordance with
25 such section;

1 (F) identification of the fees and work bur-
2 den associated with the interstate requests in
3 each State to meet requirements in accordance
4 with such section, including information regard-
5 ing who pays the fees and whether and how the
6 cost of the fees may be changed;

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

15 (H) a list of States that have closed record
16 laws or systems that prevent the States from
17 sharing complete criminal records data or infor-
18 mation 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

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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