

117TH CONGRESS  
1ST SESSION

# S. 237

To provide funds through the Social Services Block Grant program for diaper assistance.

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 4, 2021

Mr. MURPHY (for himself, Ms. ERNST, Ms. DUCKWORTH, Mr. CASEY, Mr. TILLIS, Ms. COLLINS, and Mrs. GILLIBRAND) introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To provide funds through the Social Services Block Grant program for diaper assistance.

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 “COVID–19 Diaper As-  
5 sistance Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) Infants need between 6 to 12 diapers a day.

9 Infants and toddlers lacking access to clean diapers

1 have a greater risk for health complications, which  
2 require costly and difficult to access medical care.

3 (2) Prior to the COVID–19 pandemic, surveys  
4 indicated that 1 in 3 families in the United States  
5 with young children could not afford an adequate  
6 supply of diapers to keep their child clean, dry, and  
7 healthy.

8 (3) Low-income families pay an even higher  
9 than average price for diapers because they do not  
10 have access to money saving alternatives such as  
11 bulk buying or online shopping that can reduce  
12 costs. Low-income families spend about 14 percent  
13 of their income on diapers.

14 (4) Clean diaper access presents a financial and  
15 stressful burden on families' dependent on child care  
16 services. Research indicates that when diaper need is  
17 a barrier to child care, parents miss an average of  
18 4 workdays a month.

19 (5) The COVID–19 pandemic has further  
20 raised demand for diapers and strained diaper  
21 banks' ability to meet low-income families' needs.  
22 Prior to the COVID–19 pandemic, nonprofit diaper  
23 bank distribution only met 5 to 6 percent of diaper  
24 need. Since the start of the COVID–19 pandemic,  
25 diaper banks around the country have experienced

1 double, triple, or greater increase in demand for dia-  
 2 pers due to the pandemic and economic shutdown.  
 3 Nonprofits alone cannot fully address this public  
 4 health crisis that impacts 1 in 3 families in the  
 5 United States.

6 **SEC. 3. TARGETED FUNDING FOR STATES FOR DIAPER AS-**  
 7 **SISTANCE THROUGH THE SOCIAL SERVICES**  
 8 **BLOCK GRANT PROGRAM.**

9 (a) INCREASE IN FUNDING FOR SOCIAL SERVICES  
 10 BLOCK GRANT PROGRAM.—

11 (1) IN GENERAL.—The amount specified in  
 12 subsection (c) of section 2003 of the Social Security  
 13 Act (42 U.S.C. 1397b) for purposes of subsections  
 14 (a) and (b) of such section is deemed to be  
 15 \$1,900,000,000 for fiscal year 2021, of which  
 16 \$200,000,000 shall be obligated by States in accord-  
 17 ance with subsection (b).

18 (2) APPROPRIATION.—Out of any money in the  
 19 Treasury of the United States not otherwise appro-  
 20 priated, there are appropriated \$200,000,000, which  
 21 shall be available for payments under section 2002  
 22 of the Social Security Act (42 U.S.C. 1397a), which  
 23 shall remain available for expenditure through De-  
 24 cember 31, 2022.

1           (3) DEADLINE FOR DISTRIBUTION OF  
2 FUNDS.—Within 45 days after the date of enact-  
3 ment of this Act, the Secretary of Health and  
4 Human Services shall distribute the funds made  
5 available by this subsection, which shall be made  
6 available to States on an emergency basis for imme-  
7 diate obligation and expenditure.

8           (4) SUBMISSION OF REVISED PRE-EXPENDI-  
9 TURE REPORT.—Within 90 days after a State re-  
10 ceives funds made available by this subsection, the  
11 State shall submit to the Secretary of Health and  
12 Human Services a revised pre-expenditure report  
13 pursuant to subtitle A of title XX of the Social Se-  
14 curity Act (42 U.S.C. 1397 et seq.) that describes  
15 how the State plans to administer the funds in ac-  
16 cordance with subsection (b).

17           (5) DEADLINE FOR OBLIGATION OF FUNDS BY  
18 STATES.—A State to which funds made available by  
19 this subsection are distributed shall obligate the  
20 funds not later than December 31, 2021.

21           (6) DEADLINE FOR EXPENDITURE OF  
22 FUNDS.—A grantee to which a State provides funds  
23 made available by this subsection (or a subgrantee  
24 of such a grantee) shall expend the funds not later  
25 than December 31, 2022.

1 (b) RULES GOVERNING USE OF ADDITIONAL  
 2 FUNDS.—Funds are used in accordance with this sub-  
 3 section if—

4 (1) the funds are used to provide through social  
 5 service agencies or other nonprofit organizations,  
 6 diapers and diapering supplies (including diaper  
 7 wipes and diaper cream, necessary to ensure that a  
 8 child using a diaper is properly cleaned and pro-  
 9 tected from diaper rash) to families in need;

10 (2) the funds are used subject to the limitations  
 11 in section 2005 of the Social Security Act (42  
 12 U.S.C. 1397d);

13 (3) the funds are used to supplement, not sup-  
 14 plant, State general revenue funds provided for the  
 15 purposes described in paragraph (1); and

16 (4) the funds are not used for costs that are re-  
 17 imburseable by the Federal Emergency Management  
 18 Agency, under a contract for insurance, or by self-  
 19 insurance.

20 (c) REPORTS.—

21 (1) GRANTEES AND SUBGRANTEES.—Not later  
 22 than December 31, 2022, each grantee to which a  
 23 State provides funds made available by subsection  
 24 (a) (or a subgrantee of such a grantee) shall submit

1 a report to the State on the use of the funds so pro-  
2 vided.

3 (2) SSBG ANNUAL REPORT.—A State shall in-  
4 clude in the annual report required under section  
5 2006 of the Social Security Act (42 U.S.C. 1397e)  
6 covering fiscal year 2023, information detailing how  
7 grantees and subgrantees used funds made available  
8 under subsection (a) to distribute diapers and dia-  
9 pering supplies to families in need.

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