



(Original Signature of Member)

117TH CONGRESS
1ST SESSION

H. R.

To provide for the establishment of a COVID–19 containment and mitigation for essential workers program for assisting small businesses and employee representatives of essential workers to reopen or operate consistent with guidance and practices intended to prevent the spread of COVID–19, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Ms. SPANBERGER introduced the following bill; which was referred to the Committee on _____

A BILL

To provide for the establishment of a COVID–19 containment and mitigation for essential workers program for assisting small businesses and employee representatives of essential workers to reopen or operate consistent with guidance and practices intended to prevent the spread of COVID–19, and for other purposes.

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 “Getting Americans
3 Safely Back to Work Act of 2021”.

4 **SEC. 2. GRANTS TO STATE, LOCAL, TRIBAL, OR TERRI-**
5 **TORIAL HEALTH DEPARTMENTS FOR COVID-**
6 **19 CONTAINMENT AND MITIGATION FOR ES-**
7 **SENTIAL WORKERS.**

8 (a) PROGRAM.—The Secretary, acting through the
9 Director of the Centers for Disease Control and Preven-
10 tion and in consultation with the Director of the National
11 Institute for Occupational Safety and Health and Assist-
12 ant Secretary for Occupational Safety and Health, shall
13 establish a COVID–19 containment and mitigation for es-
14 sential workers program consisting of awarding grants
15 under subsection (b).

16 (b) GRANTS.—For the purpose of improving essential
17 worker safety, the Secretary—

18 (1) shall award a grant to each State health de-
19 partment; and

20 (2) may award grants on a competitive basis to
21 State, local, Tribal, or territorial health depart-
22 ments.

23 (c) USE OF FUNDS.—A State, local, Tribal, or terri-
24 torial health department receiving a grant under sub-
25 section (b) shall use the grant funds—

1 (1) to purchase or procure personal protective
2 equipment and rapid testing equipment and supplies
3 for distribution to employers of essential workers, in-
4 cluding public employers; or

5 (2) to support the implementation of other
6 workplace safety measures for use in containment
7 and mitigation of COVID–19 transmission among
8 essential workers in their workplaces, including
9 workplaces of public employers.

10 (d) **FORMULA GRANTS TO STATE HEALTH DEPART-**
11 **MENTS.**—In making grants under subsection (b)(1), the
12 Secretary shall award funds to each State health depart-
13 ment in accordance with a formula based on overall popu-
14 lation size, essential workers population size, and burden
15 of COVID–19.

16 (e) **COMPETITIVE GRANTS TO STATE, LOCAL, TRIB-**
17 **AL, AND TERRITORIAL HEALTH DEPARTMENTS.**—In
18 making grants under subsection (b)(2), the Secretary shall
19 give priority to applicants demonstrating a commitment
20 to containing and mitigating COVID–19 among racial and
21 ethnic minority groups who are disproportionately rep-
22 resented in essential worker settings.

23 (f) **NO DUPLICATIVE ASSISTANCE.**—The Secretary
24 may not provide, and a State, local, Tribal, or territorial
25 health department or employer of essential workers may

1 not accept, assistance under this section for containment
2 and mitigation of COVID–19 transmission among essen-
3 tial workers in their workplaces with respect to which—

4 (1) the State, local, Tribal, or territorial health
5 department or employer of essential workers receives
6 assistance from other sources for such purposes; or

7 (2) other sources are obligated to provide as-
8 sistance to such health department or employer for
9 such purposes.

10 (g) TECHNICAL ASSISTANCE.—In carrying out the
11 program under this section, the Secretary shall provide
12 technical assistance to State, local, Tribal, or territorial
13 health departments.

14 (h) REPORT.—No later than 90 days after the date
15 of enactment of this Act, and every 90 days thereafter,
16 the Secretary shall submit to the Committee on Energy
17 and Commerce and the Committee on Education and
18 Labor of the House of Representatives and the Committee
19 on Health, Education, Labor, and Pensions of the Senate
20 a report on the activities funded through this section, in-
21 cluding—

22 (1) the amount expended and the awardees
23 under subsection (b)(1);

24 (2) the amount expended and the awardees
25 under subsection (b)(2);

1 (2) the distribution of COVID–19 containment
2 and mitigation equipment and supplies.

3 **SEC. 4. DEFINITIONS.**

4 In this Act:

5 (1) CONTAINMENT AND MITIGATION.—The
6 term “containment and mitigation” includes—

7 (A) the use of—

8 (i) personal protective equipment; and

9 (ii) other protections, including ex-
10 panding or improving workplace infrastruc-
11 ture through engineering and work prac-
12 tice controls, such as ventilation systems,
13 plexiglass partitions, air filters, and the
14 use of hand sanitizer or sanitation sup-
15 plies;

16 (B) access to medical evaluations, testing
17 (including rapid testing), and contact tracing;
18 and

19 (C) other related activities or equipment
20 recommended or required by the Director of
21 Centers of Disease Control and Prevention or
22 required pursuant to the Occupational Safety
23 and Health Act of 1970 (29 U.S.C. 651 et seq.)
24 or a State plan approved pursuant to section 18
25 of that Act (29 U.S.C. 667).

1 (2) ESSENTIAL WORKER.—The term “essential
2 worker” refers to—

3 (A) the “essential critical infrastructure
4 workers” identified in the Department of
5 Homeland Security’s “Advisory Memorandum
6 on Ensuring Essential Critical Infrastructure
7 Workers Ability to Work During the COVID–
8 19 Response” released on August 18, 2020 (or
9 any successor document); and

10 (B) workers included as essential workers
11 in executive orders issued by the Governor of a
12 State.

13 (3) SECRETARY.—The term “Secretary” means
14 the Secretary of Health and Human Services.

15 (4) SMALL BUSINESS.—The term “small busi-
16 ness” means—

17 (A) a small business concern described in
18 section 31(b)(2)(C) of the Small Business Act
19 (15 U.S.C. 657a(b)(2)(C)); or

20 (B) an individual who operates—
21 (i) under a sole proprietorship;
22 (ii) as an independent contractor; or
23 (iii) as an eligible self-employed indi-
24 vidual.

1 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

2 (a) IN GENERAL.—To carry out this Act, there is au-
3 thorized to be appropriated \$1,000,000,000, to remain
4 available until expended.

5 (b) SMALL BUSINESSES.—Of the amounts made
6 available to grantees pursuant to section 2, at least
7 \$250,000,000 shall be reserved for small businesses.