

118TH CONGRESS  
2D SESSION

# S. 5172

To amend the National Child Protection Act of 1993 to ensure that businesses and organizations that work with vulnerable populations are able to request background checks for their contractors who work with those populations, as well as for individuals that the businesses or organizations license or certify to provide care for those populations.

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## IN THE SENATE OF THE UNITED STATES

SEPTEMBER 25, 2024

Mr. DURBIN (for himself and Mr. HAWLEY) introduced the following bill;  
which was read twice and referred to the Committee on the Judiciary

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## A BILL

To amend the National Child Protection Act of 1993 to ensure that businesses and organizations that work with vulnerable populations are able to request background checks for their contractors who work with those populations, as well as for individuals that the businesses or organizations license or certify to provide care for those populations.

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. DEFINING “COVERED INDIVIDUAL” FOR PUR-**  
 2 **POSES OF BACKGROUND CHECKS UNDER**  
 3 **THE NATIONAL CHILD PROTECTION ACT OF**  
 4 **1993.**

5 Section 5(9)(B) of the National Child Protection Act  
 6 of 1993 (34 U.S.C. 40104(9)(B)) is amended—

7 (1) in clause (i)—

8 (A) by inserting “, contracts with,” after  
 9 “is employed by”;

10 (B) by inserting “, contract with,” after  
 11 “be employed by”; and

12 (C) by striking “or” at the end;

13 (2) by redesignating clause (ii) as clause (iii);

14 (3) by inserting after clause (i) the following:

15 “(ii) is employed by or volunteers  
 16 with, or seeks to be employed by or volun-  
 17 teer with, an entity that is under contract  
 18 with a qualified entity;”;

19 (4) in clause (iii), as so redesignated, by adding  
 20 “or” at the end; and

21 (5) by adding at the end the following:

22 “(iv) is licensed or certified, or seeks  
 23 to be licensed or certified, by a qualified  
 24 entity;”.

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