

106TH CONGRESS  
2D SESSION

# H. R. 4244

To establish a national center on volunteer screening to reduce sexual and other abuse of children.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 11, 2000

Mr. LEWIS of Georgia (for himself, Mr. DAVIS of Virginia, and Ms. JACKSON-LEE of Texas) introduced the following bill; which was referred to the Committee on Education and the Workforce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To establish a national center on volunteer screening to reduce sexual and other abuse of children.

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 “National Child Protec-  
5 tion Volunteer Screening Assistance Act of 2000”.

1 **SEC. 2. ESTABLISHMENT OF A NATIONAL CENTER ON VOL-**  
2 **UNTEER SCREENING.**

3 The Juvenile Justice and Delinquency Prevention Act  
4 of 1974 (42 U.S.C. 5601 et seq.) is amended by adding  
5 at the end the following:

6 **“TITLE VI—NATIONAL CENTER**  
7 **ON VOLUNTEER SCREENING**

8 **“SEC. 601. SHORT TITLE.**

9 “This title may be cited as the ‘National Child Pro-  
10 tection Volunteer Screening Assistance Act’.

11 **“SEC. 602. FINDINGS.**

12 “Congress finds the following:

13 “(1) More than 87,000,000 children are in-  
14 volved each year in activities provided by child and  
15 youth organizations which depend heavily on volun-  
16 teers to deliver services through such activities.

17 “(2) The vast majority of activities provided to  
18 children by public and nonprofit private agencies  
19 and organizations result in the delivery of much  
20 needed services in safe environments that could not  
21 be provided without the assistance of virtually mil-  
22 lions of volunteers, but abuses of children do occur.

23 “(3) Estimates of the incidence of child sexual  
24 abuse in child care settings, foster care homes, and  
25 schools range from 1 to 7 percent.

1           “(4) Although the incidence of child abuse may  
2           be relatively small, abuse traumatizes the victims  
3           and shakes public trust in care providers and organi-  
4           zations serving vulnerable populations.

5           “(5) Congress addressed concerns about this  
6           type of abuse by enacting the National Child Protec-  
7           tion Act of 1993 and the Violent Crime Control Act  
8           of 1994, to set forth a framework through which  
9           States could authorize screening through criminal  
10          record checks of care providers, including volunteers  
11          who work with children, the elderly, and individuals  
12          with disabilities, but problems regarding the safety  
13          of children remain.

14          “(6) While State screening alone is sometimes  
15          adequate to conduct volunteer background checks,  
16          more extensive national criminal history checks  
17          using fingerprints are often advisable, especially  
18          when a prospective volunteer may have lived in more  
19          than 1 State.

20          “(7) The high cost for fingerprint background  
21          checks is unaffordable for organizations that use a  
22          large number of volunteers and, if such cost is  
23          passed on to volunteers, often discourages their par-  
24          ticipation.

1           “(8) The current system of retrieving national  
2 criminal background information on volunteers  
3 through an authorized agency of the State is cum-  
4 bersome and often requires months before vital re-  
5 sults are returned.

6           “(9) In order to protect children, volunteer  
7 agencies must currently depend on a convoluted, dis-  
8 connected, and sometimes duplicative series of  
9 checks that leave children at risk.

10           “(10) A national volunteer screening center is  
11 needed to protect children by providing effective, ef-  
12 ficient, and no-cost national criminal history back-  
13 ground checks of volunteers who provide care  
14 through public and nonprofit private agencies and  
15 organizations.

16 **“SEC. 603. DEFINITIONS.**

17           “For purposes of this title:

18           “(1) PUBLIC OR NONPROFIT PRIVATE QUALI-  
19 FIED ENTITY.—The term ‘public or nonprofit private  
20 qualified entity’ means an agency or organization,  
21 whether public or nonprofit, that provides care  
22 placement services, including an organization that li-  
23 censes or certifies others to provide care placement  
24 services.

1           “(2) VOLUNTEER PROVIDER.—The term ‘volun-  
2       teer provider’ means an individual who provides or  
3       seeks to provide services as a volunteer to a public  
4       or nonprofit private qualified entity.

5           “(3) NATIONAL CRIMINAL BACKGROUND CHECK  
6       SYSTEM.—The term ‘national criminal background  
7       check system’ means the criminal history record sys-  
8       tem maintained by the Federal Bureau of Investiga-  
9       tion based on fingerprint identification or any other  
10      method of positive identification.

11          “(4) CHILD.—The term ‘child’ has the meaning  
12      given such term in section 5(2) of the Child Protec-  
13      tion Act of 1993.

14          “(5) STATE.—The term ‘State’ has the mean-  
15      ing given such term in section 5(11) of the Child  
16      Protection Act of 1993.

17   **“SEC. 604. ESTABLISHMENT OF A NATIONAL CENTER FOR**  
18                   **VOLUNTEER SCREENING.**

19          “The Attorney General, by making a grant to or a  
20      contract with a public agency or a nonprofit national orga-  
21      nization, shall—

22           “(1) establish a national center for volunteer  
23      screening designed—

24           “(A) to serve as a point of contact for pub-  
25      lic and nonprofit private qualified entities to re-

1           quest a nationwide background check for the  
2           purpose of determining whether a volunteer  
3           provider has been convicted of a crime that  
4           bears upon the provider's fitness to have re-  
5           sponsibilities for the safety and well-being of  
6           children;

7           “(B) to access and to review, either di-  
8           rectly or indirectly, State and Federal criminal  
9           history records and registries through the na-  
10          tional criminal history background check sys-  
11          tem, and any other appropriate system of crimi-  
12          nal history information at no cost to the public  
13          or nonprofit private qualified entity or to the  
14          volunteer provider, on an expedited basis under  
15          guidelines conforming to section 3(b) of the  
16          Child Protection Act of 1993;

17          “(C) to provide criminal background check  
18          results to the public or nonprofit private quali-  
19          fied entity requesting a nationwide background  
20          within no more than 15 business days; and

21          “(D) to serve as a national resource center  
22          and clearinghouse to provide State and local  
23          governments, public and nonprofit private agen-  
24          cies, and individuals with information regarding  
25          volunteer screening; and

1           “(2) establish a National Volunteer Screening  
2       Task Force to be chaired by the Attorney General,  
3       which shall—

4                   “(A) be composed of—

5                           “(i) 2 employees of the Department of  
6                           Justice appointed by the Attorney General;

7                           “(ii) 2 employees of the Department  
8                           of Health and Human Services appointed  
9                           by the Secretary of Health and Human  
10                          Services;

11                          “(iii) 2 employees of the Federal Bu-  
12                          reau of Investigation appointed by the Di-  
13                          rector of the Federal Bureau of Investiga-  
14                          tion; and

15                          “(iv) 6 members of national organiza-  
16                          tions that represent nonprofit private  
17                          qualified entities that use volunteer pro-  
18                          viders to serve children; and

19                          “(B) oversee the work of the national cen-  
20       ter for volunteer screening and report at least  
21       annually to the President and the Congress  
22       with regard to the work of such center for vol-  
23       unteer screening and the progress of the States  
24       in complying with the Child Protection Act of  
25       1993.

1   **“SEC. 605. AUTHORIZATION OF APPROPRIATIONS.**

2           “‘There are authorized to be appropriated to carry out  
3 this title \$80,000,000 for fiscal year 2001 and such sums  
4 as may be necessary for fiscal years 2002, 2003, 2004,  
5 and 2005.’”.

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