

109TH CONGRESS
1ST SESSION

S. 1940

To create a national register of cases of child abuse or neglect.

IN THE SENATE OF THE UNITED STATES

OCTOBER 31, 2005

Mr. KYL introduced the following bill; which was read twice and referred to
the Committee on Health, Education, Labor, and Pensions

A BILL

To create a national register of cases of child abuse or
neglect.

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 “Childhelp National
5 Registry Act”.

6 **SEC. 2. NATIONAL REGISTER OF CASES OF CHILD ABUSE**
7 **OR NEGLECT.**

8 (a) IN GENERAL.—The Attorney General, in con-
9 sultation with the Secretary of Health and Human Serv-
10 ices, shall create a national register of cases of child abuse
11 or neglect.

1 (b) INFORMATION.—

2 (1) COLLECTION.—The information in the reg-
3 ister described in subsection (a) shall be supplied by
4 States and Indian tribes, or, at the option of a
5 State, by political subdivisions of such State, to the
6 Secretary of Health and Human Services.

7 (2) TYPE OF INFORMATION.—The register de-
8 scribed in subsection (a) shall collect in a central
9 electronic database information on children reported
10 to a State, Indian tribe, or political subdivision of a
11 State as abused or neglected.

12 (c) SCOPE OF INFORMATION.—

13 (1) IN GENERAL.—

14 (A) TREATMENT OF REPORTS.—The infor-
15 mation to be provided to the Secretary of
16 Health and Human Services under this Act
17 shall relate to substantiated reports of child
18 abuse or neglect. Except as provided in sub-
19 paragraph (B), each State and Indian tribe, or,
20 at the option of a State, each political subdivi-
21 sion of such State, shall determine whether the
22 information to be provided to the Secretary of
23 Health and Human Services under this Act
24 shall also relate to reports of suspected in-

stances of child abuse or neglect that were unsubstantiated or determined to be unfounded.

(B) EXCEPTION.—If a State, Indian tribe, or political subdivision of a State has an electronic register of cases of child abuse or neglect equivalent to the register established under this Act that it maintains pursuant to a requirement or authorization under any other provision of law, the information provided to the Secretary of Health and Human Services under this Act shall be coextensive with that in such register.

(2) FORM.—Information provided to the Secretary of Health and Human Services under this Act—

(A) shall be in a standardized electronic form determined by the Secretary of Health and Human Services; and

(B) shall contain case-specific identifying information, except that, at the option of the entity supplying the information, the confidentiality of identifying information concerning an individual initiating a report or complaint regarding a suspected or known instance of child abuse or neglect may be maintained.

1 (d) CONSTRUCTION.—This Act shall not be construed
2 to require a State, Indian tribe, or political subdivision of
3 a State to modify—

4 (1) an equivalent register of cases of child
5 abuse or neglect that it maintains pursuant to a re-
6 quirement or authorization under any other provi-
7 sion of law; or

8 (2) any other record relating to child abuse or
9 neglect, regardless of whether the report of abuse or
10 neglect was substantiated, unsubstantiated, or deter-
11 mined to be unfounded.

12 (e) DISSEMINATION.—The Attorney General, in con-
13 sultation with the Secretary of Health and Human Serv-
14 ices, shall establish standards for the dissemination of in-
15 formation in the national register of cases of child abuse
16 or neglect. Such standards shall preserve the confiden-
17 tiality of records in order to protect the rights of the child
18 and the parents or guardians of the child while also ensur-
19 ing that Federal, local, and tribal government entities have
20 access to such information in order to carry out their re-
21 sponsibilities under the law to protect children from abuse
22 and neglect.

23 (f) AUTHORIZATION OF APPROPRIATIONS.—There
24 are authorized to be appropriated to carry out this Act

- 1 such sums as may be necessary for fiscal year 2006 and
- 2 succeeding fiscal years.

