

## **The CHILD Act of 2025**

*Introduced by Senate Judiciary Committee Chair Chuck Grassley (R-IA)  
and Ranking Member Dick Durbin (D-IL)*

*The Comprehensive Health and Integrity in Licensing and Documentation Act of 2025 (“CHILD Act”)* amends the *National Child Protection Act/ Volunteers for Children Act (“NCPA/VCA”)* to ensure that businesses and organizations, under contract with qualified entities to work with vulnerable populations, are included in the definition of ‘covered individuals’ for the purpose of receiving a national background check.

Since 1993, individuals who have access to children through qualified entities have been subject to nationwide background checks, pursuant to the *NCPA/VCA*. However, the *Child Protection Improvements Act of 2018 (“CPIA”)*<sup>1</sup> amended the *NCPA/VCA* and inadvertently narrowed its scope such that contractors working for qualified entities are no longer authorized to receive a nationwide background check.

The *CPIA* requires the Attorney General to establish a national program (the “*CPIA Program*”) to provide qualified entities in states that do not have procedures in place to utilize the *NCPA/VCA*, or in states that do not prohibit the use of the *CPIA Program*, with access to national criminal history background checks on, and criminal history reviews of, covered individuals.

Prior to the amendments made to the *NCPA/VCA* by the *CPIA*, individuals with unsupervised access to children, such as those under contract with a school, were authorized to have a national background check conducted under the previous definition of “provider.” The *CPIA* changed the language of “provider” to “covered individual,” and the corresponding changes to the definition of ‘covered individual’ removed the provision that covered contractors.<sup>2</sup> Accordingly, there is now a patchwork approach to background checks for contractors dependent on each state’s *NCPA*-enabling statutes that were all drafted before the *CPIA* made this change. This approach puts children and other vulnerable individuals at risk of abuse, and the inconsistent availability of nationwide background checks may force contractors that operate nationwide to suspend hiring in states with *NCPA*-enabling statutes that did not foresee this issue.

The *CHILD Act* will allow businesses and organizations to once again request nationwide background checks for their personnel working with vulnerable populations, as well as for individuals that the businesses or organizations license or certify to provide care for these populations.

The *CHILD Act* is endorsed by Students Against Destructive Decisions; Student Transportation & Education Equity; Roundtable; Parents Helping Parents, Inc.; National Diversity Coalition; RaisingHOPE, Inc.; National Center on Adoption & Permanency; HopSkipDrive; and Streets Are For Everyone (SAFE).

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<sup>1</sup> The *CPIA* expanded the authorization for nationwide background checks to ensure that organizations that serve vulnerable populations have access to FBI fingerprint background checks for its workers.

<sup>2</sup> Compare National Child Protection Act, Pub. L. No. 103-209, 107 Stat. 2490, 2494 (1993) (defining “provider”), with 34 U.S.C. § 40104(9)(B)(i) (defining “covered individual”).