

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 7233
OFFERED BY MR. SCOTT OF VIRGINIA**

Add at the end the following:

1 **SEC. 3. ELECTRONIC INTERSTATE DATA EXCHANGE SYS-**
2 **TEM.**

3 Title I of the Child Abuse Prevention and Treatment
4 Act (42 U.S.C. 5101 et seq.) is amended by adding at
5 the end the following:

6 **“SEC. 115. ELECTRONIC INTERSTATE DATA EXCHANGE SYS-**
7 **TEM.**

8 “(a) INTERSTATE DATA EXCHANGE SYSTEM.—

9 “(1) IN GENERAL.—The Secretary of Health
10 and Human Services shall consider the recommenda-
11 tions included in the reports required under para-
12 graph (8)(A) and subsection (b)(2) in developing an
13 electronic interstate data exchange system that al-
14 lows State entities responsible under State law for
15 maintaining child abuse and neglect registries to
16 communicate information across State lines.

17 “(2) STANDARDS.—In developing the electronic
18 interstate data exchange system under paragraph
19 (1), the Secretary shall—

1 “(A) use interoperable standards developed
2 and maintained by intergovernmental partner-
3 ships, such as the National Information Ex-
4 change Model;

5 “(B) develop policies and governance
6 standards that—

7 “(i) ensure consistency in types of in-
8 formation shared and not shared; and

9 “(ii) specify circumstances under
10 which data should be shared through the
11 interstate data exchange system; and

12 “(C) ensure that all standards and policies
13 adhere to the privacy, security, and civil rights
14 laws of each State and Federal law.

15 “(3) LIMITATION ON USE OF ELECTRONIC
16 INTERSTATE DATA EXCHANGE SYSTEM.—The elec-
17 tronic interstate data exchange system may only be
18 used for purposes relating to child safety.

19 “(4) PILOT PROGRAM.—

20 “(A) IMPLEMENTATION.—Not later than 6
21 months after the date of the enactment of this
22 section, the Secretary of Health and Human
23 Services shall begin implementation of a pilot
24 program to generate recommendations for the
25 full integration of the electronic interstate data

1 exchange system. Such pilot program shall in-
2 clude not less than 10 States and not more
3 than 15 States.

4 “(B) COMPLETION.—Not later than 30
5 months after the date of the enactment of this
6 section, the Secretary of Health and Human
7 Services shall complete the pilot program de-
8 scribed in subparagraph (A).

9 “(5) INTEGRATION.—The Secretary of Health
10 and Human Services may assist States in the inte-
11 gration of this system into the infrastructure of each
12 State using funds appropriated under this sub-
13 section.

14 “(6) PARTICIPATION.—As a condition on eligi-
15 bility for receipt of funds under section 106, each
16 State shall—

17 “(A) participate in the electronic interstate
18 data exchange system to the fullest extent pos-
19 sible in accordance with State law (as deter-
20 mined by the Secretary of Health and Human
21 Services) not later than December 31, 2030;
22 and

23 “(B) prior to the participation described in
24 subparagraph (A), provide to the Secretary of
25 Health and Human Services an assurance that

1 the child abuse and neglect registry of such
2 State provides procedural due process protec-
3 tions with respect to including individuals on
4 such registry.

5 “(7) PROHIBITION.—The Secretary of Health
6 and Human Services may not access or store data
7 from the electronic interstate data exchange system,
8 unless the State to which such data pertains volun-
9 tarily shares such data with the Secretary of Health
10 and Human Services.

11 “(8) REPORTS.—The Secretary of Health and
12 Human Services shall prepare and submit to the
13 Committee on Health, Education, Labor, and Pen-
14 sions of the Senate, and the Committee on Edu-
15 cation and the Workforce of the House of Rep-
16 resentatives—

17 “(A) not later than 3 years after the date
18 of the enactment of this section, a report on the
19 recommendations from the pilot program de-
20 scribed in paragraph (4); and

21 “(B) not later than January 31, 2029, a
22 report on the progress made in implementing
23 this subsection.

1 “(9) AUTHORIZATION OF APPROPRIATIONS.—Of
2 the funds appropriated under section 112 for a fiscal
3 year—

4 “(A) for each of fiscal years 2025 and
5 2026, \$2,000,000 shall be reserved to carry out
6 this section; and

7 “(B) for each of fiscal years 2027 and
8 2028, \$1,000,000 shall be reserved to carry out
9 this section.

10 “(b) WORKING GROUP.—

11 “(1) IN GENERAL.—Not later than 60 days
12 after the date of the enactment of this section, the
13 Secretary of Health and Human Services shall con-
14 vene a working group to study and make rec-
15 ommendations on the following:

16 “(A) The feasibility of making publicly
17 available on the website of each State defini-
18 tions and standards of substantiated child
19 abuse and neglect for the State.

20 “(B) Whether background check require-
21 ments under this Act, the Child Care and De-
22 velopment Block Grant Act of 1990 (42 U.S.C.
23 9858 et seq.), and part E of title IV of the So-
24 cial Security Act (42 U.S.C. 670 et seq.) are

1 complementary or if there are discrepancies
2 that need to be addressed.

3 “(C) How to improve communication be-
4 tween and across States, including through the
5 use of technology and the use of the electronic
6 interstate data exchange system established
7 under subsection (a), to allow for more accurate
8 and efficient exchange of child abuse and ne-
9 glect records.

10 “(D) How to reduce barriers and establish
11 best practices for the State to provide timely re-
12 sponses to requests from other States for infor-
13 mation contained in the State’s child abuse and
14 neglect registry through the electronic inter-
15 state data exchange system established under
16 subsection (a).

17 “(E) How to ensure due process for any
18 individual included in a State’s child abuse and
19 neglect registry, including the following:

20 “(i) The level of evidence necessary
21 for inclusion in the State’s child abuse and
22 neglect registry.

23 “(ii) The process for notifying such
24 individual of inclusion in the State’s child

1 abuse and neglect registry and the implica-
2 tions of such inclusion.

3 “(iii) The process for providing such
4 individual the opportunity to challenge
5 such inclusion, and the procedures for re-
6 solving such challenge.

7 “(iv) The length of time an individ-
8 ual’s record is to remain in the State’s
9 child abuse and neglect registry, and the
10 process for removing such individual’s
11 record.

12 “(v) The criteria for when such indi-
13 vidual’s child abuse and neglect registry
14 record may be—

15 “(I) made accessible to the gen-
16 eral public;

17 “(II) made available for purposes
18 of an employment check; and

19 “(III) be shared for the purposes
20 of participation in the electronic inter-
21 state data exchange system described
22 in subsection (a).

23 “(2) REPORT.—Not later than 18 months after
24 the date of the enactment of this section, the work-
25 ing group convened under paragraph (1) shall sub-

1 mit a report containing its recommendations to the
2 Secretary of Health and Human Services, the Com-
3 mittee on Health, Education, Labor, and Pensions
4 of the Senate, and the Committee on Education and
5 the Workforce of the House of Representatives.

6 “(3) CONSTRUCTION.—There shall be no re-
7 quirement for any State to adopt the recommenda-
8 tions of the working group, nor shall the Secretary
9 of Health and Human Services incentivize or coerce
10 any State to adopt any such recommendation.”.

