

# United States Senate

WASHINGTON, DC 20510

July 18, 2023

The Honorable Merrick Garland  
United States Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, D.C. 20530-0001

Dear Attorney General Garland:

I write regarding the implementation of the Child Protection Improvements Act (CPIA) and the potential impact on the safety and well-being of our nation's children, elderly, and other at-risk populations.

The CPIA, which passed in 2018 with overwhelming bipartisan support, was enacted to enhance the safety measures in place for organizations serving individuals most susceptible to harm. It established a voluntary, nationwide background check system aimed at strengthening the screening processes for individuals seeking employment or volunteer opportunities in positions that involve regular contact with these populations, such as in preschools, afterschool programs, and other programs serving children and vulnerable individuals.

The law required that DOJ issue a proposed rule within one year of enactment to establish the framework for implementing the new background check system. To date, however, DOJ has not disseminated any proposed rule. DOJ staff confirmed with my office that as of July 10, 2023, the agency is still working on the proposed rule but could not provide any certainty on timing.

This delay jeopardizes child safety, leaving potential gaps in background screening processes and potentially allowing individuals with a history of abuse or exploitation to slip through undetected. In a report accompanying the CPIA, the House Committee on the Judiciary noted that in a national pilot program of over 100,000 potential child caretakers, 6.2% of background checks flagged concerning criminal history. Many flagged applicants were convicted of serious crimes such as criminal sexual conduct with a child and child endangerment. Further, over 40% of the flagged applicants had been convicted of a crime in a different state meaning that only a national system of background checks would have identified their criminal records.

Accordingly, I respectfully request a prompt response to this letter detailing the progress the DOJ has made in issuing the proposed rule and a timeline for its completion. I urge you to

prioritize the implementation of this critical child protection law and look forward to working together to ensure its successful implementation.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jon Ossoff", written over a horizontal line.

Jon Ossoff  
United States Senator