

.....
(Original Signature of Member)

118TH CONGRESS
1ST SESSION

H. R. _____

To establish a national registry to provide for the linking of State and tribal responsible father registries to facilitate the timely notification of adoption proceedings to out-of-State possible biological fathers, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Ms. KUSTER introduced the following bill; which was referred to the
Committee on _____

A BILL

To establish a national registry to provide for the linking of State and tribal responsible father registries to facilitate the timely notification of adoption proceedings to out-of-State possible biological fathers, and for other purposes.

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 “Protecting All Parents
5 and Adoptees Act” or the “PAPA Act”.

1 **SEC. 2. FINDINGS.**

2 The Congress finds as follows:

3 (1) A permanent, stable home is critical for the
4 physical and cognitive development of children.

5 (2) Identifying the biological father of a child is
6 crucial to ensuring a timely adoption proceeding to
7 provide permanency and stability for the child.

8 (3) Responsible father registries, also known as
9 putative father registries, help to facilitate the stable
10 placement of children by providing a mechanism to
11 identify possible fathers and determine whether a bi-
12 ological father has a protectable interest in partici-
13 pating in the placement decisions for a child.

14 (4) Responsible father registries remove the
15 burden from the mother of having to identify pos-
16 sible fathers, to protect her privacy and safety, espe-
17 cially in cases of rape or domestic violence.

18 (5) Responsible father registries empower pos-
19 sible fathers to take responsibility for the protection
20 of their rights by enabling them to voluntarily reg-
21 ister and increase the likelihood of receiving timely
22 notice of a proceeding.

23 (6) Responsible father registries reduce the risk
24 to prospective adoptive parents of delayed or dis-
25 rupted placements resulting from challenges to adop-

1 tions due to a possible father's untimely receipt of
2 notice of such proceedings.

3 (7) Responsible father registries and related pa-
4 ternal identification registries have been established
5 by a number of States and Indian tribes but no
6 mechanism exists to cross-reference registries.

7 (8) National cross-referencing of State and
8 Tribal responsible father registries would provide
9 registered individuals an ability to receive timely no-
10 tice of a proceeding related to a child they may have
11 fathered out of wedlock in a State other than the
12 State in which the individual is registered.

13 **SEC. 3. LINKING OF STATE RESPONSIBLE FATHER REG-**
14 **ISTRIES.**

15 (a) IN GENERAL.—The Secretary of Health and
16 Human Services (in this section referred to as the “Sec-
17 retary”) shall—

18 (1) establish a national responsible father reg-
19 istry consisting of information about possible biologi-
20 cal fathers identified in any responsible father reg-
21 istry established by any State or Indian tribe, and
22 seek to have the information in each such respon-
23 sible father registry provided to the national registry
24 voluntarily; and

1 (2) enable the State and tribal agencies admin-
2 istering the responsible father registries to access,
3 and electronically exchange information with, the na-
4 tional registry.

5 (b) PARTIES AUTHORIZED TO ACCESS THE NA-
6 TIONAL REGISTRY.—The Secretary shall make the infor-
7 mation in the national registry available to—

8 (1) public or private licensed adoption or child
9 placement agencies;

10 (2) State or tribal child welfare authorities;

11 (3) State or tribal courts; and

12 (4) licensed attorneys representing a party in
13 an adoption, a child placement, or a termination of
14 rights proceeding.

15 (c) AUTHORITY TO CHARGE FEE.—The Secretary
16 may charge a reasonable fee for a search of the national
17 registry.

18 (d) REPORT.—Within 12 months after the date of the
19 enactment of this Act, the Secretary shall submit to the
20 Congress a report on the implementation of this Act, that
21 shall include—

22 (1) a framework to assist States and Indian
23 tribes without a responsible father registry in setting
24 up such a registry, or to coordinate with a State or
25 tribal responsible father registry;

1 (2) a description of best practices that a State
2 or Indian tribe with a responsible father registry
3 may follow to improve the efficiency of the registry;

4 (3) an identification of administrative and legis-
5 lative options for ensuring that every possible bio-
6 logical father has access to the protections of a re-
7 sponsible father registry regardless of the State in
8 which the possible biological father resides; and

9 (4) a description of the national registry so es-
10 tablished, which shall identify participating states
11 and explain how authorized users may access and
12 use the national registry.

13 **SEC. 4. DEFINITIONS.**

14 In this Act:

15 (1) **INDIAN TRIBE.**—The term “Indian tribe”
16 has the meaning given the term in section 4 of the
17 Indian Self-Determination and Education Assistance
18 Act.

19 (2) **RESPONSIBLE FATHER REGISTRY.**—The
20 term “responsible father registry” means a registry
21 for the receipt of information that directly relates to
22 the identity or location of possible biological fathers
23 who have voluntarily registered to be notified of a
24 proceeding relating to a child that a possible biologi-
25 cal father may have fathered out of wedlock, so that

1 a possible biological father may opt to assert his pa-
2 rental rights.

3 (3) STATE.—The term “State” means the 50
4 States of the United States, the District of Colum-
5 bia, the Commonwealth of Puerto Rico, the United
6 States Virgin Islands, Guam, the Commonwealth of
7 the Northern Mariana Islands, and American
8 Samoa.