

105TH CONGRESS
1ST SESSION

S. 1487

To establish a National Voluntary Mutual Reunion Registry.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 8, 1997

Mr. CRAIG (for himself, Mr. LEVIN, Mr. MCCAIN, and Ms. LANDRIEU) introduced the following bill; which was read twice, considered, read the third time, and passed

A BILL

To establish a National Voluntary Mutual Reunion Registry.

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. NATIONAL VOLUNTARY MUTUAL REUNION**
4 **REGISTRY.**

5 Part E of title IV of the Social Security Act (42
6 U.S.C. 670 et seq.) is amended by adding at the end the
7 following:

8 **“SEC. 479A. NATIONAL VOLUNTARY MUTUAL REUNION REG-**
9 **ISTRY.**

10 “(a) **EXCHANGE OF MUTUALLY REQUESTED IDENTI-**
11 **FYING INFORMATION.**—The Secretary, in the discretion of

1 the Secretary and provided that there is no net cost to
2 the Federal Government, may use the facilities of the De-
3 partment of Health and Human Services to facilitate the
4 voluntary, mutually requested exchange of identifying in-
5 formation that has been mutually consented to, by an
6 adult adopted individual who is 21 years of age or older
7 with—

8 “(1) any birth parent of the adult adopted indi-
9 vidual; or

10 “(2) any adult sibling who is 21 years of age
11 or older, of the adult adopted individual,

12 if all such persons involved have, on their own initiative,
13 consented by a signed notarized statement to the exchange
14 of such identifying information.

15 “(b) REQUIREMENTS.—The Secretary shall ensure
16 that a National Voluntary Mutual Reunion Registry estab-
17 lished under this section (in this section referred to as the
18 ‘Registry’) meets the following requirements:

19 “(1) CENTRALIZED CAPACITY.—The Registry
20 provides a centralized nationwide capacity for the in-
21 formation described in subsection (a) and utilizes
22 appropriately designed computer and data process-
23 ing methods to protect the privacy of the informa-
24 tion contained in the Registry, and does not intrude

1 on any other data system maintained by the Depart-
2 ment of Health and Human Services.

3 “(2) ESTABLISHMENT OF PROCEDURES.—The
4 Registry complies with procedures established by the
5 Secretary that provide that—

6 “(A) only information necessary to facili-
7 tate a match shall be contained in the Registry
8 and the Registry shall not attempt to make con-
9 tact for the purpose of facilitating a reunion
10 with any individual who is not entered into or
11 participating in the Registry;

12 “(B) to the maximum extent feasible, the
13 confidentiality and privacy rights and interests
14 of all parties participating in the Registry are
15 protected; and

16 “(C) information pertaining to any individ-
17 ual that is maintained in connection with any
18 activity carried out under this section shall be
19 confidential and not be disclosed for any pur-
20 pose without the prior, written, informed con-
21 sent of the individual with respect to whom
22 such information applies or is maintained.

23 “(c) REASONABLE FEES.—Reasonable fees, estab-
24 lished by taking into consideration, and not to exceed, the

1 average charge of comparable services offered by States,
2 may be collected for services provided under this section.

3 “(d) PENALTY FOR VIOLATION.—

4 “(1) FINE AND IMPRISONMENT.—Any individ-
5 ual or entity that is found to have disclosed or used
6 confidential information in violation of the provisions
7 of this section shall be subject to a fine of \$5000
8 and imprisonment for a period not to exceed 1 year.

9 “(2) NONAPPLICABILITY OF SECTION 3571 OF
10 TITLE 18, UNITED STATES CODE.—The provisions of
11 section 3571 of title 18, United States Code, shall
12 not apply to a violation described in paragraph (1).

13 “(e) NO PREEMPTION.—Nothing in this section in-
14 validates or limits any law of a State or of a political sub-
15 division of a State concerning adoption and the confiden-
16 tiality of that State’s sealed adoption record policy.”.

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