

105TH CONGRESS
1ST SESSION

S. 1487

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 9, 1997

Referred to the Committee on Ways and Means

AN ACT

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,*

1 **SECTION. 1. NATIONAL VOLUNTARY MUTUAL REUNION**
2 **REGISTRY.**

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

6 **“SEC. 479A. NATIONAL VOLUNTARY MUTUAL REUNION REG-**
7 **ISTRY.**

8 “(a) EXCHANGE OF MUTUALLY REQUESTED IDENTI-
9 FYING INFORMATION.—The Secretary, in the discretion of
10 the Secretary and provided that there is no net cost to
11 the Federal Government, may use the facilities of the De-
12 partment of Health and Human Services to facilitate the
13 voluntary, mutually requested exchange of identifying in-
14 formation that has been mutually consented to, by an
15 adult adopted individual who is 21 years of age or older
16 with—

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

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

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

24 “(b) REQUIREMENTS.—The Secretary shall ensure
25 that a National Voluntary Mutual Reunion Registry estab-

1 lished under this section (in this section referred to as the
2 “Registry”) meets the following requirements:

3 “(1) CENTRALIZED CAPACITY.—The Registry
4 provides a centralized nationwide capacity for the in-
5 formation described in subsection (a) and utilizes
6 appropriately designed computer and data process-
7 ing methods to protect the privacy of the informa-
8 tion contained in the Registry, and does not intrude
9 on any other data system maintained by the Depart-
10 ment of Health and Human Services.

11 “(2) ESTABLISHMENT OF PROCEDURES.—The
12 Registry complies with procedures established by the
13 Secretary that provide that—

14 “(A) only information necessary to facili-
15 tate a match shall be contained in the Registry
16 and the Registry shall not attempt to make con-
17 tact for the purpose of facilitating a reunion
18 with any individual who is not entered into or
19 participating in the Registry;

20 “(B) to the maximum extent feasible, the
21 confidentiality and privacy rights and interests
22 of all parties participating in the Registry are
23 protected; and

24 “(C) information pertaining to any individ-
25 ual that is maintained in connection with any

1 activity carried out under this section shall be
 2 confidential and not be disclosed for any pur-
 3 pose without the prior, written, informed con-
 4 sent of the individual with respect to whom
 5 such information applies or is maintained.

6 “(c) REASONABLE FEES.—Reasonable fees, estab-
 7 lished by taking into consideration, and not to exceed, the
 8 average charge of comparable services offered by States,
 9 may be collected for services provided under this section.

10 “(d) PENALTY FOR VIOLATION.—

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

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

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

Passed the Senate November 8, 1997.

Attest:

GARY SISCO,
Secretary.