

108TH CONGRESS  
1ST SESSION

# H. R. 2124

To establish a Foster Care Reform Commission to study the foster care crisis in the United States.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 15, 2003

Mr. CARDOZA introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To establish a Foster Care Reform Commission to study the foster care crisis in the United States.

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 “Foster Care Reform  
5 Commission Act”.

6 **SEC. 2. ESTABLISHMENT.**

7 There is established a commission to be known as the  
8 “Foster Care Reform Commission” (in this Act referred  
9 to as the “Commission”).

1 **SEC. 3. DUTIES OF COMMISSION.**

2       The Commission shall study the ongoing foster care  
3 crisis in the United States as well as individual efforts un-  
4 dertaken by States, localities, and through privately ad-  
5 ministered foster care programs. In reviewing the efforts  
6 of localities, States and private foster care programs, the  
7 Commission shall determine a list of best practices that  
8 would help advance safe and reliable foster care in the  
9 United States.

10 **SEC. 4. MEMBERSHIP.**

11       (a) NUMBER AND APPOINTMENT.—Not later than 6  
12 months after the date of the enactment of this Act:

13           (1) CONGRESSIONAL MEMBERS.—4 Commission  
14 members shall be appointed as follows:

15           (A) 1 Senator appointed by the Majority  
16 Leader of the Senate.

17           (B) 1 Senator appointed by the Minority  
18 Leader of the Senate.

19           (C) 1 Representative appointed by the  
20 Speaker of the House.

21           (D) 1 Representative appointed by the Mi-  
22 nority Leader of the House of Representatives.

23       (2) OTHER MEMBERS.—The 4 Commission  
24 members appointed under paragraph (1) shall meet  
25 and select from among themselves a chairman, who

1 shall preside over a meeting to appoint 11 additional  
2 Commission members—

3 (A) 5 of whom shall be experts on child  
4 care and foster care issues from the private sec-  
5 tor;

6 (B) 1 of whom shall be an expert on child  
7 care and foster care issues from the public sec-  
8 tor; and

9 (C) 5 of whom shall be experts on child  
10 care and foster care issues from academia.

11 (b) POLITICAL AFFILIATION.—Not more than 8  
12 Commission members appointed may be of the same polit-  
13 ical party.

14 (c) TERMS.—

15 (1) LIFE OF COMMISSION.—Each Commission  
16 member shall be appointed for the life of the Com-  
17 mission.

18 (2) VACANCIES.—A vacancy in the Commission  
19 shall be filled in the manner in which the original  
20 appointment was made.

21 (d) NO PAY.—Commission members shall not receive  
22 compensation by reason of service on the Commission.

23 (e) TRAVEL EXPENSES.—Each Commission member  
24 shall receive travel expenses, including per diem in lieu  
25 of subsistence, in accordance with applicable provisions

1 under subchapter I of chapter 57 of title 5, United States  
2 Code.

3 (f) QUORUM.—8 members of the Commission shall  
4 constitute a quorum but a lesser number may hold hear-  
5 ings.

6 (g) CHAIRPERSON; CO-CHAIRPERSON.—The Com-  
7 mission shall have a Chairperson and a co-Chairperson,  
8 only 1 of whom shall be a Member of Congress.

9 (h) MEETINGS.—The Commission shall meet at the  
10 call of the Chairperson and co-Chairperson, or of a major-  
11 ity of its members.

12 **SEC. 5. DIRECTOR AND STAFF OF COMMISSION; EXPERTS**  
13 **AND CONSULTANTS.**

14 (a) DIRECTOR.—The Commission shall have a Direc-  
15 tor who shall be appointed by the Chairperson and co-  
16 Chairperson of the Commission, with the approval of the  
17 Secretary of Health and Human Services. To the extent  
18 or in the amounts provided in advance in appropriation  
19 Acts, the Director shall be paid at a rate not to exceed  
20 the rate of basic pay for Level V of the Executive Sched-  
21 ule.

22 (b) STAFF.—With the approval of the Chairperson  
23 and the co-Chairperson of the Commission, the Director  
24 may appoint additional personnel as the Chairperson and  
25 co-Chairperson consider appropriate.

1           (c) APPLICABILITY OF CERTAIN CIVIL SERVICE  
2 LAWS.—The Director and staff of the Commission shall  
3 be appointed subject to the provisions of title 5, United  
4 States Code, governing appointments in the competitive  
5 service, and shall be paid in accordance with the provisions  
6 of chapter 51 and subchapter III of chapter 53 of that  
7 title relating to classification and General Schedule pay  
8 rates.

9           (d) STAFF OF FEDERAL AGENCIES.—Upon request  
10 of the Chairperson and co-Chairperson, the head of any  
11 Federal department or agency may detail, on a reimburs-  
12 able basis, any of the personnel of that department or  
13 agency to the Commission to assist it in carrying out its  
14 duties under this Act.

15 **SEC. 6. POWERS OF COMMISSION.**

16           (a) HEARINGS AND SESSIONS.—The Commission  
17 may, for the purpose of carrying out this Act, hold hear-  
18 ings, sit and act at times and places, take testimony, and  
19 receive evidence as the Commission considers appropriate.

20           (b) POWERS OF MEMBERS AND AGENTS.—Any mem-  
21 ber or agent of the Commission may, if authorized by the  
22 Commission, take any action which the Commission is au-  
23 thorized to take by this section.

24           (c) OBTAINING OFFICIAL DATA.—The Commission  
25 may request any department or agency of the United

1 States to furnish the Commission with such information  
2 as the Commission deems necessary to enable the Commis-  
3 sion to carry out this Act.

4 (d) **MAILS.**—The Commission may use the United  
5 States mails in the same manner and under the same con-  
6 ditions as other departments and agencies of the United  
7 States.

8 (e) **ADMINISTRATIVE SUPPORT SERVICES.**—Upon  
9 the request of the Commission, the Administrator of Gen-  
10 eral Services shall provide to the Commission, on a reim-  
11 bursable basis, the administrative support services nec-  
12 essary for the Commission to carry out its responsibilities  
13 under this Act.

14 **SEC. 7. REPORT.**

15 Not later than 2 years after all original Commission  
16 members are appointed, the Commission shall transmit to  
17 the President, the Congress, and the Secretary of Health  
18 and Human Services a report that contains a detailed  
19 statement of the findings and conclusions of the Commis-  
20 sion regarding reform of the foster care system, together  
21 with its recommendations for such legislation and admin-  
22 istrative action as the Commission deems appropriate.

1 **SEC. 8. TERMINATION.**

2       The Commission shall terminate on the date the re-  
3 port required by section 7 is so transmitted.

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