

112TH CONGRESS
2D SESSION

S. 3331

AN ACT

To provide for universal intercountry adoption accreditation standards, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Intercountry Adoption
3 Universal Accreditation Act of 2012”.

4 **SEC. 2. UNIVERSAL ACCREDITATION REQUIREMENTS.**

5 (a) IN GENERAL.—The provisions of title II and sec-
6 tion 404 of the Intercountry Adoption Act of 2000 (42
7 U.S.C. 14901 et seq.), and related implementing regula-
8 tions, shall apply to any person offering or providing adop-
9 tion services in connection with a child described in section
10 101(b)(1)(F) of the Immigration and Nationality Act (8
11 U.S.C. 1101(b)(1)(F)), to the same extent as they apply
12 to the offering or provision of adoption services in connec-
13 tion with a Convention adoption. The Secretary of State,
14 the Secretary of Homeland Security, the Attorney General
15 (with respect to section 404(b) of the Intercountry Adop-
16 tion Act of 2000 (42 U.S.C. 14944)), and the accrediting
17 entities shall have the duties, responsibilities, and authori-
18 ties under title II and title IV of the Intercountry Adop-
19 tion Act of 2000 and related implementing regulations
20 with respect to a person offering or providing such adop-
21 tion services, irrespective of whether such services are of-
22 fered or provided in connection with a Convention adop-
23 tion.

24 (b) EFFECTIVE DATE.—The provisions of this sec-
25 tion shall take effect 18 months after the date of the en-
26 actment of this Act.

1 (c) TRANSITION RULE.—This Act shall not apply to
 2 a person offering or providing adoption services as de-
 3 scribed in subsection (a) in the case of a prospective adop-
 4 tion in which—

5 (1) an application for advance processing of an
 6 orphan petition or petition to classify an orphan as
 7 an immediate relative for a child is filed before the
 8 date that is 180 days after the date of the enact-
 9 ment of this Act; or

10 (2) the prospective adoptive parents of a child
 11 have initiated the adoption process with the filing of
 12 an appropriate application in a foreign country suffi-
 13 cient such that the Secretary of State is satisfied be-
 14 fore the date that is 180 days after the date of the
 15 enactment of this Act.

16 **SEC. 3. AVAILABILITY OF COLLECTED FEES FOR ACCRED-**
 17 **ITING ENTITIES.**

18 (a) Section 403 of the Intercountry Adoption Act of
 19 2000 (42 U.S.C. 14943) is amended by striking subsection
 20 (c).

21 (b) REPORT REQUIREMENT.—Section 202(b) of the
 22 Intercountry Adoption act of 2000 (42 U.S.C. 14922(b))
 23 is amended by adding at the end the following:

24 “(5) REPORT ON USE OF FEDERAL FUNDING.—
 25 Not later than 90 days after an accrediting entity

1 receives Federal funding authorized by section 403,
2 the entity shall submit a report to the Committee on
3 Foreign Relations of the Senate and the Committee
4 on Foreign Affairs of the House of Representatives
5 that describes—

6 “(A) the amount of such funding the enti-
7 ty received; and

8 “(B) how such funding was, or will be,
9 used by the entity.”.

10 **SEC. 4. DEFINITIONS.**

11 In this Act, the terms “accrediting entity”, “adoption
12 service”, “Convention adoption”, and “person” have the
13 meanings given those terms in section 3 of the Inter-
14 country Adoption Act of 2000 (42 U.S.C. 14902).

Passed the Senate December 5, 2012.

Attest:

Secretary.

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