Subsec. (b)(1). Pub. L. 98–457, §203(c)(2), substituted ''provide (after consultation with other appropriate Federal departments and agencies, including the Bureau of the Census and appropriate State and local agencies) for the establishment and operation of a Federal adoption and foster care data-gathering and analysis system'' for ''provide (directly or by grant to or contract with public or private nonprofit agencies and organizations) for the establishment and operation of a national adoption and foster care data gathering and analysis system utilizing data collected by States pursuant to requirements of law''.

Subsec. (b)(4). Pub. L. 98–457, §203(c)(3)(A), substituted ''adoptive family groups and minority groups'' for ''parent groups''.

Subsec. (b)(5), (6). Pub. L. 98–457, §203(c)(3)(B), (C), added pars. (5) and (6). Former par. (5) redesignated (7).

Subsec. (b)(7). Pub. L. 98–457, §203(c)(3)(C), (D), redesignated former par. (5) as (7) and substituted ''Health and Human Services'' for ''Health, Education, and Welfare''.

KINSHIP CARE

Pub. L. 105–89, title III, §303, Nov. 19, 1997, 111 Stat. 2129, provided that:

''(a) REPORT.—

''(1) IN GENERAL.—The Secretary of Health and Human Services shall—

''(A) not later than June 1, 1998, convene the advisory panel provided for in subsection (b)(1) and prepare and submit to the advisory panel an initial report on the extent to which children in foster care are placed in the care of a relative (in this section referred to as 'kinship care'); and

''(B) not later than June 1, 1999, submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a final report on the matter described in subparagraph (A), which shall—

''(i) be based on the comments submitted by the advisory panel pursuant to subsection (b)(2) and other information and considerations; and

''(ii) include the policy recommendations of the Secretary with respect to the matter.

''(2) REQUIRED CONTENTS.—Each report required by paragraph (1) shall—

''(A) include, to the extent available for each State, information on—

''(i) the policy of the State regarding kinship care;

''(ii) the characteristics of the kinship care providers (including age, income, ethnicity, and race, and the relationship of the kinship care providers to the children);

''(iii) the characteristics of the household of such providers (such as number of other persons in the household and family composition);

''(iv) how much access to the child is afforded to the parent from whom the child has been removed;

''(v) the cost of, and source of funds for, kinship care (including any subsidies such as medicaid and cash assistance);

''(vi) the permanency plan for the child and the actions being taken by the State to achieve the plan;

''(vii) the services being provided to the parent from whom the child has been removed; and

''(viii) the services being provided to the kinship care provider; and

''(B) specifically note the circumstances or conditions under which children enter kinship care.

''(b) ADVISORY PANEL.—

''(1) ESTABLISHMENT.—The Secretary of Health and Human Services, in consultation with the Chairman of the Committee on Ways and Means of the House of Representatives and the Chairman of the Committee on Finance of the Senate, shall convene an advisory panel which shall include parents, foster parents, relative caregivers, former foster children, State and local public officials responsible for administering child welfare programs, private persons involved in the delivery of child welfare services, representatives of tribal governments and tribal courts, judges, and academic experts.

''(2) DUTIES.—The advisory panel convened pursuant to paragraph (1) shall review the report prepared pursuant to subsection (a), and, not later than October 1, 1998, submit to the Secretary comments on the report.''

§ 5114. Study and report of unlicensed or unregulated adoption placements

(a) In general

The Secretary shall provide for a study (the results of which shall be reported to the appropriate committees of the Congress not later than eighteen months after June 25, 2003) designed to determine—

(1) the nature, scope, and effects of the interstate (and, to the extent feasible, intrastate) placement of children in adoptive homes (not including the homes of stepparents or relatives of the child in question) by persons or agencies.[1]

(2) how interstate placements are being financed across State lines;

(3) recommendations on best practice models for both interstate and intrastate adoptions; and

(4) how State policies in defining special needs children differentiate or group similar categories of children.

(b) Dynamics of successful adoption

The Secretary shall conduct research (directly or by grant to, or contract with, public or private nonprofit research agencies or organizations) about adoption outcomes and the factors affecting those outcomes. The Secretary shall submit a report containing the results of such research to the appropriate committees of the Congress not later than the date that is 36 months after June 25, 2003.

(c) Interjurisdictional adoption

Not later than 1 year after June 25, 2003, the Secretary shall submit to the appropriate committees of the Congress a report that contains recommendations for an action plan to facilitate the interjurisdictional adoption of foster children.

(Pub. L. 95–266, title II, §204, Apr. 24, 1978, 92 Stat. 210; Pub. L. 108–36, title II, §§203, 204, June 25, 2003, 117 Stat. 821.)

AMENDMENTS

2003—Pub. L. 108–36 designated existing provisions as subsec. (a), inserted subsec. heading and par. (1) designation, substituted ''June 25, 2003'' for ''April 24, 1978'' and ''to determine—'' for ''to determine'', struck out ''which are not licensed by or subject to regulation by any governmental entity'' after ''by persons or agencies'', and added pars. (2) to (4) and subsecs. (b) and (c).

§ 5115. Authorization of appropriations

(a) There are authorized to be appropriated $40,000,000 for fiscal year 2010 and such sums as may be necessary for fiscal years 2011 through

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[1] So in original. The period probably should be a semicolon.