

117TH CONGRESS
2D SESSION

S. 5101

To modify the Intercountry Adoption Act of 2000 to provide a specialized accreditation option for performing a background study on a child or a home study on prospective adoptive parents, and reporting on such a study.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 16, 2022

Mr. WICKER (for himself and Ms. KLOBUCHAR) introduced the following bill;
which was read twice and referred to the Committee on Foreign Relations

A BILL

To modify the Intercountry Adoption Act of 2000 to provide a specialized accreditation option for performing a background study on a child or a home study on prospective adoptive parents, and reporting on such a study.

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 “Voluntary Specialized
5 Accreditation for Background and Home Studies Act”.

6 **SEC. 2. SENSE OF CONGRESS.**

7 It is the sense of Congress that—

1 (1) prospective adoptive parents should receive
2 high-quality services from experienced providers for
3 their child background studies and home studies;

4 (2) the number of accredited adoption service
5 providers is declining in the United States, leading
6 to fewer options of accredited service providers;

7 (3) some foreign countries, primary providers
8 and many adoptive families have a preference that
9 only accredited adoption service providers conduct
10 intercountry home studies and post adoption report-
11 ing;

12 (4) accreditation and approval ensures compli-
13 ance with standards and requires accrediting entities
14 to provide oversight, enforcement, and data and re-
15 port collection for accredited and approved adoption
16 service providers; and

17 (5) United States intercountry adoption prac-
18 tices can be enhanced by supporting an accreditation
19 system that includes a new, limited accreditation op-
20 tion for the provision of a background study on a
21 child or a home study on a prospective adoptive par-
22 ent, in addition to current, comprehensive, manda-
23 tory accreditation for primary providers.

1 **SEC. 3. AMENDMENTS TO THE INTERCOUNTRY ADOPTION**
 2 **ACT OF 2000.**

3 (a) **DEFINITIONS.**—Section 3 of the Intercountry
 4 Adoption Act of 2000 (42 U.S.C. 14902) is amended—

5 (1) in paragraph (1), by inserting “specialized
 6 accreditation” after “adoption services”;

7 (2) by redesignating paragraph (17) as para-
 8 graph (18); and

9 (3) by inserting after paragraph (16) the fol-
 10 lowing:

11 “(17) **SPECIALIZED ACCREDITATION.**—The
 12 term ‘specialized accreditation’ means voluntary ac-
 13 creditation that is limited to the provision of 1 or
 14 more of the following services:

15 “(A) Performing a background study on a
 16 child in an outgoing case and reporting on such
 17 a study.

18 “(B) Performing a home study on a pro-
 19 spective adoptive parent in an incoming case
 20 and reporting on such a study.”.

21 (b) **ACCREDITATION AND APPROVAL.**—

22 (1) **IN GENERAL.**—Section 202(b)(1) of the
 23 Intercountry Adoption Act of 2000 (42 U.S.C.
 24 14922(b)(1)) is amended to read as follows:

25 “(1) **ACCREDITATION AND APPROVAL.**—Accred-
 26 itation of agencies, and approval of persons, to pro-

vide adoption services or other specialized services in the United States in cases subject to the Convention or Intercountry Adoption Universal Accreditation Act of 2012 (Public Law 112–276). At the time of initial or renewal of accreditation of agencies, and approval of persons, the applying entity shall indicate whether the entity seeks accreditation as—

“(A) an accredited agency or approved person; or

“(B) an agency with a limited home study or child background study.”.

(2) EXEMPTION FROM PAPERWORK REDUCTION ACT.—Section 503(c) of the Intercountry Adoption Act of 2000 (42 U.S.C. 14953(c)) is amended by inserting “202(b)(1),” after “104,”.

SEC. 4. RULES OF CONSTRUCTION.

(a) IN GENERAL.—Nothing in this Act or the amendments made by this Act may be construed to require that intercountry adoption service providers have a specialized accreditation (as defined in section 3(17) of the Inter- country Adoption Act of 2000, as amended by section 3(a)(3)), to provide a home study on prospective adoptive parents pursuing an intercountry adoption.

(b) DEFINITION OF ADOPTION SERVICE.—Nothing in this Act or in the amendments made by this Act may

1 be construed to modify the definition of “adoption service”
2 under section 3 of the Intercountry Adoption Act of 2000
3 (42 U.S.C. 14902).

4 **SEC. 5. EFFECTIVE DATE.**

5 This Act shall take effect on the date that is 90 days
6 after the date of the enactment of this Act.

