

Subsec. (a)(7). Pub. L. 108-36, §201(1)(D), redesignated par. (9) as (7). Former par. (7) redesignated (5).

Subsec. (a)(7)(A). Pub. L. 108-36, §201(1)(C), added subpar. (A) and struck out former subpar. (A) which read as follows: "currently, 40,000 children are free for adoption and awaiting placement;"

Subsec. (a)(8) to (10). Pub. L. 108-36, §201(1)(D), redesignated pars. (8) to (10) as (6) to (8), respectively.

Subsec. (b). Pub. L. 108-36, §201(2)(A), inserted ", including geographic barriers," after "barriers" in introductory provisions.

Subsec. (b)(2). Pub. L. 108-36, §201(2)(B), substituted "an Internet-based national" for "a national".

1996—Subsec. (a)(1). Pub. L. 104-235, §211(1)(A), substituted "61 percent between 1986 and 1994" for "50 percent between 1985 and 1990" and "452,000 as of June 1994" for "400,000 children at the end of June, 1990".

Subsec. (a)(5). Pub. L. 104-235, §211(1)(B), substituted "legal" for "local".

Subsec. (a)(7). Pub. L. 104-235, §211(1)(C), amended par. (7) generally. Prior to amendment, par. (7) read as follows: "currently one-half of children free for adoption and awaiting placement are minorities;"

Subsec. (b). Pub. L. 104-235, §211(2), substituted "conditions, by providing a mechanism to—" for "conditions, by—

"(1) promoting model adoption legislation and procedures in the States and territories of the United States in order to eliminate jurisdictional and legal obstacles to adoption; and

"(2) providing a mechanism for the Department of Health and Human Services to—", redesignated subpars. (A) to (C) of former par. (2) as pars. (1) to (3), respectively, and realigned margins.

1992—Pub. L. 102-295 amended section generally, designating existing provisions as subsecs. (a) and (b), inserting findings relating to the number of children in substitute care, foster care children with complex problems which require intensive services, infants born without prenatal care, addicted to alcohol or other drugs, or exposed to infection with the etiologic agent for human immunodeficiency virus, and percentage of children awaiting adoption who are minorities, inserting as purposes of this subchapter to provide a mechanism to recruit prospective parents for children awaiting adoption and to demonstrate expeditious ways to free children for adoption, and striking out as a purpose to provide a mechanism to coordinate with Federal departments and agencies to provide national adoption and foster care information data-gathering and analysis system.

1984—Pub. L. 98-457, §201(a), (b)(1), in provisions before par. (1), inserted "the welfare of thousands of children in institutions and foster homes and disabled infants with life-threatening conditions may be in serious jeopardy and that some such children are in need of placement in permanent, adoptive homes, that" and substituted "should not have medically indicated treatment withheld from them, nor be maintained in foster care" for "should not be maintained in foster care" and "children with special needs, including disabled infants with life-threatening conditions, by" for "children with special needs by".

Par. (2). Pub. L. 98-457, §201(b)(2), amended par. (2) generally. Prior to amendment, par. (2) read as follows: "providing a mechanism for the Department of Health and Human Services to (A) promote quality standards for adoption services (including pre-placement, post-placement, and post-adoption counseling and standards to protect the rights of children in need of adoption), and (B) provide for a national adoption and foster care information data gathering and analysis system and a national adoption information exchange system to bring together children who would benefit by adoption and qualified prospective adoptive parents who are seeking such children."

#### STUDY OF INTERJURISDICTIONAL ADOPTION ISSUES

Pub. L. 105-89, title II, §202(c), Nov. 19, 1997, 111 Stat. 2126, provided that:

"(1) IN GENERAL.—The Comptroller General of the United States shall—

"(A) study and consider how to improve procedures and policies to facilitate the timely and permanent adoptions of children across State and county jurisdictions; and

"(B) examine, at a minimum, interjurisdictional adoption issues—

"(i) concerning the recruitment of prospective adoptive families from other States and counties;

"(ii) concerning the procedures to grant reciprocity to prospective adoptive family home studies from other States and counties;

"(iii) arising from a review of the comity and full faith and credit provided to adoption decrees and termination of parental rights orders from other States; and

"(iv) concerning the procedures related to the administration and implementation of the Interstate Compact on the Placement of Children.

"(2) REPORT TO THE CONGRESS.—Not later than 1 year after the date of the enactment of this Act [Nov. 19, 1997], the Comptroller General shall submit to the appropriate committees of the Congress a report that includes—

"(A) the results of the study conducted under paragraph (1); and

"(B) recommendations on how to improve procedures to facilitate the interjurisdictional adoption of children, including interstate and intercounty adoptions, so that children will be assured timely and permanent placements."

#### § 5112. Repealed. Pub. L. 102-295, title IV, § 402, May 28, 1992, 106 Stat. 213

Section, Pub. L. 95-266, title II, §202, Apr. 24, 1978, 92 Stat. 208; Pub. L. 98-457, title II, §202, Oct. 9, 1984, 98 Stat. 1756, related to model adoption legislation and procedures.

#### § 5113. Information and services

##### (a) In general

The Secretary shall establish in the Department of Health and Human Services an appropriate administrative arrangement to provide a centralized focus for planning and coordinating of all departmental activities affecting adoption and foster care and for carrying out the provisions of this subchapter. The Secretary shall make available such consultant services, on-site technical assistance and personnel, together with appropriate administrative expenses, including salaries and travel costs, as are necessary for carrying out such purposes, including services to facilitate the adoption of older children, minority children, and children with special needs, particularly infants and toddlers with disabilities who have life-threatening conditions, and services to families considering adoption of children with special needs.

##### (b) Required activities

In connection with carrying out the provisions of this subchapter, the Secretary shall—

(1) conduct (directly or by grant to or contract with public or private agencies or organizations) an education and training program on adoption, and prepare, publish, and disseminate (directly or by grant to or contract with public or private agencies and organizations) to all interested parties, public and private agencies and organizations (including, but not limited to, hospitals, health care and family planning clinics, and social services

agencies), and governmental bodies, information and education and training materials regarding adoption, adoption assistance programs, and post-legal adoption services;

(2) conduct, directly or by grant or contract with public or private organizations, ongoing, extensive recruitment efforts on a national level, including efforts to promote the adoption of older children, minority children, and children with special needs, develop national public awareness efforts to unite children in need of adoption with appropriate adoptive parents, and establish a coordinated referral system of recruited families with appropriate State or regional adoption resources to ensure that families are served in a timely fashion;

(3) notwithstanding any other provision of law, provide (directly or by grant to or contract with public or private agencies or organizations) for (A) the operation of a national adoption information exchange system (including only such information as is necessary to facilitate the adoptive placement of children, utilizing computers and data processing methods to assist in the location of children who would benefit by adoption and in the placement in adoptive homes of children awaiting adoption); and (B) the coordination of such system with similar State and regional systems;

(4) provide (directly or by grant to or contract with public or private agencies or organizations, including adoptive family groups and minority groups) for the provision of technical assistance in the planning, improving, developing, and carrying out of programs and activities relating to adoption, and to promote professional leadership training of minorities in the adoption field;

(5) encourage involvement of corporations and small businesses in supporting adoption as a positive family-strengthening option, including the establishment of adoption benefit programs for employees who adopt children;

(6) support the placement of children in kinship care arrangements, pre-adoptive, or adoptive homes;

(7) increase the effective use of public or private agencies (including community-based and other organizations) by States, or sectarian institutions, for the recruitment of potential adoptive and foster families and to provide assistance in the placement of children for adoption, including assisting in efforts to work with organizations that promote the placement of older children, minority children, and children with special needs;

(8) consult with other appropriate Federal departments and agencies in order to promote maximum coordination of the services and benefits provided under programs carried out by such departments and agencies with those carried out by the Secretary, and provide for the coordination of such aspects of all programs within the Department of Health and Human Services relating to adoption;

(9) maintain (directly or by grant to or contract with public or private agencies or organizations) a National Resource Center for Special Needs Adoption to—

(A) promote professional leadership development of minorities in the adoption field;

(B) provide training and technical assistance to service providers and State agencies to improve professional competency in the field of adoption and the adoption of children with special needs;

(C) facilitate the development of interdisciplinary approaches to meet the needs of children who are waiting for adoption and the needs of adoptive families; and

(D) identify best practices to reduce adoption disruption and termination;

(10) provide (directly or by grant to or contract with States, local government entities, tribal child welfare agencies, public or private licensed child welfare or adoption agencies or adoptive family groups and community-based organizations with experience in working with minority populations) for the provision of programs aimed at increasing the number of minority children (who are in foster care and have the goal of adoption) placed in adoptive families, with a special emphasis on recruitment of minority families—

(A) which may include such activities as—

(i) outreach, public education, or media campaigns to inform the public of the needs and numbers of such children;

(ii) recruitment of prospective adoptive families for such children, including developing and using procedures to notify family and relatives when a child enters the child welfare system;

(iii) expediting, where appropriate, the legal availability of such children;

(iv) expediting, where appropriate, the agency assessment of prospective adoptive families identified for such children;

(v) formation of prospective adoptive family support groups;

(vi) training of personnel of—

(I) public agencies;

(II) private child welfare and adoption agencies that are licensed by the State; and

(III) adoptive parents organizations and community-based organizations with experience in working with minority populations;

(vii) education and training of prospective adoptive or adoptive parents;

(viii) use of volunteers and adoptive parent groups; and

(ix) any other activities determined by the Secretary to further the purposes of this subchapter; and

(B) shall be subject to the condition that such grants or contracts may be renewed if documentation is provided to the Secretary demonstrating that appropriate and sufficient placements of such children have occurred during the previous funding period; and

(11) provide (directly or by grant to or contract with States, local government entities, or public or private licensed child welfare or adoption agencies) for the implementation of programs that are intended to increase the number of older children (who are in foster care and with the goal of adoption) placed in

adoptive families, with a special emphasis on child-specific recruitment strategies, including—

(A) outreach, public education, or media campaigns to inform the public of the needs and numbers of older youth available for adoption;

(B) training of personnel in the special needs of older youth and the successful strategies of child-focused, child-specific recruitment efforts; and

(C) recruitment of prospective families for such children.

**(c) Services for families adopting special needs children**

**(1) In general**

The Secretary shall provide (directly or by grant to or contract with States, local government entities, public or private licensed child welfare or adoption agencies or adoptive family groups) for the provision of post legal adoption services for families who have adopted special needs children.

**(2) Services**

Services provided under grants made under this subsection shall supplement, not supplant, services from any other funds available for the same general purposes, including—

(A) individual counseling;

(B) group counseling;

(C) family counseling;

(D) case management;

(E) training public agency adoption personnel, personnel of private, child welfare and adoption agencies licensed by the State to provide adoption services, mental health services professionals, and other support personnel to provide services under this subsection;

(F) assistance to adoptive parent organizations;

(G) assistance to support groups for adoptive parents, adopted children, and siblings of adopted children;

(H) day treatment; and

(I) respite care.

**(d) Improving placement rate of children in foster care**

**(1) In general**

The Secretary shall make grants for improving State efforts to increase the placement of foster care children legally free for adoption, according to a pre-established plan and goals for improvement.

**(2) Applications; technical and other assistance**

**(A) Applications**

Each State entering into an agreement under this subsection shall submit an application to the Secretary that describes the manner in which the State will use funds during the 3 fiscal years subsequent to the date of the application to accomplish the purposes of this section. Such application shall be in a form and manner determined to be appropriate by the Secretary, consistent with the purpose of this subchapter. Each application shall contain information that—

(i) describes how the State plans to improve the placement rate of children in permanent homes;

(ii) describes the methods the State, prior to submitting the application, has used to improve the placement of older children, minority children, and children with special needs, who are legally free for adoption;

(iii) describes the evaluation the State plans to conduct, to identify the effectiveness of programs and methods of placement under this subsection, and submit to the Secretary; and

(iv) describes how the State plans to coordinate activities under this subsection with relevant activities under section 673 of title 42.

**(B) Technical and other assistance**

The Secretary shall provide, directly or by grant to or contract with public or private agencies or organizations—

(i) technical assistance and resource and referral information to assist State or local governments with termination of parental rights issues, in recruiting and retaining adoptive families, in the successful placement of older children, minority children, and children with special needs, and in the provision of pre- and post-placement services, including post-legal adoption services; and

(ii) other assistance to help State and local governments replicate successful adoption-related projects from other areas in the United States.

**(C) Evaluation**

The Secretary shall compile the results of evaluations submitted by States (described in subparagraph (A)(iii)) and submit a report containing the compiled results to the appropriate committees of Congress.

**(3) Payments**

**(A) In general**

Payments under this subsection shall begin during fiscal year 1989. Payments under this section during any fiscal year shall not exceed \$1,000,000. No payment may be made under this subsection unless an amount in excess of \$5,000,000 is appropriated for such fiscal year under section 5115(a) of this title.

**(B) Reversion of unused funds**

Any payment made to a State under this subsection which is not used by such State for the purpose provided in paragraph (1) during the fiscal year payment is made shall revert to the Secretary on October 1st of the next fiscal year and shall be used to carry out the purposes of this subchapter.

**(e) Elimination of barriers to adoptions across jurisdictional boundaries**

**(1) In general**

The Secretary shall award grants to, or enter into contracts with, States, local government entities, public or private child welfare or adoption agencies, adoption exchanges,

or adoption family groups to carry out initiatives to improve efforts to eliminate barriers to placing children for adoption across jurisdictional boundaries.

**(2) Services to supplement not supplant**

Services provided under grants made under this subsection shall supplement, not supplant, services provided using any other funds made available for the same general purposes including—

(A) developing a uniform homestudy standard and protocol for acceptance of homestudies between States and jurisdictions;

(B) developing models of financing cross-jurisdictional placements;

(C) expanding the capacity of all adoption exchanges to serve increasing numbers of children;

(D) developing training materials and training social workers on preparing and moving children across State lines; and

(E) developing and supporting initiative models for networking among agencies, adoption exchanges, and parent support groups across jurisdictional boundaries.

(Pub. L. 95-266, title II, §203, Apr. 24, 1978, 92 Stat. 209; Pub. L. 98-457, title II, §203, Oct. 9, 1984, 98 Stat. 1756; Pub. L. 100-294, title II, §202, Apr. 25, 1988, 102 Stat. 122; Pub. L. 102-295, title IV, §403, May 28, 1992, 106 Stat. 213; Pub. L. 104-235, title II, §212, Oct. 3, 1996, 110 Stat. 3090; Pub. L. 108-36, title II, §202, June 25, 2003, 117 Stat. 819; Pub. L. 111-320, title III, §301(b), Dec. 20, 2010, 124 Stat. 3511.)

AMENDMENTS

2010—Subsec. (a). Pub. L. 111-320, §301(b)(1), substituted “older children, minority children, and children with special needs, particularly infants and toddlers with disabilities who have life-threatening conditions, and services to families considering adoption of children with special needs.” for “children with special needs and particularly of disabled infants with life-threatening conditions and services to couples considering adoption of children with special needs.”

Subsec. (b)(1). Pub. L. 111-320, §301(b)(2)(A), substituted a comma for “and” after “regarding adoption” and inserted “, and post-legal adoption services” after “adoption assistance programs”.

Subsec. (b)(2). Pub. L. 111-320, §301(b)(2)(B), inserted “, including efforts to promote the adoption of older children, minority children, and children with special needs” after “national level”.

Subsec. (b)(7). Pub. L. 111-320, §301(b)(2)(C), substituted “increase the effective use of” for “study the efficacy of States contracting with” and “by States,” for the comma after “organizations)” and inserted a comma after “institutions” and “, including assisting in efforts to work with organizations that promote the placement of older children, minority children, and children with special needs” after “children for adoption”.

Subsec. (b)(9)(D). Pub. L. 111-320, §301(b)(2)(D), added subpar. (D).

Subsec. (b)(10). Pub. L. 111-320, §301(b)(2)(E)(i), inserted “tribal child welfare agencies,” after “local government entities,” in introductory provisions.

Subsec. (b)(10)(A)(ii). Pub. L. 111-320, §301(b)(2)(E)(ii)(I), inserted “, including developing and using procedures to notify family and relatives when a child enters the child welfare system” before semicolon at end.

Subsec. (b)(10)(A)(vii) to (ix). Pub. L. 111-320, §301(b)(2)(E)(ii)(II), (III), added cl. (vii) and redesignated former cls. (vii) and (viii) as (viii) and (ix), respectively.

Subsec. (d)(1). Pub. L. 111-320, §301(b)(3)(A), struck out at end: “Grants funded by this section must include a strong evaluation component which outlines the innovations used to improve the placement of special needs children who are legally free for adoption, and the successes and failures of the initiative. The evaluations will be submitted to the Secretary who will compile the results of projects funded by this section and submit a report to the appropriate committees of Congress. The emphasis of this program must focus on the improvement of the placement rate—not the aggregate number of special needs children placed in permanent homes. The Secretary, when reviewing grant applications shall give priority to grantees who propose improvements designed to continue in the absence of Federal funds.”

Subsec. (d)(2)(A). Pub. L. 111-320, §301(b)(3)(B)(i), inserted “, consistent with the purpose of this subchapter” after “by the Secretary”, substituted “Each application shall contain information that—” for “Each application shall include verification of the placements described in paragraph (1).”, and added cls. (i) to (iv).

Subsec. (d)(2)(B)(i). Pub. L. 111-320, §301(b)(3)(B)(ii), inserted “older children, minority children, and” after “successful placement of”.

Subsec. (d)(2)(C). Pub. L. 111-320, §301(b)(3)(B)(iii), added subpar. (C).

2003—Pub. L. 108-36, §202(1), added section catchline and struck out former catchline.

Subsec. (a). Pub. L. 108-36, §202(2), inserted heading.

Subsec. (b). Pub. L. 108-36, §202(3)(A), inserted heading.

Subsec. (b)(1). Pub. L. 108-36, §202(3)(B), struck out “nonprofit” before “agencies or” in two places.

Subsec. (b)(2). Pub. L. 108-36, §202(3)(C), struck out “nonprofit” before “organizations.”.

Subsec. (b)(3). Pub. L. 108-36, §202(3)(D), struck out “nonprofit” before “agencies or organizations)”.

Subsec. (b)(4). Pub. L. 108-36, §202(3)(E), struck out “nonprofit” before “agencies or organizations.”.

Subsec. (b)(6). Pub. L. 108-36, §202(3)(F), substituted “support” for “study the nature, scope, and effects of”.

Subsec. (b)(7). Pub. L. 108-36, §202(3)(G), struck out “nonprofit” before “agencies (including)”.

Subsec. (b)(9). Pub. L. 108-36, §202(3)(H), struck out “nonprofit” before “agencies or organizations)” in introductory provisions and “and” at end.

Subsec. (b)(10). Pub. L. 108-36, §202(3)(I), struck out “nonprofit” before “licensed child” in introductory provisions and before “child welfare and adoption” in subpar. (A)(vi)(II), and substituted “; and” for period at end.

Subsec. (b)(11). Pub. L. 108-36, §202(3)(J), added par. (11).

Subsec. (c). Pub. L. 108-36, §202(4)(A), inserted heading.

Subsec. (c)(1). Pub. L. 108-36, §202(4)(A), (D), inserted heading and struck out “nonprofit” before “licensed child” in text.

Subsec. (c)(2). Pub. L. 108-36, §202(4)(B)–(D), inserted heading, realigned margins, struck out “nonprofit” before “child welfare” in subpar. (E), and added subpars. (H) and (I).

Subsec. (d). Pub. L. 108-36, §202(5), inserted subsec., par., and subpar. headings and, in par. (2)(B), struck out “nonprofit” before “agencies” and realigned cl. margins.

Subsec. (e). Pub. L. 108-36, §202(6), added subsec. (e).  
1996—Subsec. (a). Pub. L. 104-235, §212(1), struck out at end “The Secretary shall, not later than 12 months after May 28, 1992, prepare and submit to the committees of Congress having jurisdiction over such services reports, as appropriate, containing appropriate data concerning the manner in which activities were carried out under this subchapter, and such reports shall be made available to the public.”

Subsec. (b)(6). Pub. L. 104-235, §212(2)(A), amended par. (6) generally. Prior to amendment, par. (6) read as follows: “continue to study the nature, scope, and ef-

fects of the placement of children in adoptive homes (not including the homes of stepparents or relatives of the child in question) by persons or agencies which are not licensed by or subject to regulation by any governmental entity;”.

Subsec. (b)(7) to (10). Pub. L. 104-235, §212(2)(B), (C), added par. (7) and redesignated former pars. (7) to (9) as (8) to (10), respectively.

Subsec. (d)(2). Pub. L. 104-235, §212(3), designated existing provisions as subpar. (A), substituted “that describes the manner in which the State will use funds during the 3 fiscal years subsequent to the date of the application to accomplish the purposes of this section. Such application shall be” for “for each fiscal year”, and added subpar. (B).

1992—Subsec. (a). Pub. L. 102-295, §403(1), inserted “, on-site technical assistance” after “consultant services” and “including salaries and travel costs,” after “administrative expenses,” and inserted at end “The Secretary shall, not later than 12 months after May 28, 1992, prepare and submit to the committees of Congress having jurisdiction over such services reports, as appropriate, containing appropriate data concerning the manner in which activities were carried out under this subchapter, and such reports shall be made available to the public.”

Subsec. (b)(1), (2). Pub. L. 102-295, §403(2)(A), (B), added par. (2), redesignated former par. (2) as (1), and struck out former par. (1) which read as follows: “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;”.

Subsec. (b)(4). Pub. L. 102-295, §403(2)(C), inserted “, and to promote professional leadership training of minorities in the adoption field”.

Subsec. (b)(8), (9). Pub. L. 102-295, §403(2)(D), added par. (8) and redesignated former par. (8) as (9).

1988—Subsec. (b)(8). Pub. L. 100-294, §202(a), added par. (8).

Subsecs. (c), (d). Pub. L. 100-294, §202(b), (c), added subsecs. (c) and (d).

1984—Subsec. (a). Pub. L. 98-457, §203(a), (b)(1), substituted “Health and Human Services” for “Health, Education, and Welfare” and inserted provision requiring the Secretary to make available services to facilitate the adoption of children with special needs and particularly of disabled infants with life-threatening conditions and services to couples considering adoption of children with special needs.

Subsec. (b). Pub. L. 98-457, §203(c)(1), substituted “this subchapter” for “subsection (a) of this section” in provisions preceding par. (1).

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 rel-