

118TH CONGRESS
1ST SESSION

H. R. 6529

To establish a national registry to provide for the linking of State and tribal responsible father registries to facilitate the timely notification of adoption proceedings to out-of-State possible biological fathers, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 30, 2023

Ms. KUSTER (for herself, Mr. SMUCKER, and Mr. HUIZENGA) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To establish a national registry to provide for the linking of State and tribal responsible father registries to facilitate the timely notification of adoption proceedings to out-of-State possible biological fathers, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Protecting All Parents
5 and Adoptees Act” or the “PAPA Act”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds as follows:

1 (1) A permanent, stable home is critical for the
2 physical and cognitive development of children.

3 (2) Identifying the biological father of a child is
4 crucial to ensuring a timely adoption proceeding to
5 provide permanency and stability for the child.

6 (3) Responsible father registries, also known as
7 putative father registries, help to facilitate the stable
8 placement of children by providing a mechanism to
9 identify possible fathers and determine whether a bi-
10 ological father has a protectable interest in partici-
11 pating in the placement decisions for a child.

12 (4) Responsible father registries remove the
13 burden from the mother of having to identify pos-
14 sible fathers, to protect her privacy and safety, espe-
15 cially in cases of rape or domestic violence.

16 (5) Responsible father registries empower pos-
17 sible fathers to take responsibility for the protection
18 of their rights by enabling them to voluntarily reg-
19 ister and increase the likelihood of receiving timely
20 notice of a proceeding.

21 (6) Responsible father registries reduce the risk
22 to prospective adoptive parents of delayed or dis-
23 rupted placements resulting from challenges to adop-
24 tions due to a possible father's untimely receipt of
25 notice of such proceedings.

1 (7) Responsible father registries and related pa-
2 ternal identification registries have been established
3 by a number of States and Indian tribes but no
4 mechanism exists to cross-reference registries.

5 (8) National cross-referencing of State and
6 Tribal responsible father registries would provide
7 registered individuals an ability to receive timely no-
8 tice of a proceeding related to a child they may have
9 fathered out of wedlock in a State other than the
10 State in which the individual is registered.

11 **SEC. 3. LINKING OF STATE RESPONSIBLE FATHER REG-**
12 **ISTRIES.**

13 (a) IN GENERAL.—The Secretary of Health and
14 Human Services (in this section referred to as the “Sec-
15 retary”) shall—

16 (1) establish a national responsible father reg-
17 istry consisting of information about possible biologi-
18 cal fathers identified in any responsible father reg-
19 istry established by any State or Indian tribe, and
20 seek to have the information in each such respon-
21 sible father registry provided to the national registry
22 voluntarily; and

23 (2) enable the State and tribal agencies admin-
24 istering the responsible father registries to access,

1 and electronically exchange information with, the na-
2 tional registry.

3 (b) PARTIES AUTHORIZED TO ACCESS THE NA-
4 TIONAL REGISTRY.—The Secretary shall make the infor-
5 mation in the national registry available to—

6 (1) public or private licensed adoption or child
7 placement agencies;

8 (2) State or tribal child welfare authorities;

9 (3) State or tribal courts; and

10 (4) licensed attorneys representing a party in
11 an adoption, a child placement, or a termination of
12 rights proceeding.

13 (c) AUTHORITY TO CHARGE FEE.—The Secretary
14 may charge a reasonable fee for a search of the national
15 registry.

16 (d) REPORT.—Within 12 months after the date of the
17 enactment of this Act, the Secretary shall submit to the
18 Congress a report on the implementation of this Act, that
19 shall include—

20 (1) a framework to assist States and Indian
21 tribes without a responsible father registry in setting
22 up such a registry, or to coordinate with a State or
23 tribal responsible father registry;

1 (2) a description of best practices that a State
2 or Indian tribe with a responsible father registry
3 may follow to improve the efficiency of the registry;

4 (3) an identification of administrative and legis-
5 lative options for ensuring that every possible bio-
6 logical father has access to the protections of a re-
7 sponsible father registry regardless of the State in
8 which the possible biological father resides; and

9 (4) a description of the national registry so es-
10 tablished, which shall identify participating states
11 and explain how authorized users may access and
12 use the national registry.

13 **SEC. 4. DEFINITIONS.**

14 In this Act:

15 (1) **INDIAN TRIBE.**—The term “Indian tribe”
16 has the meaning given the term in section 4 of the
17 Indian Self-Determination and Education Assistance
18 Act.

19 (2) **RESPONSIBLE FATHER REGISTRY.**—The
20 term “responsible father registry” means a registry
21 for the receipt of information that directly relates to
22 the identity or location of possible biological fathers
23 who have voluntarily registered to be notified of a
24 proceeding relating to a child that a possible biologi-
25 cal father may have fathered out of wedlock, so that

1 a possible biological father may opt to assert his pa-
2 rental rights.

3 (3) STATE.—The term “State” means the 50
4 States of the United States, the District of Colum-
5 bia, the Commonwealth of Puerto Rico, the United
6 States Virgin Islands, Guam, the Commonwealth of
7 the Northern Mariana Islands, and American
8 Samoa.

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