



**Bastard Nation: the Adoptee Rights Organization**

**PO Box 4607**

**New Windsor, New York 12553-7845**

**bastards.org**

**614-795-6819**

**@BastardsUnite**

TO: Advisor, Committee, and Observers

FROM: Marley Greiner, Executive Chair, Bastard Nation

DATE: September 24, 2020

RE: Submitted Comments on proposed draft language of The Unregulated Transfers of Adopted Children Act

Bastard Nation: the Adoptee Rights Organization is the largest adoptee civil rights organization in the United States. Below are our comments regarding the proposed Unregulated Transfers of Adopted Child Act.

## **Introduction**

The re-homing of inter-country adoptees is one of adoption's dirty but open little secrets today. Although I know of no major study on the subject, unregulated re-homing has been covered by a series of articles published by Reuters and in a broadcast documentary by Dan Rather. The revelation of the extent to which it is practiced in the US has rocketed unregulated re-homing (and "legal" re-homing) into the vocabulary of adoption reform alongside birth and adoption records access, "legalized" infant abandonment, and adoptee citizenship/deportation.

Re-homing has become a lucrative commercial enterprise for "adoption professionals" and public and private agencies that facilitate "legal" although often unethical transactions--legal because they are run through "official" channels.

But there is dark money. also—a substantial underground network of dissatisfied and abusive adopters and traffickers-for-hire to facilitate for a fee, unregulated transfer of their adopted children to non-vetted and unknown third parties.

Re-homing is a major topic of discussion in adopted-related social media, especially Facebook and Adoptee Twitter. It fuels the growing anti-adoption movement in the United States.

Importantly, adopted adults are now coming forward with their own “legal” and illegal re-homing horror stories. A statute outlawing unregulated child transfer of adoptees is not an over-reaction as some say, to a handful of cases. It is a reasonable and long-time-coming response to a decades-long pattern of child abuse, bad adoption practice, and ultimately child trafficking that has harmed thousands of adopted people both inter-country and domestic.

## **Concern 1: Original Intent v Current Intent**

The original intent of the draft act—to stop trafficking of adoptees via unregulated re-homing is clear and found in the title: Unregulated Transfer of Adopted Children Act.

Unfortunately, since introduction, adoptees, the core of the draft language, are now decentered--starting with the proposed revised title, The Uniform Transfer of Child Custody Act—with language that erases adoptees and the purpose of the act itself.

The committee has added a surfeit of scenarios that have nothing to do with adoption or actual re-homing (“legal” or illegal): parental custody agreements; LGBTQ rights; surrogacy arrangements; immigration (unless I suppose, your kid- in-a-cage has been lost in the system and rehomed to a stranger in a strange town); and temporary domicile arrangements. Sending your kid to live with family or friends in a high-ranked school district for a few months so they can get into a “good college,” perform in a high-ranked marching band, or play on a high-ranked football team is very different from re-homing. The intent of re-homing is to sever yourself from your “forever adoptee” by shipping him or her off some new unknown “forever caretaker,” not a temporary change of address.

This doesn't mean that these other “custody transfer” issues, (if they are indeed “custody transfer” issues), which are becoming central to the act, can't be important—but they should not be part of this specific discussion. The attempt to change the language and meaning of the act simply erases the rehomed adoptee. It is comparable to turning Black Lives Matter into All Lives Matter.

## **Concern 2: Focus on adoptive parents**

*Related to Concern 1:* I am in total agreement with the comments made by Maureen Flatley and Susan Jacobs regarding the prominence that adoptive parents are now being placed in the discussion.

Unregulated transfer of adoptees is not an act of “benevolent parents” who desire the “best interests of the child.” This is not an in-family decision about temporary care. It is a malevolent act by adopters to disappear their adopted children from adopter-generated abusive narrative. It's a walk away

Some children are indeed better off in a new environment and re-homing is a legitimate alternative. But, many unregulated cases (and certainly “legal” cases) involve neglect and emotional, physical, and sometimes sexual abuse of the adoptee that re-homing hides when the child is disappeared into the underground re-homing system. Unregulated re-homing is used to avoid public and legal scrutiny and accountability and even prosecution. It can send children from one abusive situation to another.

At best, re-homing is pursued for convenience and comfort. The child didn't live up to expectations. The parents now have biological children of their own. The child has physical or psychological problems adopters didn't sign up for. Deported adoptee Anissa Druesdow De Thewell, was adopted in Panama by a US military family when she was 12 and later developed cancer that led to a leg amputation. When she turned 18 and military insurance ran out her “forever parents” cut her loose because she was a “walking medical bill.” Anissa's case is not unusual. An alarming number of pre-1983/Adoptee Citizenship Act 2000 inter-country adoptees deported by the US government to their countries of origin experienced re-homing, abandonment, numerous foster, and group home placements, and multiple adoptions. Through the process, no one bothered to finalize their naturalization.

### **Concern 3: The Safe Haven Question**

Safe Haven laws that legalize infant abandonment have no connection to the problem at hand. Infants (healthy white in particular) are in notoriously high demand and bring in large amounts of money--\$20,000 -\$60,000 per transaction. The Safe Haven age timeframe in most states is limited to newborn to 14/30/ 60 days of age. Three states top out at 1 year. Children re-homed “legally” and illegally are toddlers to teenagers.

### **Concern 4: Pre- and Post-Adoption Services**

Adoption agency (or state) pre-placement counseling and training classes need to studiously weed out applicants who have no business adopting. One has only to read news accounts of adopters charged with adopted-child abuse and murder to wonder why those people were ever allowed to adopt. It is no secret, of course, that agencies (and the state) often judge applicant qualification and suitability to adopt by the size of the applicant's bank account, their community and social status, and religious affiliation. If strict applicant investigation and vetting were the norm; unregulated transfer might not be the problem it is today.

Adoption agencies should be required to furnish post-placement counseling, assistance, and referrals. This service should be free—part of the adoption package. Even when agencies do offer these services, however, there is no guarantee that adoptive parents will use them. They may be embarrassed to seek assistance, feel inadequate as parents, be guilty of abusive behavior that they want to hide, or simply want to walk away with no fuss and certainly no investigation by social services or law enforcement. There is no indication, that the adoptive parents of Russian children who were abused or murdered by their adopters, sought credible professional counseling. The most notorious adopter walk-away case is that of Artyem Saveliev whose adoptive mother sent him on a plane by himself back to the Russian Ministry of Education in Moscow bearing a To Whom It May Concern note when she tired of him. Her adoption agency denies that she ever contacted it for counseling, and there is no indication that she sought assistance from local services.

For years adoption reformers and adoptee rights advocates have suggested a mandated periodic welfare check on inter-country (and even domestic), adoptive families, to determine the health and welfare of their adoptees. Some inter-country adoptees, in fact, hold dual citizenship, and sending countries have an interest in their welfare. This idea has been resisted by “adoption professionals” and adoptive parents alike as intrusive and opposed to the mythological forever family” construct.

Mandated welfare checks, especially of inter-country adoptees would certainly cut down on unregulated transfer.

## Conclusion

The the stated purpose of the act we are discussing is “unregulated transfer of adopted children.” It has been brought forward due to the traffick of cross-country adoptees once they are in the US and placed in state-approved “forever homes” This is clear cut. It is a documented practice.

Adoptees, especially inter-country adoptees have already lost much: their names, families, friends, language, culture, possessions, and often personal records of their birth and history. They have been rendered invisible through sealed and secret birth and adoption records and by other people's agendas, desires, and scenarios. Now an act to protect and salvage at least a small amount of their rights and dignity is decentering them again with the addition of concerns and scenarios that have nothing to do with them or adoption. Even the removal of their designation in the title, much less the central purpose of the act, continues the dehumanization.

The proposed additions to the act's language create larger areas of scenario-building, problems and discussions. The solution is to cut those additions and stick to the basics; ie, the protection of adopted children from predatory re-homing practices.

Bastard Nation opposes any final language that is not focused on the re-homing of international adoptees. We request that extraneous scenarios and situations be removed. We also believe that post-placement and finalization counseling and referral services be made easily available.

We may submit further comments at a later date.

*Bastard Nation is dedicated to the recognition of the full human and civil rights of adult adoptees. Toward that end, we advocate the opening to adoptees, upon request at age of majority, of those government documents which pertain to the adoptee's historical, genetic, and legal identity, including the unaltered original birth certificate and adoption decree. Bastard Nation asserts that it is the right of people everywhere to have their official original birth records unaltered and free from falsification, and that the adoptive status of any person should not prohibit him or her from choosing to exercise that right. We have reclaimed the badge of bastardy placed on us by those who would attempt to shame us; we see nothing shameful in having been born out of wedlock or in being adopted. Bastard Nation does not support mandated mutual consent registries or intermediary systems in place of unconditional open records, nor any other system that is less than access on demand to the adult adoptee, without condition, and without qualification.*