

BOB DOLE



(R - Kansas)

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DOLE TO INTRODUCE "ANTI-FRAUDULENT ADOPTION ACT"--
MEXICAN ADOPTION SCAM, OTHER FRAUDULENT SCHEMES TO BE
ADDRESSED IN CONGRESSIONAL HEARINGS

WASHINGTON -- Kansas Senator Bob Dole today announced that he will introduce next week legislation designed to protect the children and prospective parents involved with interstate adoption services.

"I recently was made aware of serious allegations that a fraudulent adoption service has been operating throughout the country, taking large fees from American couples supposedly to cover the expenses of arranging adoptions of orphaned Mexican children," said Senator Dole. "Allegedly, while a few actual adoptions are arranged, in most cases the 'agency' takes the money without arranging any adoptions or incurring any expenses. In Kansas alone, as many as fourteen couples seeking to adopt children have reportedly been defrauded of many thousands of dollars each."

"After looking into this matter for the past several weeks, it has become evident that a more coordinated effort is needed, especially in the investigation procedures," said Dole. "We are not asking for another layer of bureaucracy -- but there is clearly a role for the federal government in protecting prospective parents."

"In addition, it has become clear a full and open debate is needed," said Dole. "This legislation can be a conduit for the compilation and dissemination of information by way of Congressional hearings that we will hold in the near future."

Working with Senator Dole on drafting the legislation have been Senators Chuck Grassley (R-IA), Roger Jepsen (R-IA), and Jeremiah Denton (R-AL). Senator Denton is Chairman of the Labor and Human Resources Subcommittee on Family and Human Services.

"We have found a great deal of support for our efforts," said Dole. "I expect to have a bipartisan group of cosponsors by next week, when the legislation is introduced."

Dole noted that the bill is intended to deal only with corrupt adoption procedures, and will not further restrict or lengthen the already stringent adoption process. Independent adoptions are not prohibited or discouraged in the language of the bill.

(ANALYSIS OF THE BILL ON BACK)

SECTIONAL ANALYSIS--ANTI-FRAUDULENT ADOPTION ACT OF 1984

- Sec. 101-- Would make it a criminal violation to offer any fraudulent adoption service in interstate or international commerce. A violation would be punishable by \$10,000/Five years, or both.
- Sec. 102-- Would open the federal courts to those who have been defrauded. Defrauded parents could sue, without respect to the amount in controversy in their home district court for money owed them as well as for any appropriate punitive damages. Attorneys' fees are also allowed.
- Sec. 103-- Would provide the same remedies allowed in Sec. 102 to birth mothers who have been defrauded.
- Sec. 104-- Prohibits compensation for placing a child, through interstate or international commerce, with adoptive parents except for licensed agencies, reasonable legal fees and reasonable medical fees. Violations would be punishable by \$10,000/Five years, or both.
- Sec. 105-- Prohibits the coercion or enticement of natural parents or adoptive parents to travel to another state to place a child for adoption when it is done for compensation except for any licensed agency, licensed maternity home or any person who legally seeks to do so for the purpose of adopting such child. A violation is punishable by \$10,000/Five years, or both.
- Sec. 106-- Definitions
- Sec. 107-- Instructs the Department of Health and Human Services (HHS) to collect certain data on adoptions.
- Sec. 108-- Instructs HHS to conduct certain studies of adoptions by other than a licensed agencies.
- Sec. 109-- Instructs HHS to draft model adoption legislation for use by the states.