

BOB DOLE



(R - Kansas)

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STATEMENT OF SENATOR BOB DOLE
SENATE JUDICIARY SUBCOMMITTEE ON COURTS HEARING
S. 2299 -- THE ANTI-FRAUDULENT ADOPTION PRACTICES ACT OF 1984
MARCH 16, 1984

Today's hearing is in large part the result of one man's belief that our system of government still works. Outraged by what he perceived as the authorities' callous disregard for the plight of a couple in his small Kansas town, John Grubb, Chief of Police in Chase, Kansas, called my office in Washington. His request was simple -- he wanted action.

Grubb, the only member of the Chase Police Force, explained to me that a couple in Chase had lost \$4,000 to people who had promised children available for adoption from Mexico within a relatively short time. The money, they were told, was to pay for medical and legal expenses. As time passed however, it became all too clear that the couple had fallen victim to a cruel hoax. No child was ever delivered and no money was ever returned. Sadly, as we have now discovered, the Kansas couple are by no means alone with their loss and sorrow.

My staff began looking into this heartbreaking story. The more we looked, the more we found. Working closely with other governmental offices it seemed clear that Chief Grubb had touched a nerve -- and the outcry was loud and clear: something must be done to bridle this cruelest of hoaxes. Calls poured into my office, each one with a new horror story.

In an excellent series by the Fort Worth Star-Telegram, it was reported that the scam had been in operation for years. The Arizona Range News has reported that the scam has been detected in as many as 36 states, from Hawaii to Massachusetts. In addition, there have been conservative estimates that more than 100 couples had been defrauded out of several hundreds of thousands of dollars. In my home state of Kansas alone, as many as 14 couples are victims. Years of frustration and hope by these couples have been rewarded with despair and severe financial loss.

However, the numbers involved are not as important as the questions raised by this one operation. After all, no one knows how many other operations might also be occurring even as we meet today.

How could this happen and why wasn't it stopped earlier? Today we will begin to answer those questions. I believe that at least part of the answer lies in S. 2299, the Anti-Fraudulent Adoption Practices Act, which was introduced last month. This bill is a bipartisan effort designed to provide needed protection at the Federal level for prospective adoptive parents and birth mothers who are involved in interstate and international adoptions. The bill provides stiff penalties for anyone committing fraud in adoption services and for those who seek to sell children to the highest bidder.

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I am aware that adoption is an area of law that is better suited to regulation at the state level. In recognition of this, the bill does not add another layer of bureaucratic regulation to an already cumbersome adoption process. Rather, it seeks to fill in the gaps that exist in present law when adoptions take on interstate and international proportions. Also, the bill is not intended to favor adoptions through an agency over the many ethical persons who arrange independent adoptions. Any adoption intermediary which ensures the welfare of the child and does not operate deceptively or with profit as the primary concern should welcome the provisions of S. 2299.

Our witnesses today will tell us of both abuses and successes in the adoption system. Some are victims, some are responsible for seeing that the victims are helped and the guilty are stopped. Others are involved with the regulation and processing of the vast majority of adoptions which are proper and rewarding. Their testimony should be informative and helpful.

I believe the situation is best summed up by an editorial which appeared in the February 16th Topeka Capital-Journal in praise of the developing national effort to crackdown on adoption scams. "If this seems like an all-out attack, it is. If this seems like too much, it isn't. There are more violent crimes, but none more cruel."

Although there is an element of sorrow associated with this story, there is reason for hope. John Grubb believed in the system and that system has responded. I urge my colleagues to work together to swiftly pass legislation that will ensure that this kind of heartless swindle can be stopped. Let's finish the job started by a one-man police force in Chase, Kansas.