

AMERICAN ADOPTION CONGRESS

DECREE

Families Rooted In Truth

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Federal Regulation of International Adoption

An update of a 1999 Decree article
by **Maureen Flatley**

It has been over ten years since the United States signed the Hague Convention on Inter-country Adoption and nearly seven years since the White House transmitted the treaty to the Senate for ratification. It has been four years since the Senate ratified the treaty and President Clinton signed the enabling legislation, the Inter-country Adoption Act (IAA), into law. It has been over three years since the State Department held a series of public meetings to elicit information to inform the process of writing implementing regulations.

International adoption has been a widely accepted practice in the United States for over 50 years. Yet, for most of that time, our government has not regulated adoption businesses in any meaningful way. Despite assurances that the IAA would be implemented some time ago, the State Department continues to equivocate about issuing final regulations or what those regulations will do to create greater transparency and accountability. Now, nearly four years after both consumers and industry should have received clear guidelines; the outcome of this process has never seemed more compromised. With the lines drawn between maintaining the status quo and achieving the first meaningful federal regulation and real protections for consumers of international adoption, real progress is at risk.

Fundamentally, the Hague Convention, an international treaty, and the Inter-country Adoption Act, its implementing legislation, were developed to address a range of problems identified in international adoption practice, from concerns about child trafficking to complaints about skyrocketing costs to a rising number of wrongful adoption suits. Nevertheless, despite over a decade of discussion, de-



Maureen Flatley

bate, Congressional hearings, legislation, meetings and a myriad of detailed comments, four years after the Inter-country Adoption Act was signed into law, an impasse remains on how inter-country adoption should be regulated.

No one, it seems — including the “experts” — can agree on how the federal government should appropriately regulate this important, growing, but ultimately complicated process. Our national “policy” remains allowing large sums of cash to leave the country in an entirely unregulated system and browbeating foreign governments into surrendering children in a decision-making process for their foster children that none of our 50 states would permit for America’s waiting children.

For years, the argument against greater regu-

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**AMERICAN
ADOPTION
CONGRESS**



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Editor's Corner



Sharon Pittenger

I'm pleased to bring you our follow-up issue on the theme "International Adoption." Because regulation of international adoption practices is in need of reform, we urge you to read Maureen Flatley's article on the Hague Convention and the Inter-country Adoption Act (IAA). Also included in this issue is the second part of Gabrielle Glaser's article on Canadian adoptions of African-American babies, which shares some more personal moments in the daily lives of these families. Finally, "The Official Story" by Barbara Mitchell discusses the struggles faced by the Argentine children of the "disappeared ones," political activists who were abducted and killed during the dictatorship of General Leopoldo Galtieri. As these children come of age, they face unique challenges in learning of their birth family's heritage.

In response to our last issue, we received many comments, both positive and constructive. Thank you very much to the readers who responded to the articles in that issue, and we look forward to your comments regarding this follow-up issue as well. It is one of my goals for the *Decree* to become a forum for discussion of important issues related to adoption, even when we may not always agree on the outcomes we would like to see. In my opinion, informing and then listening, at first without judgment, are crucial to maintaining our communication as members of an organization that stretches around the world and has little opportunity for face-to-face contact. I encourage you to respond and to write about your opinions on the topics we feature. We would like to compile and publish this type of reader feedback, so please keep your ideas and thoughts coming to help make the *Decree* your publication.

We've also continued to feature AAC state representatives in this issue in the "Spotlight" column. I hope you enjoy learning about more of the people who work hard in their states to promote adoption reform. We'd like to include more articles about members who have made a difference through their commitment to AAC. If you would like to suggest someone, please let us know.

Finally, a theme for an upcoming issue of the *Decree* is "Unusual Voices in the World of Adoption." While many personal stories would certainly qualify for this issue, and a few will be included, we are particularly interested in the organizations and agencies that serve triad members in unique ways. As always, we are interested in your suggestions and contributions.



Carolyn Hoard

From the President

Plans are well underway for our 2005 annual conference in Las Vegas in July. Keynote speakers have been selected. Our Education Committee has reviewed all of the workshop proposals so that the conference offers workshops of interest to all attendees. Look for the registration brochure in your mailbox and on our web site in April and make plans to meet us in Las Vegas.

At the AAC Board meeting to be held immediately preceding the conference, a “changing of the guard” will take place. Fred Greenman and I have each completed our second terms on the Board and will step down in accordance with our By-Laws. Our incoming Board members will be Melisha Mitchell, Mid-West Regional Director, Karen DeLuca Sterner, Mid-Atlantic Regional Director, and Linda Woods and Rick Naish, Members at Large. Melisha, Karen and Linda move up to the Board from state representative positions; Melisha and Linda are birth parents and Karen is an adoptee. Rick is also an adoptee who joined AAC when he attended the 2002 AAC conference in Philadelphia. He is a financial planner in California.

In my President’s Message in the last *Decree* focusing on international adoption, I stressed the importance of AAC supporting legislation that affects both international and domestic adoption. The Hague Convention on Intercountry Adoption is so significant to international adoption that this issue contains an extensive article on the Treaty written by AAC member Maureen Flatley.

The 2005 legislative sessions are underway and, once again, grassroots groups are working to pass access-to-records bills in at least seven states. According to figures released by the Oregon Center for Health Statistics, over 8,000 adoptees have received their original birth certificates since the law took effect in Oregon in May 2000. Access to records for adult adoptees will always be a primary goal of AAC on the domestic front.

Shortly before the November election, Congress began working on the “9/11 Recommendations Act,” also referred to as the Intelligence Reform bill. One of our state representatives alerted me to potentially harmful language in the House version that would affect adoptees’ ability to obtain their original birth certificates. Because she notified us immediately, we were able to get involved quickly and, by working with federal legislators with whom we have estab-

lished relationships over the years, were able to submit comments during the earliest stage of negotiations, resulting in the more favorable language of the Senate bill being incorporated into the final version. This demonstrates how critical it is for each and every one of AAC’s members to stay alert to legislation which impacts the rights of triad members.

Safe Haven laws, allowing a baby to be dropped off anonymously at “safe havens” such as hospitals and police or fire stations, have been rushed through legislatures in over 40 states within the last few years in an emotional but misguided approach to prevent babies from being left in dumpsters or toilets. Little regard was given to the child’s future need for identity, the prospective adoptive parents’ need for medical history of the child, or the physical and mental condition of the birth parents. While it is true that lives have been saved since passage of these laws, babies are still being abandoned or discarded by women unable or unwilling to seek help for themselves and their children. Rather than attempting to get to the core of the problem, legislators throw more and more money at publicizing these laws with ads on billboards and buses. Massachusetts, the latest state to pass its law, sank to a new low with its public service announcement in which a group of teenage girls dance around another girl holding a baby while singing a rap song with these lyrics:

“...Bring the baby to the cops or hospital,
It’s possible.
No strings attached.
No questions asked.”

Now we have learned that a federal bill, HR 254, entitled “The Baby Abandonment Prevention Act of 2005,” has been introduced to provide for the establishment of a task force to gather information about this issue, study and report to the Congress regarding incidents of abandonment of infants. Information to be collected includes “the demographics of such children and such parents” and the “factors that influence the decision of such parents to abandon such children.” While that may be a worthy goal, how is this information to be collected when the premise behind the Safe Haven laws is anonymity?

The media’s fascination with adoption-related stories

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Stories from the World of Adoption

SENDING BLACK BABIES NORTH

2nd Installment

by Gabrielle Glaser

Turning to where the babies are

Anne Melcombe was among the first to adopt a U.S. child. In 1993, Melcombe, a Vancouver social worker, was ending her marriage. She had been a foster parent for many years, but longed for a more permanent relationship with a child. As a single person, she was ineligible for a healthy Canadian infant, but she could get a child with fetal alcohol syndrome. She declined, unable to envision a child needing her well beyond adulthood.

Her caseworker told her that there were three countries in which a single mother could get an infant: Haiti, China and the United States – but in the latter, only if she was interested in a black or biracial child. Because it was near and because there was no language barrier, Melcombe chose the States. Within three weeks of submitting her application, she was approved to adopt an infant.

When she got a call from her Philadelphia agency about a birth, Melcombe, raised by liberal parents in the 1960s, was ecstatic. “I figured that because I was open-minded,” she said, “that was all I needed.” She picked up Gabriel and returned to Vancouver.

There Melcombe found other parents, including Karen Madeiros and Bob Broad, who had also adopted babies from the United States. Madeiros and Broad’s Georgia-born daughter, Tianna Broad, was soon joined by a Georgia-born son, Garrett. And when Gabriel was 2, Melcombe adopted Maya from Philadelphia. The families got together: “The kids needed it, and so did we,” Melcombe said.

Over time, she grew tired of what the parents call the “Safeway Syndrome” – the propensity of strangers to comment on adoption, child raising and global politics.

One day, Gabriel, a toddler, was scampering ahead of Melcombe in the supermarket aisle. A woman called urgently to an employee, “This little boy is lost and needs to



Gabrielle Glaser

find his mother!” Melcombe said politely, “I’m his mother and he’s fine.” The woman blurted, “He’s been wandering around the store without a parent in sight!” Melcombe resisted the urge to snap. “Actually,” she said, “he’s not been more than 10 feet from me since we got here a few minutes ago, but I thank you for your concern.”

She doesn’t fault people for not automatically “matching” her with her children. But she still recoils when people tell her “what a great job you’ve done.”

Trying to balance cultures

The adoptive families, many of whom are now navigating the shoals of adolescence, credit only timing for their circumstances. As Canadians, many are accustomed to more than occasional co-

nundrums presented by their neighbor to the south and the long shadow it casts.

The Madeiros-Broad home in quaint suburban Coquitlam overlooks the North Cascades and the Fraser River. A maple-leaf windsock flutters off the deck, and Vancouver’s skyscrapers loom to the west.

But the elegant taupe living room tells a different story. Juxtaposed with Broad’s family heirlooms from the Saskatchewan prairie are paintings that evoke Harlem of the 1920s. Twin African drums rest in the corner.

Madeiras, born in Bermuda to a Portuguese father and an English mother, finds herself hunting a delicate balance between celebrating a culture and inviting stereotypes.

At Christmastime, she went shopping for CDs for Garrett and listened to lyrics in the store for 90 minutes before she settled on choices with (mostly) appropriate lyrics.

“Influences come from computer, the TV – everywhere,” she said. “The older they get, the more whatever you forbid them to do becomes attractive.”

At the moment, songs and videos are awash with the glorification of “pimps.” Artists say modern-day pimps merely symbolize the flamboyant fashion sense of street hustlers, but critics are not so generous. Neither is Madeiros, who cringes when she hears her son’s friends tell each other, “Cool – you look like a pimp.”

Stories from the World of Adoption

“Kids love to emulate who they think is successful,” she said. “At the moment the black male thing is Fifty Cent and P. Diddy. That makes an interesting piece – and it certainly makes you think.”

The adoptions of Jacob, 12, and Maddy, 11, have done just that for Yvonne and Jim Devitt, who also have a biological teenage daughter. “There are so many Caucasians out there who sail through their lives without any issues or concerns about who they might be in society,” she said. “That’s not the case for us.”

At the same time, Canada provides a buffer, she said. (A few thousand African slaves were brought to Canada in the 17th and 18th centuries; slavery in all British colonies was abolished in 1833.)

“If I lived in the suburbs of Seattle or Portland, where there is a different racial history, could this have been my choice?” she asked. “I can’t walk in those shoes. I just don’t know.”

A handful of times, black women have stopped Devitt with questions about Maddy: “Did you adopt her?” and “Who does her hair?” The gregarious Devitt has been reduced to a monosyllable. “Me,” she has said.

“You really do her hair?” the women have asked. “You do a really good job.”

“At what age do I become white?”

As their children grew, the parents group appealed to Vancouver’s small but diverse black community to help as mentors. Every month, about a dozen young Canadians of African descent, from Eritrea to Jamaica, gather with the children at a community center.

One, Troy Peart, 32, is a financial analyst born to Jamaican parents in Toronto.

It’s not so easy to be black in Vancouver. When he sees faces with features similar to his, he nods. “We are just so few,” he says. “I do it without thinking.”

At his first meeting, he was not surprised to notice that some children were frightened. “They had never seen so many big black men before,” he said. Most striking was a story he heard about a boy confused by his own future, Peart said. Because he knew no black adults, he asked his father: “At what age do I become white, like you?”

Another could not fathom what Peart did for a living, assuming that he worked in the only place he had ever seen blacks: as a food preparer at the Sandwich Tree. The boy’s father, dismayed, scheduled an appointment to visit Peart’s office overlooking downtown Vancouver. The boy surveyed the glass-lined patio and modern skyline. “Cool,” he said.

Peart looks at the situation matter-of-factly, and points to himself: part African, part Chinese, a masterful chef of jerk chicken. “There is so much diversity among us, how can you possibly say what it means to be black? What it

means to be of African descent? What it means to be Eritrean Canadian or Jamaican Canadian or a black Canadian by way of adoption from Georgia?”

Still, he and his girlfriend, 26-year-old Avrillee Knoess, also a mentor with Jamaican roots, admire the parents.

“They have sought this out. They have gone through the social workers peering into their lives. They have paid a great deal of money. They are not trying to ignore the race issues, they are trying to confront them. They readily admit their limitations. And because of it, the lives of these children have been enriched.”

As Peart sees it, the challenge now will be to keep the children involved with the group as they age. “They are forming their ideas of who they are,” he said. “They need us now, especially.”

Children called her “Medusa”

If the direction Tianna Broad is headed is any indication, the children will be more than just all right. Tianna, tall, strong and garrulous, possesses a self-confidence enjoyed by few people twice her age.

On a recent Sunday, Tianna and two friends, Maddy Devitt and Maya Melcombe, piled into a car for the mentor gathering. Maya told a story about being teased for having a “flat face.”

Tianna, in the front seat, turned down the radio. Her head swiveled.

“They said *what*?” she asked.

Maya repeated her story.

“Oh, I’ve got a burn for that one,” Tianna said. (A burn is a snappy comeback.)

“Tell them this,” she instructed. “At least my mom didn’t get a fine for littering when I was born.” The girls titter, and Maya practices her “burn” quietly.

Tianna, who has an open adoption with her white mother and grandparents in Georgia, has visited her birth state and considers Atlanta a paragon of cities.

She also loved a recent trip to Bermuda: “Everywhere you went people were black. I felt like I was born there, like I belonged.”

“Vancouver?” She waved off the snowcapped mountains as if they were strip malls. “Bo-ring.”

Of course, all adolescents wish to mark their identity, and to separate from their parents. Here, issues present themselves in ways both subtle and obvious. One boy calls his Canadian mother “Mom,” not “Mum.” One child uses “GeorgiaGrrl” as her e-mail name. Tianna defiantly pronounces the last letter of the alphabet in the American fashion, “zee.”

“I don’t know why they say ‘zed,’” she said of the Canadian pronunciation, and of Canadians – “they” – them-

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Stories from the World of Adoption

The Official Story

by Barbara Mitchell

The Official Story Updated: The children of the “disappeared ones” in Argentina come of age.

In *The Official Story*, a poignant Argentine film released in 1985, an apolitical middle class woman living a comfortable existence is faced with a heart-breaking dilemma. She begins to suspect that her adored adopted daughter is one of the children of the “disappeared ones,” the thousands of political dissidents who were imprisoned and murdered during Argentina’s war in the 1970s against its own citizens. The greater part of society remained silent about the fate of these children and their parents, with the exception of the courageous grandmothers who quietly faced down the powerful military and politicians in a demand to know the fate of their children and grandchildren. The woman in this movie, inspired by their courage and her own decency and conscience, risks her safety and sanity to search for the truth about the birth parents of her adopted daughter.

Now the sons and daughters of the “disappeared ones,” born during the dictatorship that ruled Argentina during 1976-1983, have come of age, and a small number have chosen to continue the fight for their identity and the truth of their parents’ lives. This mission has been a complex emotional, social and political challenge. The ‘Dirty War’ was conducted in relative secrecy, with political activists snatched from the streets or from their homes or offices without public arrests or trials. The number of Argentines who were actually killed has not been established, but is estimated at 30,000. The number of children who were abducted and adopted, either as small children or as infants born to imprisoned mothers, is estimated in the hundreds. According to the testimonies of nurses and orderlies in subsequent trials, one of the military hospitals operated an informal maternity ward disguised as an epidemiology unit, in which women were held, tied, and blindfolded, and their identities completely concealed.

The resolution for the children of the “disappeared ones” was embroiled in the political and emotional upheaval as



Barbara Mitchell

The resolution for the children of the “disappeared ones” was embroiled in the political and emotional upheaval as Argentines worked to resolve the horror of what had occurred within their own society.

Argentines worked to resolve the horror of what had occurred within their own society. While some amnesty was given to senior military officers in the “Dirty War” amid much political controversy, the crimes of kidnapping minors and changing their identity was specifically exempted. The young adult adoptees have organized political groups, linking themselves with the activism of groups such as the Association of Grandmothers of the Plaza de Mayo. HIJOS, which is the Spanish word for children and also the acronym in Spanish of the words “Children for Identity and Justice Against Oblivion and Silence,” is one of the largest groups of adoptees. Their mission is to identify adoptees, and help

them learn their backgrounds and, if possible, reunite with living relatives. In addition to the children who were placed for adoption, HIJOS’ membership includes children whose parents were killed during the war. Thousands of these young children were returned to their relatives, and grew up in the silence of never knowing the fate of their parents.

These young adults have their own stories of the scars of the political conflict. In a recent interview with Amnesty International, two young women describe the night in Buenos Aires when their mother, a labor union activist, was shot and dragged from a restaurant. Their mother screamed

for her five year old daughter to take her younger sister and run. This was the last time that the two sisters saw their mother. The two girls were briefly placed in an orphanage, then taken by their grandmother to live outside of Buenos Aires.

As teen-agers, the two women attended one of the initial meetings of children of the “disappeared ones” in 1993. Similar groups were formed throughout Argentina as young adults, some of whom were placed for secret adoptions, but all with the tragic loss of one or both birth parents, began to organize themselves.

In 1992, Argentina established the National Commission for the Right to Identity (CONADI), which includes the Association of Grandmothers of the Plaza de Mayo, attorneys, and government officials. A National Genetic Data Bank was established to identify the children who were abducted and placed for adoption. Out of 240 identified cases

Stories from the World of Adoption

The Official Story

of missing children, the National Genetic Data Bank and forensic experts have tracked down seventy-one children, most of them now young adults.

The process has not been without its terrible emotional complications. According to a report by Human Rights Watch, some adult adoptees do not want to take the DNA tests nor pursue the inquiry about their adopted parents, who may have had knowledge of the fate of their adopted children's birth parents. A poignant case discussed by Human Rights Watch is that of a twenty-three-year-old Chilean-Argentine woman whose parents "disappeared" in 1978. The young woman, Claudia, was eight months old at the time of her birth parents' death, and had been given to a retired police lieutenant colonel and his wife. The adopting couple had hidden her real identity for twenty-two years. Claudia's paternal birth grandmother had traced her with the assistance of the Association of the Grandmothers of the Plaza de Mayo. The young woman had discovered her true identity in February 2000. Claudia appeared in court in June 2001 as a witness for the defense of the couple who raised her. In a heartfelt statement to the judges, the young adoptee declared, "for twenty-two years they were my parents and I love them."

HIJOS is now expanding its embrace to include the children of "disappeared ones" in Guatemala, where a violent civil conflict raged for thirty years. Another generation of children is in search of their parents' fate and of themselves.

As an adoptee reading the writings and interviews of these young Argentineans, I hear the heartfelt sentiments that we in the adoption community have all felt in weighing the decision to conduct a birth search: the human heart in its need for closure, for a sense of peace in identity and heritage, to simply be able to look in a mirror and know of the family that gave you the face that looks back at you. It required tremendous courage and strength of soul for these young Argentineans to conduct searches with the knowledge that there would be no reunion with their birth parents – there was only tragedy ahead. I hope that they are comforted, in some part of their hearts, to know that in their quest for their identity and the truth about their parents' lives they are truly honoring their birth parents and inspiring many people.

Barbara A. Mitchell is an adoptee whose birth parents were from Panama. She has reunited with her birth family, and has brothers, sisters, nieces and nephews in Panama and Venezuela. Barbara can be reached at bam54@cornell.edu.

From the President

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shows no signs of waning. The story of Baby Evan Scott leaving the home of his prospective adoptive parents to be returned to his birth parents played out on TV and newspapers for several days. A *USA Today* editorial called for passage of the Uniform Adoption Act (UAA) as the solution to this and similar cases. The UAA includes provisions allowing birth parents only 192 hours to revoke their consent to an adoption and also seals records for 99 years. Grassroots coalitions in several states have argued successfully against enactment of the UAA. We must remain vigilant that the Evan Scott case is not used as an opportunity to resurrect it.

President Bush's 2006 budget proposes cuts in many domestic programs affecting children, particularly those in the child welfare system. However, he did include in this budget funding to establish maternity homes. AAC's membership includes many birth mothers whose lives were forever altered by their maternity home experiences in the 1950s and 1960s and the relinquishment of their children for adoption. Never again should we allow these relics of the past to be reintroduced into our society.

And so, while AAC, Bastard Nation (BN) and others continue to work toward adoption reform, it is the responsibility of all of us to be watchful for legislation, good or bad, which affects the rights of adoptees, birth and adoptive parents. I call upon you to advise our Legislative Director, Jane Nast, or me if you become aware of such political activity in your state. Contact your elected officials and express your opinion. We are the real experts on adoption issues and it is important that we share our adoption experiences with those who represent us. The more people who are willing to step up and get involved, the better the adoption community will be for it. Your membership in AAC is important in keeping this momentum going. Our upcoming conference in Las Vegas presents us with another great opportunity to network with members of the adoption community. Please consider participating so that your voice is heard.

Support AAC While You Shop

We wish to remind you of our link with *iGive.com*. You can designate AAC as your preferred charity on that site and then use the site to make purchases from hundreds of different companies (books, clothes, office supplies, and more). AAC will receive a percentage of all purchases you make. Thanks!



Scholarship Information

2005 AAC Conference Memorial Scholarship

Carolyn Hoard and Ken Wheeler, Contributors

INTRODUCTION

Many AAC members look forward to our Annual Conference. It is a fantastic resource and refueling time for them. Others are just now learning of AAC and judging its value for themselves. For some, though, the cost of attending the conference is out of reach. That is why the Memorial Scholarship was established.

During the 2001 Annual Conference in Anaheim, CA, former AAC Board member Lorraine Wheeler and her husband, Ken, learned of the sudden death of their adopted son Michael, who was just 28 years old. It was the heartwarming support and generosity of those attending that conference that created the initial funding for AAC's Memorial Scholarship Fund. The Fund continues today through individual donations to assist others in attending an AAC conference.

GOAL OF THE PROGRAM

It is intended to provide financial assistance so that an adoptee, adoptive parent or birth parent, who would not otherwise be able to attend an AAC Conference in her or his home region, to do so.

MANAGING THE PROGRAM

The Memorial Scholarship Program is managed by a sub-committee of AAC's Fiscal Development Committee. Members of the sub-committee are appointed and shall include the following officers and members of AAC: the

President, the Vice President, the Regional Director for the site of the Annual Conference, two members at large, and Lorraine and Ken Wheeler. Members for 2005 are Carolyn Hoard, Paul Schibbelhute, Ellen Roseman, Karen Tinkham, Donnie Davis, and Lorraine and Ken Wheeler.

ELIGIBILITY AND AWARDS

Triad members who have not previously attended an AAC Annual Conference are eligible.

Applicants must live within the region of the Annual Conference. In 2005 applicants must be from the states of Arizona, California, Colorado, Hawaii, Nevada, New Mexico or Utah.

The value of the scholarship for 2005 is \$700.00, to be used to cover qualified conference expenses. These expenses are defined as transportation, conference registration, hotel and meals. Receipts will be required as proof of conference expenses. The award recipient will be asked to complete a form that requires a social security number. This number is solely for our tax purposes.

SCHOLARSHIP APPLICATION AND NOTIFICATION

Applicants should submit a letter of approximately 200 words stating why they are applying for the scholarship and what they hope to learn by attending the conference. The 2005 award is for attendance at the conference to be held from July 6-10 at The Palace Station Hotel and Casino, Las Vegas, NV.

Deadline for application letters: APRIL 30, 2005. The winner will be notified by May 10, 2005.

Email applications to: Carolyn Hoard, choard@comcast.net. Applications may also be mailed to:

Carolyn Hoard
20 Yeates Drive
New Castle, DE 19720

A one-hour Memorial Fund Donor Reception, "Just Desserts," will be held on Friday evening, July 8, at which time the scholarship recipient will be introduced to the donors present at the event.

State Representative Spotlight



New California State
Representative
Coco Brush

Coco Brush is the new state representative for California. A member of AAC since 1991, she wants to help AAC market improvements for adoption laws and provide adoption awareness for the mass media. Her passion for adoption-related work is focusing on classroom consulting to promote adoption awareness among educators.

Coco's first experience with adoption began the day her parents brought home her younger brother. Later, during the 1960's, she observed the forced adoptions of Native American from reservations that went unnoticed, giving her a different impression of adoption. In 1968 and 1969, she earned many degrees, including a BS in Child Development and Family Relations and a BA in Native American Education from the University of Arizona, and a BA in Education and an MA in Anthropology from Arizona State University. In 1968, Coco was raped and became pregnant with her son "David," now Jeff, who found her in 1992. She found reunion very difficult without a support network to help her, and she also learned that a majority of therapists have no training to deal with adoption issues. In 1991, Coco attended her first AAC conference in Portland, OR, and has been involved with AAC since that time. After her experience, Coco now believes that no adoption triad member should spend time stumbling through the days or years without support. In addition, Coco has volunteered in the adoption field for over fourteen years, and she now works with ANSWERS*, a program she founded in 1994 that works to promote adoption awareness in education in public schools, including individual search assistance, reunion guidance, classroom workshops and professional networking support.

Presently, Coco and her husband work in the wine industry in St. Helena, CA. She has been in reunion for 13 years with her son, Jeff, who lives in New York City. In addition, Coco and her husband have two children; Ryan lives in Kazakhstan and Ashley lives in Denver, CO.



Florida State Representative
Eileen McQuade

Eileen, who resides in Delray Beach, FL, has been AAC's state representative since 2003. She graduated cum laude from Clark University in 1970 and spent 27 years with Aetna Life and Casualty in Hartford, CT. In 1996 she joined the National Council on Compensation Insurance in Boca Raton, FL where she is a Practice Leader responsible for the business management of the actuarial and economic professional staff.

Eileen became pregnant as a college freshman in 1966 and placed her daughter for adoption. She married her daughter's father two years later and they had two more daughters. Since 1997, Eileen and Dick have been reunited with their daughter and experienced many joys of reunion. The entire McQuade family presented a workshop entitled "Where is my Rulebook?" at AAC's 2001 conference in Philadelphia. They have attended a number of AAC conferences and feel that the workshops have helped them to understand the complexities of adoption.

Eileen is concentrating her efforts on adoption education, working primarily with Florida Atlantic University (FAU). Through the generous donation of former AAC Board member Kathy Sokolik, Eileen presented a number of adoption books to FAU during National Adoption Month. She attends a Child Welfare class at FAU and speaks with students about the need for open records. Eileen and Dick have been active in a triad support group, The Circle of Hope, in Palm Beach County.

*ANSWERS followed the lead of the Oregon-based organization Adoption Network for Search, Reunion and Support, Inc. (ANSRS, Inc.). For more information about that group, visit www.ansrs.com.

2005 Conference Preview

Don't Gamble with Truth in Adoption

Planning is well underway for the American Adoption Congress' 27th Annual International Adoption Conference. This year, "Don't Gamble with Truth in Adoption" is the theme and Las Vegas is the destination!

The 2005 conference is scheduled for July 6 – July 10 at The Palace Station Hotel & Casino, located minutes from the Las Vegas Strip. The AAC is gearing up to welcome many new faces and showcase the latest workshops relevant to topics and issues impacting all people involved with the adoption community.

The AAC has lined up a stellar group of presenters, including the following keynote speakers:

Father Thomas F. Brosnan of New York, NY

Adam Pertman of New York, NY

Russell P. Friedman of Sherman Oaks, CA

Jean A.S. Strauss of Claremont, CA

There are more than 50 workshops on the schedule during the four-day conference, covering a wide variety of topics appealing to adoptees, adoptive parents, birthparents and professionals. Conference workshops will cover issues related to agencies and social worker concerns, public policy and activism, triad issues for adoptees, birthparents and adoptive parents, family advocacy and preservation, and psychiatric and other medical issues.

This year, the AAC will host its first annual "Attendee Welcome Reception" on Thursday, July 7 to provide all attendees with time to get to know one another. Each morning, conference attendees will rise and shine to delicious continental breakfasts and have the option of participating in health and exercise classes. Following a full day of workshops, conference goers may opt to attend support

group meetings, go to dinner with friends or check out the hospitality suite.

Saturday will feature a luncheon and awards ceremony, coupled with a keynote presentation. On Saturday night, slip on your dancing shoes or grab your lucky rabbit's foot and hit the tables on the Las Vegas Strip... or, have a nice, low-key evening at the hotel. On Sunday, the day will begin with the AAC's annual Town Hall Meeting, where attendees may openly address questions and comments about the AAC and the conference. Sunday will conclude with a keynote speaker, another new addition to the conference schedule this year.

The AAC member early registration rate for the full conference, including the "Attendee Welcome Reception," continental breakfasts and luncheon is \$225. The non-member rate is \$300. **Early registrations must be postmarked by June 11, 2005.** Online registration will be available again this year. Each online registration is eligible for a \$5.00 discount off of the conference rates. Look for the link for the online registration on the AAC website.

Special, negotiated conference hotel room rates are \$69.00 per night Sunday – Thursday and \$99.00 per night Friday and Saturday in the Luxury Tower Rooms, and \$59.00 per night Sunday – Thursday and \$89.00 per night on Friday and Saturday in the Courtyard Value Rooms.

Detailed information about conference keynote speakers, workshop presenters and registration rates are being mailed in the conference brochure.

For regular conference updates, please remember to visit the AAC website at www.americanadoptioncongress.org.

We look forward to seeing you in Las Vegas!



SAVE THE DATE!

The American Adoption Congress proudly presents

The 27th Annual International Adoption Conference

“Don’t Gamble with Truth in Adoption”

July 6 – 10, 2005

The Palace Station Hotel & Casino
Las Vegas, Nevada

We are pleased to announce this year’s Keynote Speakers:



Russell P. Friedman, author of *When Children Grieve – For Adults to Help Children Deal with Death, Divorce, Pet Loss, Moving and Other Losses*, is the Executive Director of the Grief Recovery Institute.

Adam Pertman is the Executive Director of the Evan B. Donaldson Adoption Institute and author of ***Adoption Nation: How the Adoption Revolution is Transforming America***. He has been honored as an Angel in Adoption by the US Congress’ adoption caucus.



Father Tom F. Brosnan, ordained a Roman Catholic Priest of the Diocese of Brooklyn, is the recipient of the 1999 *Baran & Panor* award for “Outstanding Contributions to Adoption” and the 2001 *Angels in Adoption Congressional Award*.

Jean A. S. Strauss is the author of *Birthright: The Guide to Search and Reunion for Adoptees, Birthparents, and Adoptive Parents* and filmmaker of *The Triumvirate*.



...and many other fabulous and favorite presenters return. Come meet new friends, reconnect with old friends and find your **TRUTH** in Adoption while taking in the sights, sounds and sensations of Fabulous Las Vegas!

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MICHAEL WHEELER MEMORIAL SCHOLARSHIP

Originated by long time friends of the AAC, Ken and Lorraine Wheeler, who lost their adopted son abruptly while attending the 2001 AAC Conference in Anaheim, one scholarship is awarded each year to provide financial assistance to an adoptee, birthparent or adoptive parent wishing to attend an AAC Conference in their region, but would otherwise be unable to attend.

More information regarding this scholarship opportunity and its eligibility requirements can be found on our website at:

www.americanadoptioncongress.org

2005 Hotel Room Rates

Luxury Tower Rooms

Sunday – Thursday (per night) \$69.00

Friday – Saturday (per night) 99.00

Courtyard Value Rooms

Sunday – Thursday (per night) \$59.00

Friday – Saturday (per night) 89.00

...we hope you’ll make plans to join us in Fabulous Las Vegas!

For more information, stay tuned and check out our website at:

www.americanadoptioncongress.org



More from The World of Adoption

continued from page 1

lation of adoption by the federal government has been rooted in the notion that adoption is a state law issue. While adoption is an important benevolent response to the needs of orphaned children around the world, it is also a big business that generates millions of dollars in revenue. All international adoption is inherently interstate commerce. While the federal government regulates everything from coal mining to organ transplants, international adoption has remained beyond the reach of most federal enforcement or oversight. The State Department's equivocation has ensured that consumers have more protections when they join a health club than they do when they make this profound and life-altering decision.

This country's failure to adequately regulate international adoption has already had serious consequences. By allowing each state, each agency, indeed, each family to pursue adoption differently, the U.S. government has ensured that consumers of adoption services have no coherent guidelines to protect their interests. This lack of consistency has only been amplified by the use of the Internet to market adoption services and the growing demand for children. Lacking training in foreign policy or a sound regulatory framework, prospective adoptive families and their adoption agencies are encouraged to navigate the increasingly complex and treacherous geopolitics of countries around the world with virtually no training and in many cases a vested self-interest. The result has been diplomatic and emotional chaos.

Predictably, many foreign governments have elected to suspend or ban adoption rather than manage the independent diplomacy of these competing interests. They have also demonstrated increasing resistance to permitting large cash payments to facilitators. According to Ethica: A Voice for Ethical Child Placement, in the past fifteen years, 13 countries have suspended or ended their adoption programs. In addition, four additional countries have closed temporarily to investigate charges of corruption or child trafficking. These countries represent 43% of the countries that have provided the majority of children adopted to the U.S. Though the total number of international adoptions has risen slightly, the number of sending countries has decreased.

Superficially, the adoption industry and the consumers of its services appear to agree that the stated purpose of the Hague Convention on Inter-country Adoption and its implementing legislation in the U.S. served a valuable purpose.

By creating uniform standards, abuses in adoption could be minimized and the practice itself could grow.

Ironically, attempts to ensure oversight and adequate consumer protections, requiring liability insurance, limiting cash payments and demanding greater transparency for service providers have triggered a firestorm of controversy. Despite the fact that many federal agencies engage in aggressive consumer protection and oversight, the State Department has attempted to balance the interests of service providers large and small against the interests of consumers and the demands of diplomacy. Unfortunately, the proposed regulations demonstrate an inadequate response to abuses that prompted passage of the IAA or how those abuses might be tempered or eliminated, and a lack of insight into the

For years, the argument against greater regulation of adoption by the federal government has been rooted in the notion that adoption is a state law issue. While adoption is an important benevolent response to the needs of orphaned children around the world, it is also a big business that generates millions of dollars in revenue.

economics of international adoption. Conflicts focus on several key areas:

Responsibility and Liability. For many years, adoption agencies working abroad have relied on the services of so-called facilitators to identify and procure children for adoption and to navigate the often complex political issues in the sending country. Facilitators often require large cash payments, ostensibly for their services. They also work as independent contractors and have traditionally had little or no exposure to liability when issues related to their service arise. In some instances, facilitators have engaged in illegal activity, including money laundering and child abduction. Even then, consumers have had little or no recourse for their actions.

The IAA addresses this problem by requiring that adoption agencies assume responsibility for all of their employees, contractors and facilitators here and abroad. Major adoption trade groups like the Joint Council for International Children's Services (JCICS) have opposed this provision despite the fact that American companies doing business abroad are routinely expected to take responsibility for and adequately supervise their employees overseas. This loophole has left birth and adoptive families vulnerable to a variety of abuses while their service providers maintain plausible deniability.

Contractual Waivers. The proposed regulations forbid the common practice by adoption agencies of requiring prospective adoptive parents to sign blanket releases or waivers that exonerate the agencies from liability for all causes, including liability for negligence and fraud. Trade groups like

More from The World of Adoption

the JCICS hold that professionals in other areas are not expected to meet this standard. However, that assertion is not true. Professionals in occupations involved with the public interest — especially professionals rendering services to clients or patients dependent on them like physicians — are routinely prohibited from seeking exculpatory provisions from their clients. According to the American Adoption Congress, lawyers are specifically prohibited from doing so, for instance, in the Model Code of Professional Responsibility Disciplinary Rule 6-102 which states “A lawyer shall not attempt to exonerate himself from or limit his liability to his client for his personal malpractice.” It is hard to imagine a scenario more fraught with emotional dependency than the relationship between an adoption agency and a prospective adoptive family, not to mention a birth family. Thus, there is ample precedent, both legal and ethical, to resolve the issue of waivers in favor of consumers.

Insurance. Perhaps the most controversial provision in the IAA requires adoption agencies to carry professional liability insurance in the amount of \$1 million per occurrence. It came as a shock to many policy makers that many adoption agencies operated without insurance. It probably never occurs to many prospective consumers of adoption services to even inquire. According to one JCICS backgrounder, such insurance is “unobtainable.” Even if such coverage were readily available, they allege, it would be prohibitively expensive. This, of course, simply isn’t true either. A number of reputable insurance carriers provide reasonably priced coverage for qualified agencies providing adoption services.

Insurance provisions as required by the new law are reasonable and there are ample precedents in other fields. Insurers will add a layer of consumer protection by helping to enforce the safeguards of professional conduct as they do in other professions. In fact, until the State Department implements consumer protections mandated by Congress, the underwriting process might represent the only effective regulation the industry has. Perhaps the question the State Department should be considering is whether or not an agency that cannot be insured should be in business in the first place. It is unlikely that most adoption agency owners would undergo brain surgery by a doctor lacking malpractice insurance.

There have been many experiences where negligence or fraud in an adoption placement has led to severe financial and emotional distress for innocent adoptive families. Even if the cost was passed on to consumers, it would amount to a nominal fee, \$300-\$1000 in the context of a costly adoption. This is a fee most prospective adoptive parents would happily assume. It is certainly a cost that could be offset by lowering cash payments to foreign facilitators. Using the ultimate scare tactic to avoid assuming this normal cost of doing business, many adoption agencies go on to assert that

agencies “will have no choice but to pass this cost on to adoptive families” and that “fewer families will be able to adopt” due to cost. As for that canard, it should be noted that it is impossible to quantify how many qualified, loving families around the world have already been priced out of the adoption market by five-digit fees that the federal government refuses to cap. Since the U.S. effectively limits pricing in other industries, offsetting rising costs with federal subsidies, perhaps it is time to engage in a serious discussion to subsidize adoption costs, either for the industry or consumers or both.

Around the world, thousands of children are desperately in need of families. Around the United States there are hundreds of excellent adoption providers seeking to match those children with the thousands of well-qualified families in this country seeking to adopt. The fundamental purpose of the Inter-country Adoption Act was to provide a consistent, clearly articulated business model for inter-country adoption that would limit abuses, protect ethical agencies and consumers, and make it easier for everyone to participate in this important component of international child welfare.

Over the years the inaction of the U.S. Government, and the State Department in particular, has penalized good agencies while creating a haven for less good ones. It has ensured that consumers of adoption services will continue to operate without protections afforded to constituents of dozens of other federal agencies and industries. It has created a diplomatic nightmare for foreign governments struggling simultaneously to establish credible child welfare agencies while attempting to accommodate the costly and constant demands of adoption agencies.

Many people with a vested interest in the adoption industry have attempted to persuade policy makers and consumers that any effort to regulate adoption is tantamount to being anti-adoption. However, it is impossible to quantify how many children have been deprived of families because we haven’t. As we fail to take adequate regulatory responsibility for adoption, tens of thousands of children will continue to languish around the world while the U.S. government remains confused about a task that should be crystal clear.

Reprinted with permission from Adoption Today Magazine. *Maureen Flatley is a partner and principal in the lobbying and public relations firm FMG, Inc., with offices in Boston, MA, Washington, DC, and Boca Raton, FL. Her areas of expertise include federal and state representation to both the executive and legislative branches of government on matters related to appropriations, child welfare and adoption, special education, health care, immigration and foreign aid.*

Legislation Report

By Carolyn Hoard

COLORADO: HB 1287 was introduced in February. The bill allows unrestricted access to the original birth certificate (OBC) for adult adoptees, their adult descendants, adult birth parents, or the legal representative of any of them. A birth parent would be allowed to file a contact preference form and also voluntarily update medical information. For more information, contact Rich Uhrlaub, bballmon@aol.com or Karen Kottmeier, kizzykot@aol.com.

MINNESOTA: HF 659 would restore the right of adult adoptees to receive their OBCs in Minnesota. It would honor the Affidavit of Non-Disclosure that has been in place since 1977 if the birth parent(s) can be located and confirm that no change be made in the Affidavit. The bill would replace the affidavit system with the contact preference form once the bill becomes law. HF 659 would also connect siblings separated by adoption or foster care when those siblings reach adulthood. For more information, contact Mary Mason, mmason@mnadopt.org.

NEVADA: BDR 11-709 provides for the release of the OBC and other records to adult adoptees. It would also abolish the state registry. For more information, contact Kristie Traver, kristiemaureen@aol.com.

NEW JERSEY: S1093 passed the New Jersey Senate in December by a vote of 23-14 and is now in the Assembly. The bill would allow adopted adults, adult children of a deceased adopted adult, or the adoptive parents of a minor adoptee to receive the OBC. Birth parents who relinquished

before the bill becomes law would be permitted to ask Vital Statistics to delete their name and address from the OBC for a period of one year following the bill's passage. For more information, contact Jane Nast, janenast@compuserve.com, Judy Foster, jfoster@optonline.net or Pam Hasegawa, pamgawa@optonline.net,

NEW YORK: Access to records bills are pending in the New York Legislature: A928 in the Assembly and S446 in the Senate. Each bill contains a provision for the filing of a contact preference form by birth parents. The grassroots organization, which is working to gain additional sponsors, lobbied legislators in Albany in late March. For more information, contact Joyce Bahr, unsealedinitiative@nyc.rr.com.

RHODE ISLAND: S0570 give adult adoptees born in Rhode Island the right to obtain a copy of their OBC. Birth parents would have the option of filing a contact preference form. For more information, contact, contact Paul Schibbelhute, pschibbe@aol.com.

TEXAS: HB 770 provides for the release of the OBC to adult adoptees. If a birth parent files with the State registrar (a) a copy of the signed affidavit of relinquishment that *promises anonymity*, (2) a contact preference form stating that the birth parent prefers not to be contacted, and (3) an updated medical history, the State registrar would not release the OBC. For more information, contact Bill Betzen, bbetzen@aol.com.

SENDING BLACK BABIES NORTH

continued from page 5

selves. She rolled her eyes. "It makes no sense at all."

But the world has a way of perplexing at every turn. And for these children and their families, it is prejudice that bewilders the most.

Not long ago, Maya Melcombe came home from school in tears: children had called her "Medusa" because of the twists in her hair.

Anne Melcombe comforted her daughter, and confronted parents and school officials. "I'm willing to make a lot of noise to make my kids' lives OK," she said.

But, even so, there is sometimes a line that, despite her intentions, even she is unable to cross.

"I say to her, 'I can love you. I can support you. I can

advocate for you. I can hug you. I can tell you what happened to me when kids teased me about things.' "

" 'But I cannot be black for you.' "

Reprinted with permission from *The Sunday Oregonian*, July 4, 2004.

Gabrielle Glaser, a reporter for The Oregonian in Portland, OR, covers families and how they are made. While neither an adoptive parent nor an adoptee, she has always been drawn to the stories of how people look for others to love, whether crossing racial or religious traditions in marriage. Adoption, and international adoption, is a natural outgrowth of that—and its history is still being written.

Upcoming Events

May 2005

- 2-4 "Finding Better Ways," Los Angeles, CA, sponsored by the Child Welfare League of America. For more information, visit www.cwla.org/conferences.
- 5-7 "Adoption 2005," sponsored by the NYS Citizens' Coalition for Children, Inc., in Albany, NY. For more information, visit www.nysccc.org/Conferences/SaveThe%20Date2005.htm or e-mail to office@nysccc.org.

June 2005

- 1-3 "Juvenile Justice National Symposium," Miami, FL, sponsored by the Child Welfare League of America. For more information, visit www.cwla.org/conferences.

August 2005

- 3-6 "2005 NACAC Conference," sponsored by the North American Council of Adoptable Children in Pittsburgh, PA. For more information, contact NACAC at 651-644-3036 or e-mail info@nacac.org.

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Details on page 11.

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In many libraries today — both public and academic — magazines are displayed quite visibly. Previous issues are often stacked beneath the displayed copy, so access is made quite simple for the library patron. If AAC and its mission are to become more widely known across North America and the world, one of the best ways to reach people is through our excellent quarterly publication, the *Decree*.

Three-year subscriptions are available for libraries at the low cost of \$45. AAC members may make a gift to a public or collegiate library, or the library may order its own subscription. If you want either to donate three years of the *Decree* or encourage your library to subscribe, please contact the head reference librarian and provide him/her a few copies of the *Decree* for perusal. Please be sure that the library will make cop-

ies available to the public if you give a gift subscription.

Library introductory packets are available; to request one, contact Pam Hasegawa at pamgawa@optonline.net or toll-free at 888-830-2444. Please include the name of the library as well as your mailing address so that we can avoid duplication of effort.

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