

abuse and was told that police and social workers who visited the family found that no further action was necessary. Still, he awarded custody to the father, who had complained that his daughter, 6, and son, 9, had reported seeing the couple naked and shared baths with them. The appeals court overturned the custody ruling and ordered a

rehearing. The mother, whose name was not disclosed under England's press restrictions, said, "I never thought there was anything wrong in nudity. My children have seen me without any clothes on lots of times. As for the bath, it was just popping in together for five minutes on a Sunday morning. It was all so innocent and it became so misconstrued."

RESOLVING THE ADOPTION TRIANGLE OF INTERESTS

By Simson L. Garfinkel

As a result of a U.S. Supreme Court action this fall, adoption records in Tennessee that were sealed from 1951 to 1996 are now available to all adoptees age 21 or older, their legal representatives, or their parents, siblings, descendants, or ancestors with the written permission of the adult adoptee. The law also allows the parents, siblings, spouse, ancestors, or descendants of an adoptee to register to prevent contact by the adopted person.

The court led stand the U.S. Sixth Circuit Court of Appeals finding that Tennessee's law is constitutional. *Doe v. Sundquist*, 96-6197, 97 Fed App 0051P (1997 6th Cir.). This marks another milestone in the rewriting of America's adoption policy. Through a combination of political action and advanced technology, a growing number of adoptees are seeking, demanding, and ultimately learning the facts surrounding their biological births. Much of this effort is being assisted by the Internet.

"Every area of the Internet has adoption [resources]," says Damsel Plum, publications chair of Bastard Nation, an in-your-face adoptees rights group that is modeled on the aggressive environmental organization Earth First! and the AIDS action group ACT UP! Bastard Nation has a web site, www.bastards.org, which summarizes many of the resources available.

For example, adoptees can use Internet search engines and national white pages to locate suspected family members. On-line government records such as the Social Security Death Indices are making it possible for adoptees to construct genealogical webs and search for holes that they might fill. With the growing amount of on-line data, there is "information to track down anybody," she said. Meanwhile, the Internet's chat services, mailing lists, web sites, and discussion groups

are making it possible for the nation's estimated one million adoptees to find each other, communicate - and organize.

Incorporated in October 1996, Bastard Nation is founded on the premise that adoptees have an absolute right to information surrounding their birth and adoption. "We are here to tell them that they have a right to this information," says Plum.

But in fact, in 47 out of 50 states, adoptees do not have a legal right to this information. In the 1930s, most states passed laws sealing adoption records as part of an experiment in social reform. Sealed records were designed to remove the stigma of both out-of-wedlock birth and infertility. "I would call it the single most successful experiment in family history," says Patrick Purtill, spokesperson for the National Council For Adoption, an adoption advocacy organization.

Today many of the assumptions made by those reformers no longer apply. As medical science has unlocked the secrets of genetics and inheritable diseases, it has become increasingly important for individuals seeking medical care to know their family history. Adoptees are almost always denied this information, because their records are frequently incomplete and because their biological parents, usually teenagers or young adults in their twenties, have not yet experienced any life-threatening disease.

National heritage has also become increasingly important in American society. In the 1930s, many first- and second-generation American families were trying to turn their backs on their immigrant heritage, To "assimilate." Today, such heritage is often seen as an important part of a person's self-identity.

Shea Grimm, Bastard Nation's legislative chair, neatly demonstrates both of these

points. As a teenager, Grimm developed a painful back condition. She saw doctors, but none could diagnose her symptoms. And because she was adopted, she couldn't ask her biological parent if there was any family history.

In her early twenties, Grimm started searching for her birth mother. When she located her, she discovered that the woman also had suffered a painful back condition as a young adult. It turned out that her mother had a degenerative disk in her spinal column. "[My mother] had gone into weight training to strengthen her back muscles, on the advice of her doctors, to compensate for the weakness of her disk," says Grimm. "That's what I did. It became a big hobby of mine. And it made all the difference in the world."

Grimm also made an important discovery about her heritage: she was half Native American. Once she made contact with her birth mother, she was able to claim her tribal membership. "All of these things that people take for granted, that assist you in raising your family, I was denied."

On the other hand, the National Council For Adoption opposes the actions of adopted children who are searching for their birth parents. NCFCA believes that birth parents have been given a promise of confidentiality under the law, and that this promise should be honored forever. "There are people who made decisions to carry pregnancies to term and to place their children for adoption with a clear understanding, not written in contract form, but a clear understanding - that their confidentiality would be protected," says William Pierce, executive director of the National Council For Adoption. "People make life plans, they make investments and decisions based on contracts, understandings and representations. To change the rules of the game after the fact is just not fair. There are literally millions of people whose lives would be affected by retroactively changing the rules of the game."

Some parents who have adopted children are terrified that a biological parent who has changed her mind may use information on the Internet to locate the adopted child and stalk the adoptive family many years later.

Instead of having adoptees search for their biological parents, NCFCA advocates the crea-

YOU CAN RUN, BUT.. .

Being charged with a violation of law can damage the reputation of a corporation or an individual. Some corporations respond to a bad public image not by reforming their practices but by changing their names. It is an option not available to law-abiding individuals. But corporations seem to like it. As a case in point, here's a chronology of the credit-reporting business:

February 1974: The Federal Trade Commission charges Retail Credit Co., a major credit bureau, with serious violations of the Fair Credit Reporting Act.

April 1975: Retail Credit Co. changes its name to "Equifax."

July 1991: The attorneys general of Texas and several other states, in a lawsuit later joined by the Federal Trade Commission, cite TRW, Inc., for major violations of state and federal credit-reporting laws.

September 1996: TRW changes its name to "Experian."

January 1993: The Federal Trade Commission charges Trans Union Corp., one of the three major credit bureaus, with violations of the Fair Credit Reporting Act in its target-marketing list-rental operation (scheduled to be heard Jan. 26, 1998).

October 1997: Trans Union changes the name of its list division to "PerformanceData."

tion of mutual-consent registries. These registries, operated by each state, allow the parents and adult adoptees to register their interest in meeting their biological partners. If both the birth parents and the adopted person register, they are put in touch with each other. Many adoptees are frustrated by the registries. "Dead people don't sign on to mutual consent registries," says Abigail Lovett, vice president of the American Adoption Congress. "And they are often under-funded and under-publicized."

"Most birth parents are in their twenties. Most medical issues that would be of concern