WOMEN ARE NOT FOR RENT
BABIES ARE NOT FOR SALE

The thought of bringing more life into the world sounds appealing, and surrogacy can be seen as a solution to the problem of infertility that many couples face. But we cannot let our compassion lead us to unethical public policy.

Surrogacy arrangements undermine the basic rights and well-being of women and children. For this reason, many countries and states have either banned or strictly limited surrogacy arrangements. **Minnesota should join them in protecting women and children!**

COMMERCIAL SURROGACY PUTS CHILDREN AT RISK:

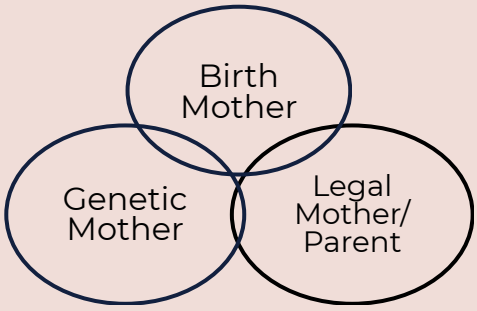
THE ONLY DISTINCTION BETWEEN LEGAL SURROGACY AND CHILD TRAFFICKING IS TIMING.

If a surrogacy contract to purchase a child is signed before conception, it's considered "building a family." If signed after conception, it is a crime. The timing of this transaction makes no difference to the child.

A recent U.N. report states, "Commercial surrogacy . . . constitutes the sale of children, which is a crime. Without the transfer of a child, there would be no incentive for the surrogacy agreement."

SURROGACY ALLOWS FOR MIX-AND-MATCH MOTHERHOOD, CREATING DESIGNER BABIES.

In surrogacy, the "mother" can be spliced into three women with at least two for purchase:



None of these mothers are optional for the child, so the separation creates an unjust loss.

SURROGACY CREATES LOSS TO MEET THE DEMAND OF ADULTS. **ADOPTION EXISTS TO MEET THE NEEDS OF CHILDREN WHO HAVE LOST THEIR FAMILIES.**

In adoption, the client is the child, but in surrogacy, the client is the adult.

The Journal of Fertility and Sterility reports Chinese nat'ls are the largest proportion of int'l intended parents (IPs). Relative to U.S. IPs, int'l IPs are more likely to be male and over 42. A surrogacy contract in the U.S. results in birthright citizenship for the child.

ADDITIONAL CONCERNS:

- IPs often have written into the contract that they can order an abortion or fetal reduction, no questions asked.
- Surrogate compensation varies widely, but base range is ~$45-80K. Total cost to IPs can range from $100-200K, due to agency fees, medical/ IVF/embryo creation and transfer, legal fees, insurance costs, etc.
- Surrogacy requires the use of IVF and comes with many ethical concerns such as the vast number of discarded or frozen embryos.

Commercial surrogacy creates a *marketplace* where women's bodies are purchased for breeding and children are traded.

ANY PUBLIC POLICY RELATED TO SURROGACY MUST protect women and children from being bought and sold.

✕ *OPPOSE COMMERCIAL SURROGACY*

Support: HF2219* (Scott)

SUPPORT: The Surrogacy Abuse Prevention Act

- Prevents the exploitation of women and trade of children by forbidding for-profit surrogacy.
- Creates a regulatory framework for surrogacy arrangements in Minnesota based on the 2016 Legislative Surrogacy Commission's Recommendations.
- Prevents international surrogacy arrangements, ensuring that children born through surrogacy will receive protections and rights of the laws and Constitution of the United States.
- Provides safeguards and legal protections for gestational surrogate and intended parents (IPs).
- Requires a background check and mental health evaluation for both surrogate mothers and IPs.
- Clarifies that the "best interests of the child" standard will be applied in custody disputes related to surrogacy arrangements.
- Imposes standard requirements for valid surrogacy contracts in Minnesota.
- Ensures parentage rights are transferred upon compliance with the surrogacy contract.
- Outlaws predatory, for-profit surrogacy agencies and brokers and requires all surrogacy agencies to
- be licensed by the Department of Health.
- Protects children's rights by allowing disclosure of identification of the surrogate mother.
- Requires the Department of Health to collect aggregate data on surrogacy arrangements.

**framework taken from 2016 Minnesota Surrogacy Commission Report to the Legislature*

THE SURROGACY ABUSE PREVENTION ACT *DOES NOT*:

- Ban surrogacy
- Prevent surrogate mothers from receiving compensation for reasonable medical expenses related to the surrogate pregnancy

"States have the obligation to respect, protect and fulfil human rights and to exercise due diligence in all their actions, without discrimination. The obligation to respect requires the State and its agents to abstain from any conduct that would cause or exacerbate harm related to surrogacy … They must adopt positive measures to ensure that women are not forced into situations where they feel that surrogacy is their only means of escaping poverty."

UN General Assembly, *Violence against women and girls, its causes and consequences*

Our organizations are not favorable to legalizing surrogacy, but we urge public officials considering surrogacy to adopt common-sense legislation and public policies that protect women and children from being bought and sold.

Minnesota Family Council
Rebecca Delahunt
Director of Public Policy
rebecca@mfc.org

Minnesota Catholic Conference
Maggee Hangge
Assistant Director for Family Policy
mhangge@mncatholic.org