

LIFE

## Renting uteruses in USA benefits Mainland Chinese

LIFE AND BIOETHICS

30\_08\_2023

**Patricia  
Gooding-  
Williams**



Media outlets have been raising the alarm for years that the [birth tourism market](#) between China and America [requires more stringent regulations](#). A recent new twist, prompted by the Covid pandemic, is further confirmation. Covid lockdowns stopped

travel between the two countries and prevented women from travelling to America from China to give birth. But, rather than stave off the demand for babies born in the U.S. which entitles them to American citizenship, it was diverted to another outlet: surrogate motherhood. Emma Waters a research associate in [The Heritage Foundation's DeVos Center for Life, Religion, and Family](#), has denounced the lax laws in some American states that permit Chinese nationals to rent American wombs to obtain a U.S. birth certificate with implications for national security.

**Firstly, "U.S. citizenship should not be gamed"**, Ms Water said in an interview on *American Moment's* official podcast, "[Moment of Truth](#)". Secondly, "Giving foreign nationals full access to American citizenship", she claims, "poses a huge national security threat". China is now America's biggest customer for surrogacy (estimated yearly births are tens of thousands) and the real reason Chinese nationals are coming to America and "renting the wombs of American women is to obtain the extra benefit of U.S. citizenship". Moreover, "the United States does not know who these children are or if their parents are foreign nationals," because no one is tracking them, [Ms Waters wrote for The American Mind](#).

**Surrogacy is the renting of a fertile woman's uterus by others to gestate a baby for them.** China's rising affluence means more couples and individuals can afford this service in U.S. fertility clinics and California is the rent-a-womb industry's go-to prime destination. Here, Ms Waters states, "the Golden State's proximity to East Asia and lax laws" - "has made it an international hot spot for commercial surrogacy". Most fertility clinics offer Chinese language options on their website and some have stated that up to 50% of their clients are from China alone.

**In China, the demand for surrogacy is constantly growing.** A significant problem, [according to data](#), is the prevalence of infertility among couples of child-bearing age which increased to 25% in recent years and continues to rise yearly. It includes decreased sperm quality, female infertility and other health problems which are an impediment to the burden of pregnancy. Moreover, only 32-41% of women achieve a live birth with the help of assisted reproductive technology (ART). These women, often consider surrogacy the only solution to satisfy their desire for a child.

**The growing demand for women to gestate "Chinese" babies abroad** clashes with the Chinese government strict ban on surrogacy. On one hand, according to the research study [The status of surrogacy in China](#) "renting a uterus is regarded as selfish" and "surrogacy an affront to human morality and traditional Chinese culture". On the other, falling birth rates has generated a growing lucrative underground market for

surrogacy out of the Chinese government's control. In 2020, the Communist Party's Central Political and Legal Affairs Commission condemned Chinese-American use of commercial surrogacy. But the matter is hotly debated. And the party is under increasing pressure to bend to the new developments in assisted reproductive technology (ART) and concede to the high demand for surrogacy in China which forces citizens to go elsewhere.

**Once Chinese nationals connect with a fertility clinic,** they can choose either to create an embryo using their own sperm and egg or they can purchase a sperm or egg. About 75 percent of in-vitro fertilisation clinics in the United States offer genetic testing of the embryos they create to assess if the child has a propensity for Down syndrome or another non-treatable illness, as well as the sex of the child, their hair colour, eye colour, and skin colour. Customers then have two options, either to **travel to the US** to be present at the birth and bring the baby home, or opt for the increasingly popular alternative door to door baby delivery service. All they have to do is send their reproductive material (sperm, egg or embryo) to an IVF lab through the U.S. based agency and wait for the baby to be flown back to them in China approximately a year later accompanied by an agency caretaker.

**In addition, the perks outweigh the risk of a hefty fine** should the Communist authorities catch law breakers. "At birth, children gain and maintain full U.S. citizenship, birth certificates and social security numbers, access to education, and a path for their biological parents to receive a green card when the child turns 21. Some agencies promote themselves as a "**cheaper alternative than an EB-5 visa,**" which costs \$500,000," Ms Waters said. The Center for Immigration Studies a conservative think tank, estimated in 2012 that birth tourism produced 40,000 US births for foreign nationals and total births to temporary immigrants in the United States (e.g., tourists, students, guest workers) could be as high as 200,000. **iiMedia Research**, a data analyst company in China, said 150,000 Chinese came to the US to birth babies in 2018 alone. Shen Sun, owner of the Own Visa Inc, a California-based company that helps overseas Chinese apply for travel documents at the Chinese consulate in Los Angeles, said that consulate "travel permits" were mainly used for babies born in the United States to go back to China with their Chinese citizen parents.

**The concern is that these surrogate babies return to China** to live and receive their education in the Chinese communist system retaining the legal right to live and work in the United States. While the lack of data for these cases means there is nothing to flag them as foreign nationals. Hypothetically, they could apply for jobs in sensitive

sectors like research laboratories, security, finance, government positions or in the private sector and employers have no way of knowing who they are dealing with or where or with whom the future employee's loyalties lie.

**Some Chinese nationals believe the future** will be decided in a **play-off between China and America** which they deduce puts surrogate babies in a win win situation. It doesn't matter that China does not accept dual nationality or that once the child turns 18, if it wants a passport for travel, has to choose which of the two countries it wants to live and work in. The choice will probably be based on which country comes out on top.