

March 13, 2014

The Honorable Bob Mensch  
Senate Box 203024  
459 Main Capitol Building  
Harrisburg, PA 17120-3024

The Honorable LeAnna Washington  
Senate Box 203004  
457 Main Capitol Building  
Harrisburg, PA 17120-3004

Dear Chairman Mensch and Chairwoman Washington,

I am writing to you in regards to House Bill 162 which would allow adult adoptees to obtain their original birth record with the names and ages of their biological birthparents without the consent of their birthparents. I urge both of you to vote no on this bill.

I am the adoptive mother of a son in his twenties, and I worked for 20 years in several Pittsburgh-based adoption agencies. I am sympathetic to the desire of adopted children and many birthparents for open adoptions and free access to information. In fact, my son and his birthparent have enjoyed an open adoption relationship. However, this was my son and his birthmother's choice. This is not always the case for birthparents or adopted children. My experience as an adoption social worker showed me many instances when birthparents wanted anonymity. Many times this desire was the result of a birthmother's rape or being the victim of incest. Other times it stemmed from their desire to avoid a socially disastrous situation. In fact, I witnessed many adoptions that only took place because a birthparent could be guaranteed anonymity. In many cases, a parent might feel they had to choose parenting – with possible disastrous results for an unwanted child – if the birthparent could not have confidentiality about their identity. And, not all adopted children want or desire to know their birthparents. Many adopted children are not comfortable with this knowledge. In fact, my own son did not want contact with his birthparent during his high school and college years. He elected to wait until he was in his 20's.

My experience as an adoption worker taught me that the fairest process in adoption is one that respects the wishes of all parties. I learned that you could not force an open adoption relationship if one of the parties was not comfortable with it. I especially learned that "one size did not fit all" in the adoption world. Each placement and the degree of desired contact are unique because the needs and desires of birthparents, adopted children, and adopted parents are also unique.

Throughout the years, thousands of men and women have placed children for adoption and have relied on Pennsylvania law to ensure that their information would remain confidential. In fairness to these birthparents the law should be upheld. HB 162 would allow the Pennsylvania Department of Health to provide an adoptee's birth record without the consent of the birth parents. Adoptees could then release that information to others, even in closed adoptions. HB 162 would overturn any right to privacy and confidentiality of information on the part of biological parents.

It is already possible under Pennsylvania law for adoptees to petition the courts in order to request birth information. The courts can contact a birthparent after an adoptee's 18<sup>th</sup> birthday and learn if they would like to open the adoption. In my experience, this process works very well. Some birthparents are more comfortable years later in opening up an adoption; others continue to choose confidentiality. Pennsylvania law already requires that the non-identifying medical and social information be shared with the adoptees.

It is my firm belief that the adoption law in Pennsylvania is well grounded in its current configuration. Therefore, I urge you to vote now on House Bill 162. Thanks so much for giving me the opportunity to share my thoughts with you.

Sincerely,

Victoria Ruscitto Sirockman  
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412-884-6252

**The Adoptee Rights Bill (HB-162)**

March 14, 2014

Brian L. Subich

Testimony in Support of House Bill-162: The Adoptee's Rights Bill

Dear Chairpersons Mensch and Washington and Members of the Senate Aging & Youth Committee:

My name is Brian Subich and I reside in Johnstown, PA. I have been employed as a Caseworker for Cambria County Children and Youth Services for the past five years. The purpose of my letter is to express my support for HB 162, a bill that would restore the equal right of Pennsylvania-born adult adoptees to access their original birth certificate.

As a Caseworker for Cambria County Children and Youth Services, I deal with children from all socioeconomic backgrounds and all races and creeds. One of the most basic things that children hold on to is their identity. I have in my duties as a Caseworker removed children from their parents due to unspeakable acts, but despite these acts perpetrated on them almost all of these children still identify themselves with their birth families even once they have become adults.

Now imagine being an adult and never having known where you come from, or who your parents are.

House Bill-162 will provide equality to adoptees by treating them the same way every other Pennsylvanian is treated, by being allowed to know where they came from and whom their parents are.

On a practical matter HB-162 is also a fiscally neutral bill that reduces government waste by eliminating the need for adult adoptees to tie up the court and registry systems in an attempt to obtain their Original Birth Certificate.

It is therefore my request that the Senate stand in support of HB-162.

Thank you for the opportunity to submit this testimony.

Sincerely,

Brian Subich  
167 Frederick St.  
Johnstown, PA 15902  
814-242-1946

March 14, 2014

## Adoptee Rights Bill (HB-162)

Dear Chairperson Mensch, and Washington, and Members of the Senate Aging and Youth Committee:

Please allow me to begin by introducing myself. My name is Theresa Subich and I currently reside in Johnstown, Pennsylvania. I am employed by the Conemaugh Valley School District as the Pennsylvania Information Management System Coordinator. However, I wasn't born in Johnstown and I had a different name when I was born in 1965 in Huntington, PA.

Sometime between 1968 and 1970 I remember my parents telling me that I was adopted. I didn't know what it meant and I didn't know what a remarkable thing it was. They told me that they couldn't have children of their own, so they went to the "baby store" and out of all the babies there, they chose the most beautiful and most special baby they saw....ME! They told me when I was older if I wanted to meet my birth parents, they would help me find them. However, I never had much interest in knowing anything about my birth parents; but then I had to apply for a birth certificate (which I never had before) for graduation purposes. When I applied I got my certificate from the Bureau of Vital Statistics which had my adopted name and no parents listed. That's when it hit me that I had no identifying information on my origins or history. I was busy with school and in the 1980's there was no internet to look up information. I wrote to the CambriaCounty Courthouse and after waiting sometime for a response I and found out that I was "NOT ALLOWED" to have information on my birth. Not Allowed? Not allowed to have MY OWN information! I have no rights to know who I am or where I came from? Basic Rights?

I was told I could submit an application to find out "non-identifying" information. That is when I found out I was born in Huntington, PA at J.C. Blair Hospital and my initials were "M.A.S.". my mother was 16 and my father was 18 and was in the military. Wait...that's it? I have no more rights?

In 1985 the Commonwealth of PA **SEALED** all adoptee records and original birth certificates and there was nothing I could do. To this day, I am unsure why these records were sealed. My right to know MY personal information is SEALED. I see no legitimate reason why an individual living in the greatest country on earth could not have the RIGHT to access their own personal and privileged information.

Adult Adoptees should have the same basic right as every other citizen in PA and every other state in our great nation. The right to know! There are Right to Know Laws in every business, every school, even the government! Transparency is a term you hear a lot of today from our leaders in government and in business....why then have my personal information SEALED and kept from me and all other adult adoptees who have the RIGHT TO KNOW.

I implore you to please pass House Bill 162 and give back the rights to adult adoptees that were taken away in 1985 and restore OUR RIGHTS.

Respectfully,

Theresa Subich  
"M.A.S."

## **The Adoptee Rights Bill (HB 162)**

**March, 18, 2014**

**Julie Stromberg**

### **Testimony in support of House Bill 162:**

**In adoption, further providing for original birth record.**

Dear Chairperson Mensch and members of the Senate Aging and Youth Committee,

My name is Julie Stromberg. I am a reunited adult adoptee (born and adopted in Connecticut) who has been a resident of Pennsylvania for eight years and is currently in possession of my original birth certificate. The purpose of my testimony today is affirm my support of HB162, a bill that would restore to adult adoptees born in Pennsylvania the legal right to access their original, factual and unaltered certificates of birth.

Non-adopted adults born Pennsylvania can access their factual birth certificates by making a simple request. Adult adoptees born in Pennsylvania cannot. The message provided to adult adoptees by the Commonwealth is that we are less deserving than non-adopted adult citizens. Adoptee rights is a matter of restoring equal treatment under law for all adult citizens born in Pennsylvania and ending the decades-long practice of considering adoption to be something shameful and secretive.

#### **Adoptee rights is not about:**

**Search and reunion.** Some individuals and organizations oppose restoring equal access to adult adoptees based on the notion that some natural parents might not wish to have contact with their relinquished sons or daughters. Contrary to what many in society have been led to believe, there is not one legal document involved in any adoption that legally guarantees a parent total anonymity from their own son or daughter. In most states, an adoptee's file and original birth certificate can be opened at a judge's discretion. As such, it is a legal impossibility that a natural parent could assume total anonymity from the adoptee. What an adult adoptee may choose to do, or not do, with the information contained on his or her original birth certificate is a personal matter and not one that requires the involvement of state governments. Adult citizens manage their personal engagements with other adults on their own every day. And there are many options available to any adult citizen who does not wish to engage with another adult citizen. The personal preferences of some (natural parents who do not desire contact with their sons or daughters) should not be given priority over the legal rights of all adults who were adopted as children.

**Natural parent privacy.** Birth certificates are not amended until an adoption is finalized. Children who are in foster care because the parental rights of their parents have been terminated, and who have not been legally adopted, use and have access to their factual

birth certificates. If the amending of birth certificates was contingent on the privacy of natural parents, the process of legal fiction would occur upon termination of parental rights. Instead, an adoptee's birth certificate is only amended upon the finalization of adoption. One could surmise, therefore, that the amending of birth certificates is for the adoptive parents' benefit and has nothing to do with natural parent privacy.

**Abortion.** Alaska and Kansas have never sealed the original birth certificates of adoptees. Both states have also been noted as having very low abortion rates according to data compiled in 2010 by the American Adoption Congress. The same data also revealed that in the states with more recent restored access, abortion rates lowered significantly following the passing of access legislation. Data shows that access legislation will not result in more abortions.

**Our adoptive families.** An adult adoptee who determines that it is in his or her best interest to obtain his or her original birth certificate has simply made a decision about his or her well-being as an adopted person. Desiring one's original birth certificate is not an indication of how an adult adoptee feels toward their adoptive family. We can love, cherish and respect our adoptive families and still need our original birth certificates. Adult adoptees existed, and had an identity, prior to being adopted. For many of us, it is important to acknowledge this fact regarding our personal histories. Adoptee rights legislation empowers adult adoptees and this is something that everyone connected to adoption should support.

**Adoptee rights IS about restoring to all adult adoptees the right to access their own original birth certificates and treating adult adoptees as equal to non-adopted adults under law.**

With this testimony in mind, I request that you recommend HB 162 to the Senate for vote. Send the message to adult adoptees born in Pennsylvania that they are deserving of equal treatment under law to non-adopted adults born in the state.

Sincerely,

Julie Stromberg  
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March 18, 2014

The Honorable Bob Mensch  
Chair, Senate Committee on Aging & Youth  
North Office Building--Hearing Room 1

Senator Lisa Baker  
20th District  
172 Main Capitol Building  
Harrisburg, PA 17120

When a child is adopted in the State of Pennsylvania, the adoptee's original factual birth certificate is altered or amended to make it appear as though the adoptive parents actually gave birth to the adoptee.

The original birth certificate is sealed away and not legally recognized. Currently, Pennsylvania-born adult adoptees (age 18+) are not allowed to access their original birth certificate.

Original birth records being sealed in this way send the message that adult adoptees and their families have something to be ashamed of. **THERE IS NOTHING TO BE ASHAMED OF.**

My story—as I know it --is the biggest kept secret in Luzerne County Pennsylvania

My name is Marirose (Pointon) Buckland. I think I was born on August 11, 1959 or possibly August 15, 1962 as Mary Pointon in the Nesbitt Memorial Hospital, Kingston, Pennsylvania.

I have not **one** but **two** birth certificates naming me as Mary Rose Pointon and the other as I know myself now- Marirose Pointon.

I realize adoption was created to protect children and place these children with parents who long to have children. Once an adoptee becomes of age, it should be their God-given right to know who they are if they so choose. The adoptee didn't enter into this world with any type of contract. The adoptee should not be bound by an agreement signed by others. There are many adoptees that die of diseases because they had no idea this disease ran in the family.

I, as an example, have had some strange illnesses over the last couple of years:

I developed a Macula hole in my right eye.

I have developed a large amount of arthritis.

I have been taking Thyroid medication for 20 years.

I recently came down with some infection that ate away my C4,5 and 6 of my spine. I was walked to the emergency room where I spent 10 days and had a hip bone put into my spine to prevent being paralyzed.

Please see to it that Pennsylvania changes the adoption laws so that adoptees have the right to obtain a copy of the original birth certificate, acquire family medical history, see their nationality, know if they have brothers and sisters and be able to connect with them. This can be a life-saving matter. I have found out that I have a sister and three brothers out there someplace and I am sure they would love to know about me!

The States of Oregon, Kansas, Alaska, Maine, Louisiana, Indiana, Illinois have open records and it has worked successfully for them. States working in progress of opening these original birth records are Hawaii, New York, New Jersey and Pennsylvania. It has not lowered the rate of adoption nor increased the abortion rights.

I am speaking for many adult adoptees in the State of Pennsylvania that pray you will vote with your conscience and your heart and vote unanimously to pass this extremely important and so very personal human rights legislation into law. Please encourage your colleagues in the Senate to vote with you to unanimously vote to pass House Bill #162 and prove adoptees of Pennsylvania and Governor Corbett that you agree we deserve to be recognized and treated with dignity and respect, not differently than our non-adopted Pennsylvania citizens.

Please vote with your heart to open and pass this bill so I can find my brothers and sisters!

Thank you for hearing my story!

Marirose Buckland  
312 East Dorrance Street  
Kingston, PA 18704



The Adoptee Rights Bill (HB 162)

March 12, 2014

Kristi B. Lado

Testimony in support of House Bill 162: The Adoptee Rights Bill

Dear Chairpersons Mensch and Washington and Members of the Senate Aging & Youth Committee,

My name is Kristi Lado and I am an adoptee who has reunited with her natural mother. For most of my adult life I have worked with the adoptee community in some capacity, including volunteer work for adoptee organizations and hosting support groups.

The purpose of this testimony is to voice my enthusiastic support for HB 162, a bill that would restore the equal right of Pennsylvania-born adult adoptees to access their original birth certificate.

HB 162 is not about reunion or even medical history, but about being treated equally under the law. Currently, adoptees are the only PA residents without access to our original birth certificates. This injustice was born of an era where society simply didn't know better.

Because of the shame surrounding the circumstances of an adoption, there was an attempt to ensure that nobody would have access to the truth after an adoption was finalized. Government-sponsored secrecy in the form of closed records became the norm in the mid-20th century.

Pennsylvania was one of the last states to do this in the 1980's, respectively.

While most first-world nations allow adoptees access to their records, we are still behind the times in many U.S. states. Despite the fact that open adoptions have become the norm and nothing terrible happened when our records were open, this outdated law remains unchanged.

Freedom of Information laws exist because we as a nation believe in truth and transparency. Imagine being barred for the truth of your own existence.

We have a chance here in PA to do the right thing. By voting for HB 162 we are saying we believe in every individual's inherent worth and dignity.

Please vote for HB 162.

Thank for the opportunity to submit this testimony.

Kindest Regards,

Kristi B. Lado

**The Adoptee Rights Bill (HB 162)**

**March 18, 2014**

**Gail Edith Walton**

Testimony in support of House Bill 162: The Adoptee Rights Bill

Dear Chairperson Mensch and Washington and Members of the Senate Aging and Youth Committee,

My name is Gail Edith Walton. I am an adult adoptee of the state of Pennsylvania, and I am a birth parent. I have a PhD in Human Development and I am a professor of child development. The purpose of my testimony today is to give my support for HB 162, a bill that would restore the equal right of Pennsylvania-born adult adoptees to access their original birth certificate.

As an adoptee, I have longed to know my entire history, my ancestry, and my ethnic origin. I want to know who I really am. This very personal information has been hidden from me. I am not ashamed of being adopted. To be denied access to my original birth certificate means that I am treated differently from Pennsylvanians who are not adopted. Hiding this information sends a negative message about adoption - and I should know - I am both an adoptee and a birth parent. Restoring access to my original birth certificate means that Pennsylvania acknowledges and values the dignity of all of its native born citizens. It not only restores access, it sends a clear and positive message about equality for all in this great state of Pennsylvania.

HB 162 is a fiscally neutral bill. It would even provide benefits to the state because adoptees would be less dependent on the courts and registries to obtain information about themselves. In addition, research from New Hampshire shows that access does not negatively affect the privacy of birth parents. Birth parents want to know how well their birth children are doing. It helps birth parents heal from the grief of their decision.

I am respectfully requesting your support of HB 162. Please recommend HB 162 to the Senate for a vote.

Thank you for this opportunity to submit this testimony.

Sincerely,  
Gail Edith Walton

## The Adoptee Rights Bill (HB 162)

March 18, 2014

Elizabeth Cecelia Richards

### Testimony in support of House Bill 162: The Adoptee Rights Bill

Dear Chairpersons Mensch and Washington and Members of the Senate Aging & Youth Committee,

Good morning ladies and gentlemen. I am Elizabeth Richards. I am 30 years old and a Captain in the United States Air Force. I have served in Iraq, Afghanistan, and South Korea. I was also adopted out of foster care when I was three weeks old. Everyone has an innate desire to know who they are and their origins. Adult adoptees are no different; we just have a harder time answering some of life's most basic questions. House Bill 162 would help us address some of these intrinsic identity issues, while restoring a sense of equality with our non-adopted peers.

My parents never hid the fact I was adopted. They did their best to answer my questions about where I came from, but there were a lot of questions they could not answer. As I got older, I became determined to know my full life story. When I was first told I would need a lawyer to petition the court to unseal my original birth certificate, I assumed it was because I was a teenager at the time. I decided to wait. I didn't want to involve lawyers and courts in my personal quest. Years later, in 2012, after returning from Afghanistan, I decided to try again. My year tour to South Korea was coming up and I wanted to get access to my original birth certificate before I left. I was very surprised when Lebanon County's Clerk of Orphans informed me I would still need a lawyer to petition the court to get my original birth certificate. It didn't matter that I was an adult; I was still adopted and thus not allowed access to my original birth certificate without a court order.

That is unacceptable. A majority of adult Americans do not need a court order to access their original birth certificates and neither did adult adoptees in Pennsylvania until the 1980s. Pennsylvania sealed the original birth certificates of adoptees at a time when many states across the nation were doing the same. The original intent was to protect the child from the stigma of being 'illegitimate.' The same states that restricted access to original birth certificates for adoptees during the latter half of the last century, are now considering similar legislation as House Bill 162. Empirical research on states that have restored access to original birth certificates, and other nations that never limited access, all found there are no negative side effects to the adult adoptee, the birth parents, the adoptive family, and society as a whole. There is no corresponding rise in the abortion rate or reports of intruding in the lives of birth parents.

Testimonials from adult adoptees in states that have restored the right to access original birth certificates are positive.

House Bill 162 is a fiscally neutral bill. Based off the evidence from similar legislation in other states and nations, there are no likely negative consequences associated with it. It will have the very positive impact of restoring equality to Pennsylvania adult adoptees. It will help us answer some fundamental questions dealing with identity, like ethnicity, that non adopted adults take for granted. It will restore a sense of equality to all adult adoptees, so we can stop feeling like second class citizens that must ask the court's permission to get access to the most essential documents that deal with our lives.

I took an oath to uphold and defend the Constitution of this nation. I've deployed to combat zones twice and have served all over the world supporting our country. I shouldn't need a lawyer to petition a court to get my birth certificate. I would just like to ask my state, the place I still call home, to pass House Bill 162 and restore to all adult adoptees of Pennsylvania access to our original birth certificates.

Thank you very much for your time and consideration in this matter.

Very respectfully,

Elizabeth Richards

**The Adoptee Rights Bill (HB162)**  
**March 18, 2014**  
**Mary Ellen Verna**

Testimony in support of House Bill 162: The Adoptee Rights Bill

Dear Chairpersons Mensch and Washington and Members of the Senate Aging & Youth Committee,

My name is Mary Ellen Verna. I am an adult adoptee. I am writing to you today to show my support for HB 162, a bill that will restore the equal right of Pennsylvania-born adult adoptees to access their original birth certificate.

I was adopted shortly after my birth. As I grew older I came to realize the huge impact and hurdles I would face when trying to access any of my original birth information. Those issues still remain today and are now passed onto my children and grandchildren. Not knowing my true identity, ethnicity, medical history, etc., is frustrating, unfair and embarrassing at times. I have found that the only way to **POSSIBLY** find out any information is to pay hundreds, if not thousands, of dollars to agencies, Courts and any other organization involved in the adoption. Even after paying these fees, an Adult adoptee is not guaranteed to even receive the requested information leading to further anger and frustration. Adult adoptees should have the equal right as other non-adoptee adults to their original birth certificates and information.

Passing HB 162 into law will not be a financial burden on the taxpayers of PA. It will actually reduce government waste and time by eliminating the need for adult adoptees to tie up the court with attempts to access the rightful original birth certificates.

Please recommend HB 162 to Senate for a vote to pass HB 162 into law and give Adult Adoptees the equality they deserve!

Thank you for opportunity to submit this testimony.

Sincerely

  
Mary Ellen Verna



**Pennsylvania Adoptee Rights**  
**www.adopteerightspa.org**

**Adoptee Rights Bill (HB 162)**  
**March 18, 2014**  
**Pennsylvania Adoptee Rights**

**Testimony in support of House Bill 162: the Adoptee Rights Bill**

Dear Chairman Mensch, Chairwoman Washington, members of the Aging and Youth Committee,

Although opposition to legislation like this is not nationally prevalent, we understand that there have been objections voiced in Pennsylvania regarding HB162. As our board has a combined half-century of experience in educating about this issue—we are comprised entirely of mothers and advocates for women—we are eager to offer our insight. As HB162 is foremost intended to send positive messages about being adopted, our concern with the opposition is not that they disagree. Our concern is that harmful messages about the adoption community are being communicated through these objections. We express our deep concern to you that this is occurring. With this testimony, it is our intention to address the misconceptions of the opposition regarding HB162.

**Pennsylvania has *not* always sealed original birth certificates and history shows that previous policy worked:**

According to a 1978 official opinion by the Pennsylvania Attorney General, the 1925 law that sealed adoption records did not impound the original birth certificates of adoptees. This opinion also stated that the law was being interpreted correctly by releasing original birth certificates to adult adoptees upon request. This law was in place for over 60 years with no opposition or reported issues.

**Birth Parents were *not* promised anonymity:**

The Adoption Act of 1984 severely restricted access to original birth certificates; however, we are wary of the claims that The Adoption Act promised anonymity to birth parents as it has always allowed the release of the original birth certificate at any time *per a judge's discretion*. According to two thorough national policy evaluations, The Evan B. Donaldson Adoption Institute concluded that there is little evidence that sealed original birth certificates substantiate guarantees of anonymity to birth parents. Furthermore, University of Baltimore Law Professor, Elizabeth Samuels, concluded after studying adoption relinquishment papers, that there was no promise of anonymity found within the legal documents that birth parents sign.

**There are *no* known negative repercussions to legislation identical or similar to HB162:**

As demonstrated by Pennsylvania's 60-plus year history of allowing original birth certificate access, research on this policy's implementation, such as seen in the research by renowned law expert Dr. E Wayne Carp, both nationally and internationally, has concluded that there are no known negative repercussions to legislation similar to HB162. In fact, the feedback we have received from the adoption community abroad is that they are confused as to why the United States is quite behind on this issue, a viewpoint prevalent in the popular writing of Finnish adoptee and sociologist Dr. Katrina Wegar.

**Pennsylvania Adoptee Rights**  
**www.adopteerightspa.org**

**HB162 does *not* increase abortion rates:**

We know from data in states that have already implemented legislation similar to HB162 that there is no statistically significant relationship between original birth certificate access and abortion rates. Furthermore, a recent Guttmacher survey (2008) of women who had abortions noted that anonymity when considering adoption was not a concern. However, they did report that the idea of one's child being out in the world without them made adoption unfavorable.

**Current provisions are *not* adequate and we *need* HB162:**

Adult adoptees and birth parents across the commonwealth have reported to us that they do not feel the court systems have helped them. Recorded match rates for the alternative registry systems indicate they have been inefficient and ineffective. The old AMHR registry received over 2,500 applications from adoptees and 800 submissions from parents but made fewer than 10 matches in 14 years of operation. From 1985 to 2010, the Biological Parent Registry received consents for the release of identifying information from about 1,600 birth parents. However, Pennsylvania failed to record how many adoptees applied and how many matches were made. In two years of operation, the new P.A.I.R. registry has made only ten matches despite hundreds of registrations from birth parents and adoptees.

Most importantly, the current system does not address the right of adult adoptees to in equal regard to those who are not adopted when accessing their original birth certificate. HB162 seeks to rectify this inequality.

**Birth mothers *should not* be assumed to have lied on birth records:**

According to Title 23, an unmarried father must sign a witnessed statement acknowledging paternity that is forwarded to the Department of Public Welfare along with his social security number.

**Stereotypes of birth parents and adoptees *should not* be the basis of public policy:**

We have left this point for last because it is the most important. We are deeply saddened that we have heard the following damaging sentiments exuded by some of the opposition to this bill:

- Birth mothers can be presumed to have lied on the birth record.
- Birth mothers can be presumed to have had multiple sexual partners and not know the fathers of their children.
- Birth mothers can be presumed to have given birth to "illegitimate" children and are ashamed of themselves.
- Adult adoptees can be presumed as "unwanted," "almost aborted," or "shameful secrets."

**We stand firm to defend the dignity and worth of birth parents and oppose that these negative messages in any way form the foundation for public policy. We hold that birth parents are as valuable as any other parent, and that the births of their children are no more shameful or worthy of being hidden than the birth of any other child. We hold that adult adoptees were once the children for whom adoption claimed to be working in the best interest of, and are adults who deserve dignity, equality, and respect.**

**Pennsylvania Adoptee Rights**  
**[www.adopteerightspa.org](http://www.adopteerightspa.org)**

**Lastly, we hold that the birth of every person is worthy of acknowledgement and that being adopted does not exclude someone from this basic human right. It is with these simple truths that we respectfully ask you to recommend HB162 to the Senate for a vote.**

**In Dignity and Truth,**

**The Legislative Board of Pennsylvania Adoptee Rights**



Adoptee Rights Bill (HB 162)  
March 18, 2014  
Marianne Novy

Testimony in support of House Bill 162: The Adoptee Rights Bill

Dear Chairman Mensch, Chairwoman Washington, and members of the Aging and Youth Committee,

I grew up in an atmosphere where my adoption was a secret that I was never supposed to talk about. What a relief it was to find adopted people writing about their experiences openly in the 1970s! I discovered that I could find my birth certificate by requesting it, and thus I learned my birthparents' names. I discovered that my birthfather was Jewish, which I had never known before. It did not shake my Christianity but it allowed me to learn more about my history. Knowledge of my birthparents did not hurt my relationship with my adoptive parents--in fact, it was helpful. When I wrote discreetly, my birthmother was glad to hear from me, as is usually the case. My birthfather was not, and I have not intruded on his life. Having my original birth certificate is a sign that I am treated equally by my state and I do not need to feel that it is shameful that I was born.

I am a professor of English at the University of Pittsburgh and I have researched and written about the way that adoption is portrayed in literature in two published books, Imagining Adoption and Reading Adoption. The idea that if adoptees meet their birthparents they will neglect their adoptive parents, or that there will be some other kind of disaster, is found in some influential fiction and drama from centuries ago, but memoirs of recent adoptees give a very different picture of how adoptive parents remain important while new knowledge of birthparents is beneficial. Birthparents have also found that knowing what has happened to their adopted away children is beneficial to them—see, for example, interviews in Ann Fessler's book The Girls Who Went Away.

The Evan P. Donaldson Adoption Institute, headed by an adoptive father, Adam Pertman, has made a careful study of the impact of closed and open birth certificates and concluded that allowing adult adoptees access to their birth certificates as others have to theirs is the best practice, and many other responsible organizations with knowledge about how adoptive families work have concluded this as well. Neither an increase in the number of abortions nor any other bad effects have been found to result from this access. I hope that you will vote to restore adoptees' equal access to birth certificates. These rights were removed in 1984 without debate. A number of other states have given their adoptees equal rights again in recent years--Pennsylvania should do the same.

Sincerely,

Marianne Novy

(A)

**Written Testimony Regarding House Bill No. 162, respectfully submitted to the Pennsylvania Senate Aging & Youth Committee in conjunction with the public hearing scheduled for March 18, 2014.**

by: Gaye Sherman Tannenbaum  
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Dear Chairpersons Mensch and Washington and Members of the Senate Aging & Youth Committee,

My name is Gaye Sherman Tannenbaum and I am a member of the Board of Directors of the Adoptee Rights Coalition. The Adoptee Rights Coalition is a national, grassroots organization of adoptees, original parents and adoptive parents, dedicated to supporting legislation that will restore the rights of adult adopted persons to unconditional access to their own original birth records.

I am urging the Committee to recommend HB 162 to the Senate for a vote. This is one of many Adoptee Rights Bills across the United States and, while it doesn't directly affect me, it affects many of my friends and colleagues as well as serving as a model for other states. I was born in New York City in 1953 and placed for adoption shortly thereafter. Some 55 years later, I found my biological mother and her family, and she welcomed me with open arms. Still, despite my excellent relationship with her and her family, neither one of us can obtain the original document that states that SHE gave birth to ME. Were I born in Pennsylvania, we would have the same problem as current Pennsylvania law only provides a summary of the birth record, not a photocopy of the original.

It is my understanding that adoptees were able to obtain their original birth records up until the law changed in 1985. Prior to that, it was considered the adoptee's right as a Pennsylvania-born citizen. Indeed, the original laws surrounding providing amended birth certificates to adoptees (including step parent adoptees) made it clear that the records were only to be sealed from the eyes of the general public.

*"Birth Records of Illegitimates and of Adopted Children"*, a paper read before the Vital Statistics Section of the American Public Health Association at their fifty-ninth Annual Meeting on October 30, 1930, gives an excellent historical perspective from a time when all birth certificates were open public record. (I have included a copy with my testimony.)

<http://www.ncbi.nlm.nih.gov/pmc/articles/PMC1556353/>

The practice of amending birth records and sealing the originals was created to save the child from the stigma of illegitimacy and to present a single document that identified the individual by his/her legal name and as the child of his/her legal parents.

The proposal was never about denying access to individuals with a legitimate interest in the original birth record.

*'Then on receipt of such copy the State Registrar shall cause to be made a new record of the birth in the new name, and with the name or names of the adopting parent or parents. He shall then cause to be sealed and filed the original certificate of birth with the decree of the court, and such sealed package shall only be opened upon the demand of said child, or his natural or adopting parents, or by the order of a court of record.'* (Emphasis added.)

In many states, that was the original law. The record was sealed from the public but not from the individuals to whom it pertained.

A lot has changed since the 1930s. Not only has adoption changed (becoming more open in many ways) but our knowledge of and feelings toward all members of the "triad" has changed. Social workers' notion of "best practices" has changed. Where once it was considered good parenting to never tell the child he was adopted, now most people are horrified by the notion of keeping this information a secret. At the very least, the individual would be giving his/her doctors the wrong family medical history – something I did for years.

The Donaldson Adoption Institute has undertaken numerous studies on the changing nature of adoption, including this important study on "Openness In Adoption":

[http://www.adoptioninstitute.org/publications/2012\\_03\\_OpennessInAdoption.pdf](http://www.adoptioninstitute.org/publications/2012_03_OpennessInAdoption.pdf)

*'In historical terms, absolute secrecy in adoption is a relatively recent practice; it began in the U.S. in the 1930s and grew out of the prevailing attitudes of the day, primarily the desire to protect adopted children from the stigma of illegitimacy.'*

*'In fact, most states did not begin sealing adopted children's original birth certificates until the 1930s through 1950s; even then, these documents were initially closed only to the public, not to the affected parties.'*

*'The greater practice of openness came about largely in response to growing recognition of the negative impact of secrecy and to the demands of birthparents (mainly mothers).'*

*'The number of "closed" infant adoptions in the U.S. has shrunk to a tiny minority. Indeed, respondents said confidential adoptions constituted only 5 percent of their placements during the past two years, while 55 percent were fully disclosed and 40 percent were mediated. Ninety-five percent of the agencies said they now offer open adoptions.'*

With secrecy no longer the norm in "current" adoptions, one of the key recommendations of The Donaldson Adoption Institute is the repeal of archaic sealed records laws.

[http://www.adoptioninstitute.org/publications/7\\_14\\_2010\\_ForTheRecordsII.pdf](http://www.adoptioninstitute.org/publications/7_14_2010_ForTheRecordsII.pdf)

*'The laws on the books in most states do not benefit the vast majority of the affected parties, and therefore should be changed. Modern adoption practice, with its emphasis on openness, honesty and family connections should be the operating model. It is time to end the secrecy that has not only resulted in shame and stigma for nearly everyone concerned, but also has undermined the institution itself by sending a signal from the very start – at the time a birth certificate is issued – that adoption has something to hide.'*