

February 15, 2019

The Honorable Velmanette Montgomery
New York State Senate
915 Legislative Office Building
Albany, NY 12248

The Honorable David I. Weprin
New York Assembly
526 Legislative Office Building
Albany, New York 12248

RE: A5494/S3419

Dear Assemblymember Weprin and Senator Montgomery:

I write in strong favor of the passage of A5494/S3419, an adoptee rights bill that will finally restore a right lost to adult adoptees in New York 83 years ago—the right to request and obtain their own original birth certificates without discrimination. I appreciate your sponsorship of A5494/S3419 and strong leadership on this issue.

I am an attorney, adoptee, and the founder of Adoptee Rights Law Center PLLC. I represent adult adoptees in court proceedings and in immigration matters related to citizenship and to obtaining an adoptee's own original birth records. I also provide guidance and analysis of state laws in every state and the District of Columbia on the issue of an adoptee's right to obtain his or her own original birth certificate. I have been following New York's progress for years and have written extensively about it.

While laws beginning in the 1930s sealed adoptees' birth records in many states, the purpose of these laws were never intended to restrict adult adoptees' access to their own personal birth records later. Rather, the purpose of such laws has always been twofold:

1. To assure that adopting parents and natural parents remained unknown to each other, so that the relationship between the adoptive parents and the adoptee, while a child, can proceed without hindrance; and
2. To assure that children born out-of-wedlock would not be stigmatized by that status. To a lesser extent, the sealing of records prevented adoptive

parents and adoptees from being blackmailed through the use of public knowledge of a child's illegitimacy.

The purpose was *never* to prevent an adult adoptee from securing a right given to all people: to know their full identity and heritage.

Indeed, in 1949, officials from the U.S. Children's Bureau and the National Office of Vital Statistics developed specific guidelines for states to follow to assure responsible treatment of confidential birth records. The resulting publication was unequivocal about an adopted person's birth record:

The right to inspect or to secure a certified copy of the original birth certificate of an adopted child should be restricted to the registrant, if of legal age; or upon court order.

I appreciate your leadership in working for years on this issue. You have my full support with A5494/S3419, and I encourage your colleagues—of whom more than 80 support the bill already as co-sponsors—to pass this bill and forward it to Governor Andrew Cuomo for signature and final enactment.

Let's get it right. Let's (finally) make it equal.

Best regards,

ADOPTEE RIGHTS LAW CENTER PLLC



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