



February 16, 2023

The Honorable Cody Harris
Texas House of Representatives

RE: SUPPORT FOR HB2006

Dear Representative Harris:

I am an attorney and nationally-recognized expert on issues related to adoptee rights, whether those rights relate to identity documents, birth certificates, or US citizenship for intercountry adoptees. I also have deep ties to Texas, where my mother and brother currently reside. My grandparents lived in Farmers Branch for 62 years, where I visited them regularly, attended Dallas Cowboys football games with my Daddy Henry, and ate at the local Kip's Big Boy on Belt Line Road.

I am writing to express strong support for HB2006, a bill that would restore a fundamental right all Texas-born adopted people once had. It is a simple and straightforward bill and does one thing: allows all Texans, as adults, *to obtain their own birth records held by the government*. Today, however, only non-adopted Texans have such a right. HB2006 fixes this inequality and does so in a way that is fair, fiscally neutral, and discreet.

I have attached two resources that may help your colleagues understand this issue in more depth. The first outlines what this bill DOES NOT do by answering many common questions, concerns, and myths that typically accompany bills like HB2006. The second is an illustration of what the bill ACTUALLY DOES—combined with what happens now and will continue to happen if the government restricts the release of an adult's own birth record. The reality for many legislators is eye-opening, and it often changes the dynamics in discussing this issue.

I look forward to the day we enact HB2006. If I can be of any assistance, please let me know.

Best regards,

ADOPTTEE RIGHTS LAW CENTER PLLC

Gregory D. Luce
Attorney and Founder

The Myths (and Truths) of HB2006 and Birth Records

HB2006 does not make Texas birth certificates public

This is not an “open records” bill. It is about providing a single-page document—the original birth certificate—to an adopted person when that person is an adult. The intent of state laws to seal original birth certificates after an adoption have always been about protecting the adopted person and the adoptive family by preventing public disclosure of the facts of that person’s birth, particularly illegitimate births. Records released under this bill will remain confidential and only available to the adopted person at age 18 or to certain other individuals if the adopted person is deceased.

It does not publicize the identity of birthparents who are listed on the record

Providing the pre-adoption birth record upon request to the adopted person at age 18 is the most discreet way to provide information about that adopted person’s birth and heritage. The alternative is widespread distribution of that information through social media and consumer DNA testing, which is directly incentivized by keeping birth records sealed to the persons named in the records. Using consumer DNA testing typically identifies a long list of potential cousins, aunts, and uncles. Those family members are then contacted and asked about who in the family relinquished a child for adoption decades ago, spreading that information across families and generations. The result of restricting birth records and incentivizing DNA is far more invasive than simply obtaining a one-page birth record with basic birth information.

It does not convert closed adoptions into open adoptions

A bill related solely to the original pre-adoption birth record has nothing to do with the “openness” of an adoption. An “open” adoption in most states generally relates to a non-binding arrangement involving contact between **all parties while the adoptee is a minor**, and such contact is typically controlled by the adoptive parents. A right to the birth record relates only to the adoptee receiving a copy of the record as an adult and nothing more—no promise of a relationship or even of contact from anyone. The adoption remains closed at all times and contact remains a preference for every adult, as it does with all people in everyday life, whether adopted or not adopted.

It does not provide medical history

While the facts of birth on an original birth certificate may be considered “medically” related, the record does not itself contain family medical history. Current adoption forms related to medical and social history may be sufficient for this issue, and if a parent under this bill is open to contact, then additional medical information could be provided through that contact. Again, however, adopted people may simply want their original birth record for reasons unrelated to medical history, including a simple and fundamental reason to obtain truth about their identities and Texas heritage.

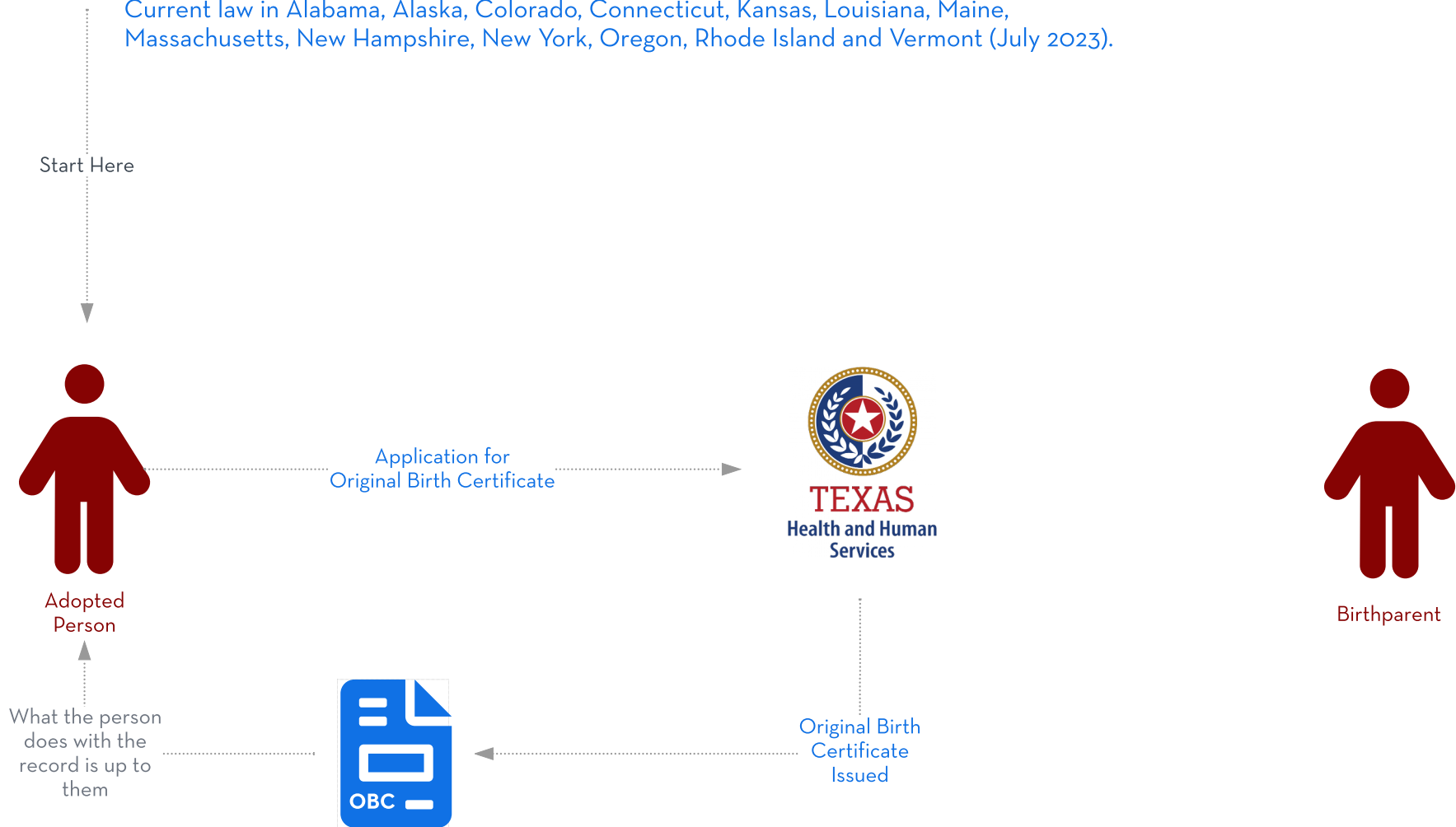
It does not guarantee reunion or contact

This bill and this issue is about providing a copy of a single piece of paper containing the facts of an adopted person's birth—our own births. Many adoptees seek this document so that they can understand their full identity and incorporate that identity into their lives in any way they see fit. For many Texas adoptees, the original birth record can also be about the ability to join important genealogical societies, which are currently denied to them, such as the Sons or Daughters of the Republic of Texas. And while many use the record to find birthparents or living relatives, others either do not seek out family or ultimately learn that their birthparents are deceased. Ultimately, an adult adopted person should have a right to their own original birth record. No adult, however, has a right to a relationship with another.

When Adult Adopted People Have a Right to Request and Obtain their Own Birth Records

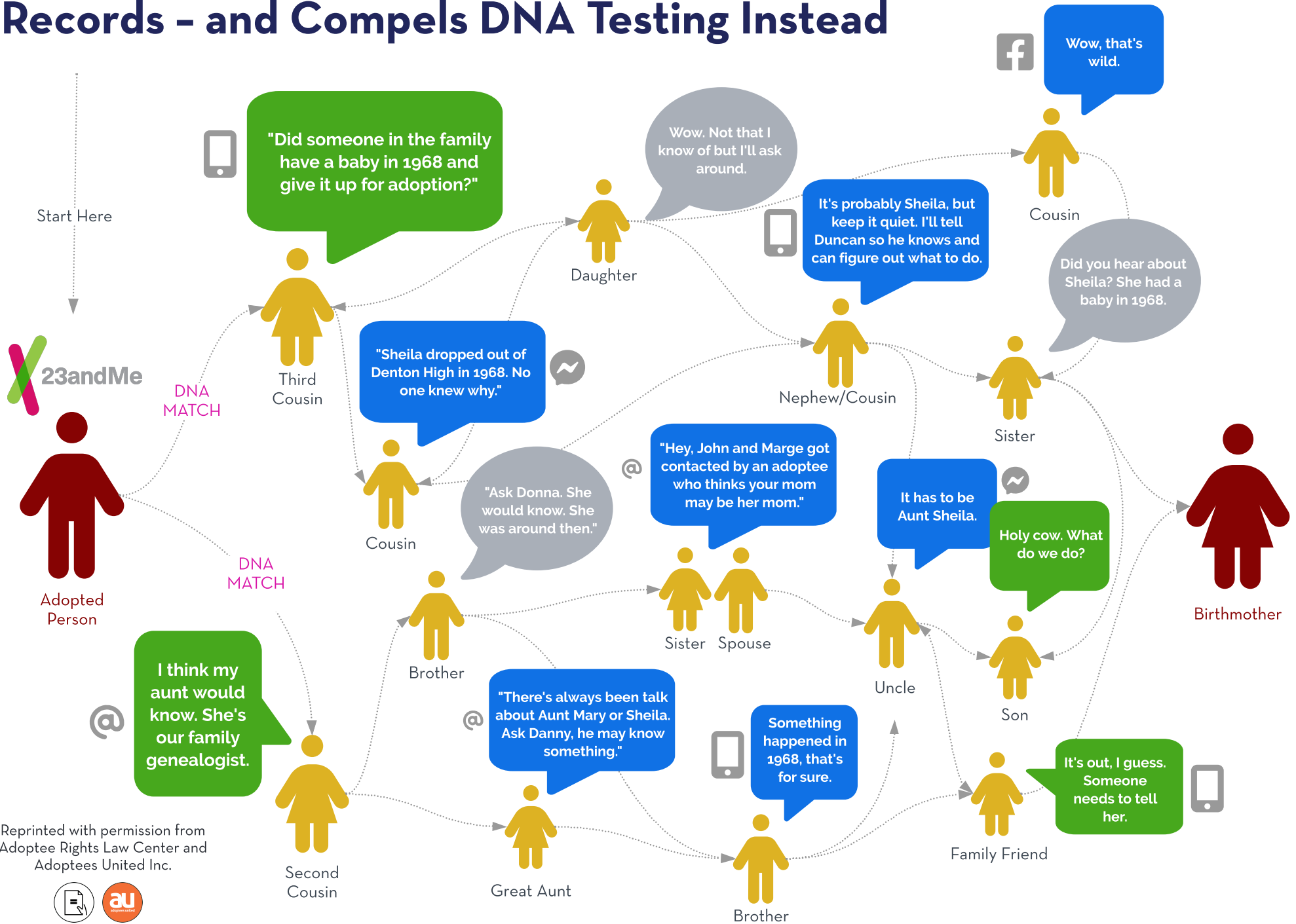
● **HB2006**

Current law in Alabama, Alaska, Colorado, Connecticut, Kansas, Louisiana, Maine, Massachusetts, New Hampshire, New York, Oregon, Rhode Island and Vermont (July 2023).



Note: Under current Texas law, the record is already available upon request if the adopted person knows the name(s) of the birthparent(s) listed on the record.

When Texas Denies Adoptees Their Own Birth Records - and Compels DNA Testing Instead



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