



Bastard Nation: The Adoptee Rights Organization

PO Box 4607

New Windsor, New York 12553-7845

bastards.org 614-795-6819 @BastardsUnite

bastardnation3@gmail.com

February 12, 2022

Dear Members of the House Judiciary Committee:

Bastard Nation: the Adoptee Rights Organization is the largest adoptee civil rights organization in the United States. We support only full unrestricted access for all adopted persons, to their original birth certificates (OBC) and related documents.

We are disturbed at the lack of adoptee input in the recent hearings on H629. We received notice after our written testimony was submitted that these were information-gathering sessions, not genuine public hearings and that the information sought was from adoption "experts," apparently with no "self-interest." In other words, a bill that affects adopted adults on the most intimate level was sussed not by the people directly affected by the bill, but by lawyers, politicians, and bureaucrats, with supposedly no skin in the game. This makes my head spin! Who but adopted people are better equipped to be adoption experts than those of us who live adoption and its impact on us every day of our lives? As someone tweeted concerning these hearings: "If there are no adoptees speaking, there are no experts."

It appears to us that the right of all adopted people to obtain their own Original Birth Certificate s (the right that every Not Adopted enjoys) has not been presented or framed correctly to the committee.

The concerns voiced by the "experts" and committee members have nothing to do with the restoration of our right to our own original birth certificates that the Vermont legislature took away 70 years ago. H629 is a bill that actually continues to codify favor and privilege for some Vermont-born adoptees. It does not restore the right of all the state's adoptees to obtain their OBC.

H629 is a bad bill, created out of good intentions. Unfortunately, it is out of sync with current culture and best practice standards, much less your surrounding New England states. Even the American Academy of Adoption and Assisted Reproduction Attorneys agrees that all adoptees have a right to not only their OBC but all related documents with no restrictions or conditions.

The hearing discussions have centered on peripheral, concerns, even fears, irrelevant to the topic, while decentering adopted people and the content of the bill itself. To clarify:

- The right of all adopted people to their own birth certificates has nothing to do with open adoption, post-adoption contracts/contact which pertain only to minors; or alleged promises of "anonymity" to birthparents, which have gone unproven for 60 years, and if made were unethical and possibly illegal.
- It is not about search and reunion, which are personal choices that shouldn't be mediated by the state.
- It is not about extended birthfamily members obtaining a copy of the OBC, though in some states they can if they can prove their lineal descent from a *deceased* adoptee.
- And it certainly is not about Positive Adoption Language.

Moreover, it has nothing to do with adoption agencies releasing "confidential" information since the OBC is a state-generated, held, and sealed document. I have never heard of an adoption agency being sued over such an allegation, and the only suit brought to stop a state from releasing OBCs without restriction was denied *cert* by the US Supreme Court more than 20 years ago. (*Does v Oregon*)

This, instead, is about the right of all Vermont-born adopted adults to obtain one sheet of paper--their own OBC, without state and third-party interference. This is it. One single document that belongs to them. H629 does not do this.

I urge the committee to re-think its hearing process and to hold at least one more hearing for the real experts to speak: adopted people. Limiting adoptees to submitted testimony not only denies the objects of H629 critical face-to-face communication with the committee, but it also invalidates our lived experience. It trivializes our rights. It silences adoptees and makes us invisible to the public and legislative eye. Mostly, it sends a bad message that the adopted people of Vermont don't count. Let us speak!

We are happy to discuss this with your further. Thank you.

Yours truly,

Marley Greiner, Executive Chair