



February 14, 2021

Re: Support for Texas HB1386

To: Texas State Representative Cody Harris,

The National Center on Adoption and Permanency (NCAP) is a nonpartisan, not-for-profit educational organization dedicated to improving laws, policies and practices – based on the best available research and experience – so that they enable all children and their families to succeed. This correspondence, in strong support of HB1386, is intended to explain the state of professional knowledge on a key issue in our field: the availability (or lack thereof) of original birth certificates to adopted persons once they reach the age of majority.

I will keep this letter brief, as I'm sure you already have received a great amount of information from all sides. NCAP can provide any additional data you might want, and would be delighted to address any questions you may encounter.

In short, research consistently shows that sealed birth certificates are an anachronism born of society's desire to protect the reputations of adoptees and their adoptive families at a time when unwed mothers were severely stigmatized and the children born to them were denigrated as "bastards." Indeed, birth certificates were often stamped with the word "illegitimate." Over time, the cultural rationale has shifted to maintaining the anonymity of birth mothers.

- Nearly all available evidence indicates that birth mothers – while sometimes wanting privacy in their families or not wanting their situations public – overwhelmingly desire some level of contact with or knowledge about the children they bore; that they favor adoptee access to their birth certificates (or, at least, do not oppose it); and, contrary to popular perception, that they were *not* legally assured of anonymity.
- A growing number of states have enacted laws such as the one you are considering, granting adult adoptees access to their original birth certificates – with *none* of the negative consequences that critics had predicted.
- The unambiguous conclusion from a growing body of research is that greater knowledge about their histories (biological and personal) yields better outcomes for adoptees and their families. That is why, in both professional practice and new statutes throughout the U.S., the singular trend is toward increased disclosure.
- A few adoption practitioners, and organizations representing them, still advocate for closure – sometimes by confusing "anonymity" and "privacy" or by using discredited data on a supposed "link" with abortion – but these practitioners represent a small and shrinking minority in the field.

I hope these comments are useful as you plan for passage of HB1386 – which, based on both the evidence and long experience, NCAP strongly supports. Please feel free to contact me at apertman@ncap.us.org or 617-332-8944 if you have questions or need more information. Thank you for your attention and your important work.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam Pertman".

Adam Pertman, President
National Center on Adoption and Permanency
www.ncap-us.org