



January 23, 2023

The Honorable Sara Gelser Blouin
Chair, Senate Committee On Human Services
Oregon State Senate
900 Court St. NE
Salem, OR 97301

**RE: SUPPORT FOR SB573
RELATED TO BIRTH CERTIFICATES OF ADOPTED PEOPLE**

Dear Chair Blouin and Members of the Committee:

I am an attorney who represents adult adopted people throughout the United States. I am considered a national expert on issues related to adoptee rights, whether those relate to identity documents, sealed records, birth certificates, or to adult intercountry adoptees who are without U.S. citizenship. I write in support of the common sense and equitable measures outlined in SB573.

I frequently receive requests from adult adopted people to correct false information on their original (pre-adoptive) birth certificates or to add a missing parent, provided parentage can be shown through sufficient evidence (almost always through DNA). It is a proposal I strongly support, though few state laws currently have specific provisions to allow it (Iowa has a pending bill this session similar to SB573, and uses a court process).

Oregon is a pioneer in recognizing the rights of adult adopted people to secure the truth of their own births. Since 1999, upon request of an adult adopted person who is at least 21 years of age, Oregon provides a copy of the person's own original pre-adoption birth certificate. In addition, a separate Oregon measure allows adopted people who are at least 18 years of age to request and obtain copies of nearly all of their adoption court records. I frequently hold up Oregon as a model state on the issue of identity rights for adult adopted people.

SB573 is a natural next step in Oregon's leadership on these issues. Faced with an original birth certificate that has false or incorrect information, adopted people have little recourse to correct it, as they are often seen as legal "strangers" to parents named on the certificate. This is, of course, compounded when a named parent is not the actual

parent, which happens not infrequently—particularly in the past—to avoid appearing that a child was “born out of wedlock.” When an original birth certificate is incorrect, it also has generational impacts, as the adoptee’s descendants continue to receive false or incorrect information. Ultimately, the truth of a person’s heritage becomes skewed, and no one in the family can correct it. Adopted people should have a simple recourse to make needed corrections and to secure a copy of their birth record that reflects accurate facts of their birth and biological parentage. The state, of course, should also have a compelling interest to provide accurate vital records.

I defer to the Oregon Department of Justice as to the proposed portion of the bill that relates to administrative determinations of parentage and the bill’s administrative impact on federal reimbursable expenses. I will add, however, that Oregon law already allows amendment of birth records of non-adopted people who wish to correct their records related to parentage. That law, however, only applies to non-adopted people.¹ In enacting SB573, you will make adopted people equal with all other Oregon-born constituents who wish to have accurate and complete birth information.

I ask for the committee’s favorable vote on SB573.

Best regards,

ADOPTEE RIGHTS LAW CENTER PLLC



Gregory D. Luce
Attorney and Founder

¹ The state registrar in part:

shall amend a record of live birth and establish a replacement for the record if the state registrar receives one of the following . . .

(b) A request that a replacement record of live birth be prepared to establish parentage, as prescribed by the state registrar by rule or ordered by a court of competent jurisdiction in this state that has determined the paternity of a person;

(c) A written and notarized request, signed by both parents, acknowledging paternity . . .