

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. letter	Michael Reagan to Senator Carl Levin (partial) (1 page)	10/06/1997	P6/b(6)
002. letter	Janice Uible to Senator Carl Levin (partial) (2 pages)	10/07/1997	P6/b(6)
003. letter	Tim Green to Senator Carl Levin (partial) (1 page)	01/26/1998	P6/b(6)

COLLECTION:

Clinton Presidential Records
First Lady's Office
Domestic Policy Council (Nicole Rabner)
OA/Box Number: 15410

FOLDER TITLE:

Levin Adoption Registry [2]

2012-1035-S

kc1002

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

Freedom of Information Act - [5 U.S.C. 552(b)]

P1 National Security Classified Information [(a)(1) of the PRA]
P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
P3 Release would violate a Federal statute [(a)(3) of the PRA]
P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

b(1) National security classified information [(b)(1) of the FOIA]
b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

CARL LEVIN
MICHIGAN

United States Senate

WASHINGTON, DC 20510-2202

March 6, 1998

TO: Nicole Rabner, Office of the First Lady
FR: Jackie B. Parker, Office of Senator Carl Levin (224-9112)
RE: Adoption

Nicole, I appreciated your phone call. In follow-up to our brief discussion about Senator Levin's pro-adoption initiatives during his early years in the Senate, please note the following:

*** On September 24, 1979, the Senator's first year in the Senate, he presented testimony before the Finance Subcommittee on Public Assistance regarding the initial proposal to provide adoption subsidies for special needs foster care children and a related Levin proposal which was pending before the Committee.

*** After extensive floor debate on October 25, 1979, the Senate voted 60 - 25 on October 29 in support of the Levin proposal which extended medicaid coverage to special needs adopted children with or without preexisting disabilities; adoption subsidy coverage for all SSI special needs children; and deletion of a mandatory adoption subsidy "means test" on families with modest incomes.

*** In July of 1981, the Senate adopted the Levin-Jepsen amendment which created the first ever adoption expense tax deduction for special needs adoptions. In 1983, Senator Levin sought to extend the tax deduction for all adoptable children in foster care.

I staffed the Senator on each of the aforementioned initiatives -- so please feel free to call if you desire any additional insight.

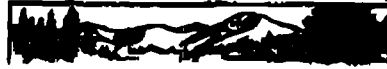
* As you know, Senator Levin was also a cosponsor of the SAFE/PASS/ETC Act



(703) 548-8838

Fax (703) 548-8747

R. DAVID WILSON
PCS (703) 548-2891



NEW FRONTIERS COMMUNICATIONS CONSULTING

628 South 28th Street
Arlington, Virginia 22202

January 7, 1998

The Honorable Carl Levin
United States Senate
Russell Office Building, Room 459
Washington, DC 20510

Dear Senator Levin:

Thank you for your long campaign to establish a National Voluntary Mutual Reunion Registry. I hope 1998 will bring with it the success you deserve.

I support your legislation for a number of reasons. As an adopted child who was fortunate enough to find his birth parents, I have experienced the rewards of reunification. Additionally, as a former aide to Senator Dole, I can appreciate the complexity, and the frustration, of the legislative process. Your decade-long fight is both admirable and gallant.

On a personal level, I would like to share with you the first letter I wrote to my biological mother, Mary. It was difficult to write, but it changed my life for the better. At that time, my only desire was to thank her for her courageous choice. She had many other options back then, and yet she selflessly chose me. Mary gave me a chance and I hope I have honored this privilege.

Since finding my birth parents, I have become quite interested in promoting adoption. Using my past experience as Senator Dole's aide for telecommunications, I have secured commitments from some in the Cable TV and Broadcast industries to help launch an aggressive pro-adoption Public Service Announcement (PSA) campaign. This project will present adoption as a positive option by highlighting noteworthy and respected adopted Americans. I will keep you posted as it develops.

In closing, adoption is one issue that erases party lines. This is clearly evident through your past efforts with Senator Dole and now with Senators Craig, McCain and Landrieu.

Once again, thank you for your hard work and I wish you all the best in the coming year.

Sincerely,

R. DAVID WILSON
Principal

Enclosure

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. letter	Michael Reagan to Senator Carl Levin (partial) (1 page)	10/06/1997	P6/b(6)

COLLECTION:

Clinton Presidential Records
First Lady's Office
Domestic Policy Council (Nicole Rabner)
OA/Box Number: 15410

FOLDER TITLE:

Levin Adoption Registry [2]

2012-1035-S
kc1002

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

Freedom of Information Act - [5 U.S.C. 552(b)]

P1 National Security Classified Information [(a)(1) of the PRA]
P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
P3 Release would violate a Federal statute [(a)(3) of the PRA]
P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

b(1) National security classified information [(b)(1) of the FOIA]
b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

[001]

MICHAEL EDWARD REAGAN

October 6, 1997

P6/(b)(6)

Sherman Oaks, California 91402

The Honorable Carl Levin
U.S. Senate
Room 459 Russell Building
Washington, D.C. 20510

Dear Senator Levin:

Once again, I would like to convey my strong support for the National Voluntary Reunion Registry which you are proposing along with Senators Craig, McCain and Landrieu. I believe wholeheartedly in your humane approach to facilitating the desires of adult adopted persons, birth parents and separated siblings who seek to know one another.

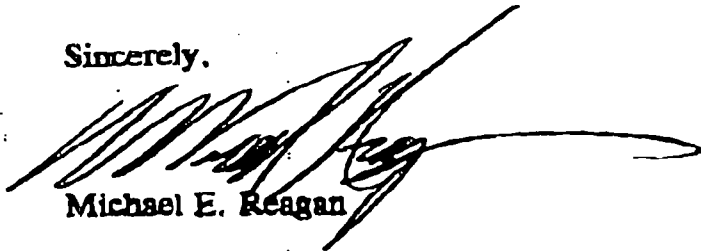
As you know, I am an adoptee who has had the great privilege of meeting my biological brother and sister and learning about the life-time of loving and caring by my birth mother, who died several years prior to my reunion with my siblings. As we discussed during our meeting at your home a few years ago, my adoptive father, Ronald Reagan, supported my desire to meet my birth mother and helped me in my early efforts. When my father helped me, it was the greatest gift he ever gave to me.

It is my hope that this compassionate legislation will be appropriately included in the final Foster Care and Adoption Promotion bill enacted into law. I would have used such a registry myself, and it has become apparent to me that my birth mother would have also.

In closing, I'd also like to commend you for your insightful efforts in all aspects of adoption, particularly, your co-authorship of the 1980 law establishing the Foster Care Adoption Subsidy and the 1981 law you authored creating the first ever adoption expense tax deduction for special needs adoptions.

With all good wishes.

Sincerely,



Michael E. Reagan

JAMIE LEE CURTIS

May 23, 1997

253A 26th Street Suite 300
Santa Monica, Ca. 90402

Senator Carl Levin
Russell Building, Office 459
Washington, D.C. 20510

Re: National Voluntary Reunion Registry

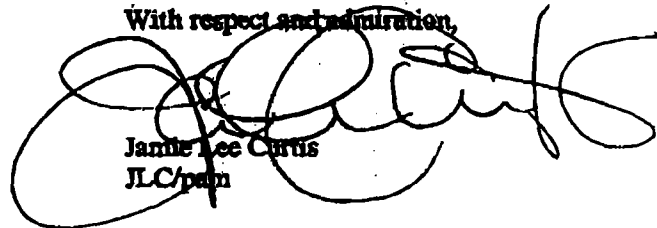
Dear Senator Levin,

As an adoptive mother as well as author on the subject of adoption, I am so thrilled to hear of your impending legislation.

I have always believed that my children's birth heritage is an integral part of their lives, and one that in adulthood should be explored if they so desire. Fortunately, both my adoptive experiences were open ones where a wealth of information was exchanged freely. The unanswerable questions that elude many closed adoptees will be answered by me to my children.

I support and applaud all your efforts to lift the veil of secrecy, and mystery that surround so many adoptive lives, and hope you receive the bipartisan support needed to help the birth parents and adoptees find one another.

With respect and admiration,

A large, stylized handwritten signature in black ink, appearing to read 'JLC', with a long horizontal flourish extending to the right.

Jamie Lee Curtis
JLC/pam

Michigan Catholic Conference

505 North Capitol Avenue
Lansing, Michigan 48989
517 878-9810 • FAX 517 378-8940

January 12, 1998

Senator Carl Levin
459 Russell Senate Office Building
Washington, D.C. 20510

Dear Senator Levin:

Writing on behalf of the Social Services Committee of the Michigan Catholic Conference, which I staff, I would like to thank you for sponsoring a bill which would establish a National Voluntary Reunion Registry for adoptees and birth parents. The Committee is composed of the Social Service Directors of the seven dioceses of Michigan: Detroit, Gaylord, Grand Rapids, Kalamazoo, Lansing, Marquette, and Saginaw. These people administer over 80 Catholic agencies, the majority of which facilitate adoptions.

As you know Senator Levin, Michigan is one of the states which has an adoption registry. The members of the Committee feel that the Michigan registry does not produce many favorable results and they indicated unanimously that they would favor a national registry.

The MCC Social Services Committee represents a statewide network of Catholic parishes and agencies. If there is any way we can help on promoting this legislation, please let me know.

Sincerely,

Sally R. Whalen

Sally R. Whalen
Associate for Public Policy

OFFICERS

His Eminence Adam Cardinal Malloy, Chairman, Archbishop of Detroit; Most Reverend Robert J. Rose, President, Bishop of Grand Rapids; Most Reverend Patrick R. Cooney, Secretary-Treasurer, Bishop of Gaylord.

BOARD MEMBERS

Dr. Robert D. Arbuckle, Saint St. Marie; Mr. John F. Berninger, Pontiac; Mr. Charles P. Donnelly, Scottsdale, AZ; Reverend Sylvester L. Fulewicz, Lansing; Most Reverend James H. Gaveland, Bishop of Marquette; Ms. Beatrice E. Resqueval, Detroit; Mrs. Joann Leo Kronik, Lansing; Reverend Eugene A. Sears, Administrator, Diocese of Kalamazoo; Most Reverend Carl P. Mengeling, Bishop of Lansing; Sister Carol Quigley, NDM, Detroit; Most Reverend Kenneth B. Untener, Bishop of Saginaw.

Msgr. Martin Kuntzinsky, I, President and Chief Executive Officer.

August 10, 1997
Jim Rockwell
P. O. Box 19
Cornell, Michigan 49818

The Honorable Carl Levin
U.S. Senate
Russell Building - Room 459
Washington, D.C. 20510

Dear Senator Levin:

I want to assure you of my strong and long-time support of the proposed National Voluntary Reunion Registry. I am the cofounder of "Adoption Knowledge Affiliates", an organization of adoption professionals, adopted persons, birth parents and adoptive parents.

I am an adopted person, seventy two years old, and adopted into a loving family in Michigan very long ago. In 1986 I found the family to whom I was born, after being separated from them for sixty-one years. I learned I was the last born of fourteen children. Both parents, born in the 1870s, were, of course, gone. My mother died of TB about one year after my birth.

I found six sisters and a brother still living. Two sisters and four brothers died before I found the family. I ache that I didn't know them, and it pains me that a sister searched for me for forty years, finding only barriers. A system which holds that people related by birth must never in their lifetimes know one another is fundamentally flawed. Adopted people have a human, primal need to know the truth of our own lives, to know the source of our being. Birth mothers have a deep, compelling need to one day say, "I didn't reject you. It was circumstance, not rejection." She needs to say that, and the adopted person needs to hear it. We need to know we weren't rejected, that it wasn't our fault we were separated. Separation has a profound affect on adopted people and birthmothers, for all of our lives. There can be healing for us both, but we need to speak to one another.

Many of the states have registries. None connected to any other, with little success. My siblings were in Michigan, Wisconsin, Oregon and California. I was in Texas. Most reunions reach across state lines. The National Voluntary Reunion Registry would create a true registry in which two people, related by birth, may consent to know one another. Millions of people live with the pain and the harm of how adoptions were carried out in the past. Give them an avenue. I beg the congress to support and pass the legislation to create a National Voluntary Reunion Registry.

Thank you, Senator Levin, for more than a decade of caring about the people affected by adoption. I would be happy to answer any questions or share any thinking that might help others to better understand the adoption experience.

Sincerely,



11/07/87 15:48 847 3522

CFCB-CATH CH-TC

002



CATHOLIC HUMAN SERVICES, Inc.

1000 HASTINGS ST. • TRAVERSE CITY MI 49686 • (616) 847-8110 • FAX: (616) 847-3522

PROCLAIMING
THE SPIRIT OF LIFE

November 7, 1997

Rep. Dave Camp
Subcommittee on Human Resources
Washington DC 20515-6351

RE: PASS Act

Dear Representative Camp,

Greetings from a fellow Michigander! I am pleased that you in an influential position on an important subcommittee. It is good to see "our own" hang in there and work their way into positions where they can really make a difference. I am hoping you can make a very positive difference on this proposed bill which is of great interest to me and countless other citizens of our good state. In my opinion, it is of vital importance that Senator Levin's National Mutual Reunion Registry be included in the impending legislation.

Allow me to briefly introduce myself. I have worked in the field of Michigan for nearly 24 years and am presently the Child Welfare Supervisor for Catholic Human Services, Inc. I am the editor of *Adoption Without Fear* and am the author of a recently published book entitled *The Spirit of Open Adoption*. Over the years I have organized six national conferences on adoption which have been held in Traverse City. With the assistance of friends I am in the process of organizing the American Association of Open Adoption Agencies.

I view the registry as modest yet important and necessary step forward in the field of adoption. We who labor in this field need the help of our political leaders to improve the image of adoption. I am deeply saddened by the fact that many people—adoptive parents and birthparents alike—steer clear of adoption because they view it as bureaucratic and inflexible. If adoption is to be credible, it needs get serious about serving the "best interests of children." I have long marveled over the fact that, while the Michigan Adoption Code explicitly states that in the event of a conflict of interests among the parties involved the interests of the adoptee shall be



11/07/87 15:50

2947 3522

CFCS-CATH CH-TC

0003

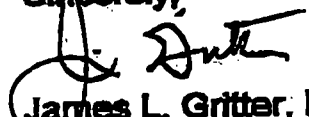
"paramount," we routinely deny their reasonable inquiries *even when they are adults!* That leads me to think that not only does the institution of adoption need a credibility boost, the laws themselves need a credibility boost. If we want adoption to thrive, it must have the flexibility to meet individual needs.

This seems to me like a situation where inflammatory politics can be put aside and common sense can prevail. Earlier I called the idea of a national registry "modest," and I mean that. This is far from a radical proposal. The fact that the registry idea draws criticism from very conservative and very liberal groups suggests to me that it resides right in the sweet spot of effective compromise.

I have dedicated all of my professional energy and creativity to making the adoption system fully responsive to the needs of the people it serves. I would be very disappointed if we lost this opportunity to serve people in need. I hope you will use your influence to include the national registry provision to the proposed legislation.

If you are interested in learning more about the opinions of people who do the actual everyday work of adoption (rather than so-called experts who have never done the work of adoption), I would be delighted to discuss the matter further. Thank you for considering my thoughts.

Sincerely,



James L. Gritter, MSW
Child Welfare Supervisor

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
002. letter	Janice Uible to Senator Carl Levin (partial) (2 pages)	10/07/1997	P6/b(6)

COLLECTION:

Clinton Presidential Records
First Lady's Office
Domestic Policy Council (Nicole Rabner)
OA/Box Number: 15410

FOLDER TITLE:

Levin Adoption Registry [2]

2012-1035-S
kc1002

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

Freedom of Information Act - [5 U.S.C. 552(b)]

P1 National Security Classified Information [(a)(1) of the PRA]
P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
P3 Release would violate a Federal statute [(a)(3) of the PRA]
P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

b(1) National security classified information [(b)(1) of the FOIA]
b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

[002]

Janice Uible

P6/(b)(6)

Cincinnati, Ohio 45237

P6/(b)(6)

<http://visitweb.com/JANGEL>

Email : jangel@aol.com

October 7, 1997

The Honorable Carl Levin

SR-459, Russell Senate Office Building

U.S. Senate

Washington, DC 20510

Dear Senator Levin,

I heard that you are trying to make changes in the current way adoptees and birthfamilies can be reunited . Thank uou so much! As a 49 year old birthmother who has lived with and paid the price of being an unwed mother and then being reunited after 26 years, I can only say : Hooray! My search story is an example of why your suggestions would be such a good idea.

We live in a time when so many medical conditions have a genetic link; I know that I desperately wanted my son to know of past and continuing medical history. I also wanted to know that I made the right "choice" in relinquishing him so many years ago at birth ; Those Who Knew Best said it was but as time went by I wondered if it was and had no way to get any information. I got pregnant out of wedlock-YES ! I chose NOT to abort my child-YES ! I have suffered-YES ! I hope that in telling my truth, others will say : ENOUGH I thank you for encouraging the necessary steps so others can choose adoption in a positive way. My eyes were covered as I gave birth to my son ; I was lied to by Those Who Know Best. I signed papers with no understanding; I was told to " Forget the past". I can promise you: A Birthmother never forgets.....

In searching for him there were many obstacles. BUT In 1995 , I was not the scared 20 year old in a middle class family who had been railroaded into a decision that was made out of fear and shame. My thoughts were not clouded by alcohol ; I made the decision to find my son. It was for both of us. There were matters of the heart and mind he needed to know. I am his birthmother and yet I will never be his mother. Nature and Nurture are two separate forces.

[002]

In desperation, I hired a "private detective" , P6/(b)(6)

P6/(b)(6)

who tried his best but after

exhausting my savings (over \$6000) I had to tell him to stop looking. I have only his bills I paid, no report or any documentation of his efforts. I want to believe he tried his best; that is what he told me.

I did not want to disrupt my son or his family's life; I had a mother's heart and wanted only the best for him. I FINALLY found him through an independent searcher ; I knew my son's name on December 6, 1995 . I can't describe the overwhelming feelings I felt to finally have the chance to meet but I believe every person has the right to know their heritage. I want him to KNOW the medical conditions that run in his family; when he has a family they will have this important information.

Life has come full circle for me. I have relinquished him again ; this time to Life itself. I know where he is. I am here for him. He has answers to questions then and now. He has one more person in his life to be there for him if he needs me.

Please explain that to Those Who Know Best.....for me and my Sister Birthmothers and Our Children who are searching.....

Sincerely,

Janice Uible

Janice Uible

P6/(b)(6)

**CHILDREN'S
HOME
SOCIETY**



December 22, 1997

13 JAN -5 PM 12-97

Executive Board
Pamela Poulin
Chairman
Sara French
Vice Chairman
Robert W. Bodine
Treasurer
Rochelle Lowe
Secretary

Honorable Carl Levin
United States Senate
Room SR 459
Washington, D.C. 20510

Board Members
Pamela Arthur
Sandra Ashburn
David Beidel
Nancy Black Stewart
Mary Ann Braswell
Rick Carroll
Brenda Carson
Susan Cartwright Babcock
Rob Cowan
Vickie Cummings
Marva Davis
Lillian Finn
Christine Fisher
Lisa Fisher
Irene Gaines
Tom Gallagher
Chris K. Hansen
Edna Hindson
Carmen Langston
Mary Lois Mayfield
Gerri McDewitt
Scott Mehr
Margaret Mitchell
Steve Mitchell
Nick Nixon
Millard Noblin
Anneliese Oppenheim
Michael E. Patillo
Pamela Phelps
William Preston
Willard Rudd
Ted Thomas
Victoria Weber
Georgianna Wolfschlager

Executive Director
John L. Maines, Ed.D.

Associate Executive Director
Janice M. Kane, MSW

RE: National Voluntary Adoption Registry

Dear Senator Levin:

Three years ago, I wrote to you regarding your support of the bill to create a national voluntary registry for biological families separated through adoption. I want to thank you again for your diligent work to bring about such a registry.

I feel even more strongly now that such a registry is needed on a national basis. We in Florida, have a statewide registry available to adoptees and biological families, but as in other states, many of those persons needing information or seeking to contact biological family do not know of its existence. Because of the mobility of our society, often persons who were adopted in Florida or who placed a child while living in Florida are no longer residents here and do not know that such a registry exists.

We also receive calls almost weekly from persons whose adoption was not handled by our agency or even in Florida, seeking our help in locating biological family members because they do not know where else to turn. We attempt to assist these people, but often there is little we can do because we do not have their original records. It would be helpful to be able to refer these individuals to a national registry where there would be a greater chance that they may be able to be reunited with biological family.

I have been working in the field of adoptions since 1968 and know how important it is for members of the adoption triad to be able to establish contact with members of their biological family. Whereas once the thinking was that adoption should be kept a secret and the family should proceed as if the child were born into their family, we now realize this is not best for anyone in the adoption triad - adoptee, birth parent or adoptive parents. All benefit when the adoptee knows something about his/her heritage and is not made to feel that they were totally uprooted from their biological family with

CHILDREN'S HOME SOCIETY

North Central Division
820 E. Park Avenue
Building E, Suite 100
Tallahassee, Florida 32301
Phone: (850) 921-0772
Fax: (850) 921-0726



CHILDREN'S HOME SOCIETY
OF AMERICA

no chance of ever being able to learn "who they are", what genes they may carry and what the circumstances were surrounding their placement. Birth parents can feel more secure in making an adoption plan for their child if they know that the child will someday be able to contact them if they choose to do so. Adoptive parents whose children have searched for and been reunited with biological family, often comment on how much stronger their relationship is with that child after the reunion. They state their child now feels like a complete person and has come to a greater appreciation of the life they had in their adopted family.

The Children's Home Society of Florida serves all 67 counties in Florida and has been in existence continuously since 1902. During that time, over 30,000 children have been placed in adoptive homes by CHS. Many of these return each year as adults seeking assistance in establishing contact with their biological family. Even though we are able to assist most of these individuals, there are many others we are unable to help because of the mobility of their birth family throughout the country. The existence of a national registry to which we could refer them or utilize ourselves in searching for persons would be very beneficial. Every individual who wishes to contact biological family should have the opportunity to do so. A national registry would make this feasible for more people. The rights of individuals would always be protected by making reunions possible only with the mutual consent of both parties. It is clear that state adoption registries are only reaching a few people. The establishment of a national registry would provide for a uniform program available to everyone.

I will also be sharing my concerns with Rep. Clay Shaw as Chairman of the Ways and Means Subcommittee on Human Resources and encouraging him to support the establishment of a national adoption registry. I will be happy to discuss this matter with you in more detail should you desire. Thank you again for your support.

Sincerely,



Helen C. Ervin, MSW
Senior Social Worker, Adoptions
North Central Division
Children's Home Society of Florida

cc: Honorable E. Clay Shaw, Jr.

**CHILDREN'S
HOME
SOCIETY**
OF FLORIDA



December 22, 1997

Executive Board

Pamela Poulin
Chairman
Sara French
Vice Chairman
Robert W. Godine
Treasurer
Rochelle Luvie
Secretary

Board Members

Pamela Arthur
Sandra Ashburn
David Beder
Nancy Black Stewart
Mary Ann Braumell
Rick Carroll
Annida Capon
Susan Cartwright Babcock
Rob Cowan
Vickie Cummings
Morris Davis
Lillian Finn
Charlotte Fisher
Lisa Fisher
Irene Gause
Tom Gallagher
Chris K. Hansen
Edna Hirschen
Carmen Langston
Mary Lois Mayfield
Geri McDevin
Scott Mohr
Margaret Mitchell
Steve Muchell
Nick Nixson
Millard Noblin
Anneliese Oppenheim
Michael E. Puzillo
Pamela Phelps
William Frazee
Willard Runkle
Ted Thomas
Victoria Weber
Georgiana Wollschlaeger

Executive Director
John L. Malone, Ed.D.

Associate Executive Director
Janice M. Kane, MSW

Honorable E. Olay Shaw, Jr.
Congressman, District 22, Florida
2408 Rayburn House Office Building
Washington, DC 20515

RE: NATIONAL VOLUNTARY MUTUAL REUNION REGISTRY

Dear Congressman Shaw:

As a long time worker in the field of adoptions, I am especially interested in the establishment of a national voluntary mutual reunion registry. For several years I have been advocating for such a registry based on my experience in working with members of the adoption triad- adoptees, adoptive parents and birth parents.

I strongly feel that individuals who wish to establish contact with members of their biological family, whether it be the child placed for adoption or a birth parent who felt adoption was best for their child, should have the opportunity to do so. Even though some states, including Florida, have registries for their residents, these are often ineffective because their existence is not widely known to those who could use them. With the mobility of our society, often persons are no longer living in the state where the adoption occurred and do not know the laws of that state. A national voluntary registry would allow them to make contact regardless of the state in which state they reside.

Adoption workers have come to realize the benefits of allowing biological family members separated through adoption to be reunited if that is their wish. The rights of all individuals would be protected by making reunions through the registry only by mutual consent of both parties.

Although I currently live in Tallahassee, I grew up in the Dania/Hollywood area of your district and share your affinity for that part of our state. Should you have any questions regarding the need for the national registry, I would be happy to discuss this matter with you. I would appreciate your support for this important initiative

Sincerely,

Helen C. Ervin, MSW
Senior Social Worker, Adoptions
Children's Home Society of Florida
North Central Division

cc: Honorable Carl Levin

CHILDREN'S HOME SOCIETY

North Central Division
830 E. Park Avenue
Building E, Room 1100
Tallahassee, Florida 32301
Phone: (850) 831-0772
Fax: 831-0726



Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
003. letter	Tim Green to Senator Carl Levin (partial) (1 page)	01/26/1998	P6/b(6)

COLLECTION:

Clinton Presidential Records
First Lady's Office
Domestic Policy Council (Nicole Rabner)
OA/Box Number: 15410

FOLDER TITLE:

Levin Adoption Registry [2]

2012-1035-S
kc1002

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

P1 National Security Classified Information [(a)(1) of the PRA]
P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
P3 Release would violate a Federal statute [(a)(3) of the PRA]
P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

b(1) National security classified information [(b)(1) of the FOIA]
b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

[003]

Tim Green

P6/(b)(6)

Skaneateles, N.Y. 13152

January 26, 1998

Senator Carl Levin
Russell Building, Office 459
Washington, D.C. 20510

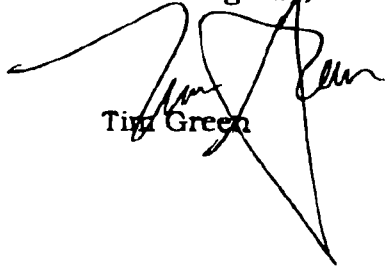
Dear Senator Levin,

I applaud your efforts to pass legislation that would make it easier for adopted children and their biological parents to be reunited. As an adopted child, and the author of a book about my own arduous search for my biological parents I know how valuable your proposed registry would be.

While I fully understand the desire to protect the legal rights of parents on both sides of an adoption, your voluntary registry would protect those rights while at the same time provide hope for children and parents consumed with the need to know. The intensity of that need, born of emotional or sometimes medical considerations, is impossible to measure.

During the years of my own search, I often wondered to myself why somewhere within our government there wasn't a voice of compassion and reason. You are that voice and I commend you.

Warm regards,


Tim Green



PENNSYLVANIA ADOPTION LEGISLATION COALITION

PENNSYLVANIA CHILDREN'S ADOPTION INFORMATION NETWORK



December 23, 1997

Dear Senator Levin,

I am an adult adoptee, attorney and child welfare advocate active in Pennsylvania statewide adoption law reform and child abuse prevention efforts. I would greatly appreciate the opportunity to present testimony at future hearings regarding my support of the National Voluntary Mutual Reunion Registry, and if there is any way that I can assist you in your efforts to promote this legislation, I remain available to assist you.

By way of personal background, all things positive that are achieved by adoption I believe are evident in my own adoption story. I was adopted at birth and raised in a loving, caring family. I have always been thankful that my birth parents chose to bring me into this world, and that I was blessed with a wonderful, nurturing, supportive adoptive family. Despite the fact that I had nothing but positive feelings about my adoption, and knowing that I was indeed wanted and "chosen", I eventually embarked upon a search for my biological family when I reached the age of 30 and had children of my own. I was diagnosed with malignant melanoma, a genetically inherited predisposition, and I wanted to know my genealogical and medical background, as well as the true story surrounding my adoption. Even the most well-adjusted adoptees often feel the need to discover their biological "roots". I had been provided my "nonidentifying information" by the courts, which contained no medical information and erroneous statements about the reasons for my adoption and my genealogical background. The only way to gain the knowledge I sought about myself was to find and reunite with my birth parents. My search was a demanding and torturous ordeal, with roadblocks at every step of the way. I eventually found my birth parents and several siblings, and have varying degrees of ongoing relationships with them. It was a challenging, emotional experience, but one that was necessary, ultimately healing and not at all unexpected.

I am dedicated to reforming the antiquated plethora of adoption laws that pervades our current system and to helping the children of Pennsylvania, and other states, who are languishing in foster care and waiting for loving, permanent adoptive families like the one I was so fortunate to be a part of. I am involved in many governmental, charitable, legal and legislative efforts aimed at improving our system of adoption. I feel very strongly that National Voluntary Mutual Reunion Registry of which you are a sponsor is a crucial and necessary step in the direction of improving our adoption system so that it meets the needs of adults and children who are involved in the adoption process.

I understand that on Nov. 8, 1997, the U.S. Senate passed a National Voluntary Mutual Reunion Registry (S. 1487) to permit the Secretary of the U.S. Department of Health and Human Services to facilitate the voluntary and mutually requested reunion of birth parents, adult adopted persons, and adult siblings, that the Registry has now been referred to the House Ways and Means Subcommittee on Human Resources, and that the Subcommittee is expected to hold a hearing on the bill in March of April of next year. I am ardently in favor of establishing such a Registry and would like to offer you my support and assistance.

I am faxing herewith a copy of my resume. Again, I would greatly appreciate the opportunity to testify at any future hearings. Thank you for your efforts and for your attention to this critical adoption and child welfare issue. Your endeavor to create this much-needed Registry is greatly appreciated by adult adoptees and adoption triad members across the nation.

Sincerely,

Nancy M. Newman, Esq.
PALC Director and Founder

1079 Baron Drive, Bryn Mawr, Pennsylvania 19010
(610) 520-2298 Fax: (610) 520-4552 Email: PAADOPTION@aol.com



"A Link for Those Touched by Adoption"

Louisiana Adoption Advisory Board, Inc.
Post Office Box 3318
Baton Rouge, Louisiana 70821

Le : Bourne
 Donna Breaux
 Eddie Butler
 Richard Caffarel
 Karen Caldwell
 Mabel Conley
 Rev. Becky Conner
 T : Cousins

Deborah R. Jacques
 Bob Kerns
 Mary Langhorne
 Janice Sapp
 Brenda Valteau
 Mabel Williams
 Molly Womack
 Linda Woods

October 31, 1997

FAX: 202-225-1388

TO: The Honorable Senator Carl Levin

FROM: Robert E. Kerns, Chair
 Louisiana Adoption Advisory Board, Inc.

RE: The "Promotion of Adoption, Safety, and Support for Abused and
 Neglected Children (PASS) Act

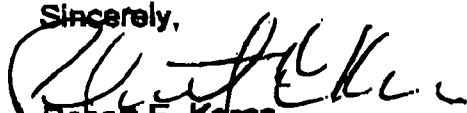
ATTN: Jackie B. Parker
 Senior Legislative Assistant

The Louisiana Adoption Advisory Board, Inc. wishes to inform you that they strongly support the PASS act, specifically Section 205: The facilitation of voluntary mutual reunions between adopted adults and birth parents and siblings. As you may know Louisiana recently added siblings to their mutual consent registry.

A national registry is needed as there are instances where a birth mother may make an adoption plan with an Instate agency, then the child is placed out of state. The birth mother does not know, when she attempts to register, what state to contact. Most birth mothers contact and register with the state of relinquishment. They never have the match as most registries are set up for adoptions that finalized in that state.

Again, we strongly support your bill.

Sincerely,


 Robert E. Kerns
 Chairman

REK/ck


ADOPTION GIVE A CHILD A CHANCE

A Coalition of Adoption Advocates Serving Louisiana Children With Special Needs

WASHINGTON WAYS

The Green Book's Out, and Look Who's Not

By Donnie Radcliffe.
Washington Post Staff Writer

The 1989 Green Book is off the presses, and if your social life suddenly has hit the skids, don't think you're alone. Also missing from its pages are the names of Michael Deaver, the former White House aide sentenced to three years' probation and fined \$100,000 for lying to a congressional subcommittee and a federal grand jury about his lobbying, and Robert McFarlane, the former national security adviser who pleaded guilty in March to four charges of misleading Congress in testimony on the sales of arms to Iran and illicit diversion of U.S. funds to the Nicaraguan contras.

Green Book Editor Anne Lathrop Liu said yesterday that the book's Board of Governors, which screens the names, wasn't passing judgment by dropping Deaver and McFarlane. The simple truth, said Liu, is that both neglected to send back their questionnaires.

One who didn't forget was Jack Kent Cooke, owner of the Washington Redskins. Gone are the days when Green Book listees involved in messy domestic scandals automatically lost their listing. In fact, Cooke's marriage and divorce may have set a Green Book record.

"He got married after we went to print and divorced before we went to print," said Liu. "It wasn't even close."

Actually, news reports indicate that Cooke and Suzanne Martin were married in July 1987 and that Cooke filed for divorce three months

"And Jim Miller and [Health and Human Services Secretary] Otis Bowen have both demonstrated a willingness to work with Senator Levin."

Miller, director of the Office of Management and Budget, has met on two occasions with Levin, and last week he summoned Parker to the White House, where they spent more than an hour fine-tuning the measure.

Interest in the legislation, which has 34 bipartisan cosponsors, intensified last year following the death of 6-year-old Elizabeth Steinberg in New York and the discovery in the same household of a 17-month-old boy tied to a chair. Neither child had been legally adopted. The court later returned the boy to the custody of his 18-year-old natural mother.

Indignation over the case was so widespread that adoption support groups and agencies later reported that they were flooded by calls from biological parents trying to obtain information about the health and welfare of their relinquished offspring, and from adoptive parents seeking to allay fears of the birth parents who may have been seeking such information.

President Reagan's consciousness was raised on the issue when his own adopted son Michael went public in March with his autobiography "On the Outside Looking In," describing the torment he went through when he learned he was adopted and later tried to find out about his biological parents.

Last in a telephone interview. Mr. Reagan

TUESDAY, SEPTEMBER 27, 1988
THE WASHINGTON POST

last, four months | re:
daughter was born.

Proceedings continue.

✓ Sen. Carl Levin (D-Mich.) isn't giving up hope yet. The National Voluntary Reunion

Registry—proposed legislation that would facilitate the reunion of adult adoptees and biological parents, as well as separated siblings who are looking for each other—still may make it to the Senate floor before next month's adjournment.

"Senator Levin has met with the president, who has indicated support for the measure," says Jackie Parker, Levin's legislative assistant and in-house expert on the issue.

has told his father—"and Dad agrees with me on it"—that he hopes the legislation will be passed before he leaves office.

"I told him I want to be back there standing behind you when you sign it," Michael said.

On a trip to Washington last spring, Michael Reagan and Levin, an adoption advocate throughout his nine-year Senate career, spent two hours at Levin's home discussing the bill.

The legislation calls for HHS to oversee a computerized clearing-house at a cost not to exceed \$300,000 a year, with future costs to be offset by reasonable fees to be paid by the applicants.

→ no cost
to current proposal

103D CONGRESS
2D SESSION**S. 1569***Passed 1994
But not
considered
in the House*

AN ACT

To amend the Public Health Service Act to establish, reauthorize and revise provisions to improve the health of individuals from disadvantaged backgrounds, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; REFERENCE; TABLE OF CON-**
4 **TENTS.**

5 (a) **SHORT TITLE.**—This Act may be cited as the
6 "Disadvantaged Minority Health Improvement Act of
7 1994".

11 **TITLE VII—VOLUNTARY MUTUAL** 12 **REUNIONS**

13 **SEC. 701. FACILITATION OF REUNIONS.**

14 The Secretary of Health and Human Services, in the
15 discretion of the Secretary and at no net expense to the
16 Federal Government, may use the facilities of the Depart-
17 ment of Health and Human Services to facilitate the vol-
18 untary mutually requested reunion of an adult adopted

19 child who is 21 or older with—

20 (1) any birth parent of the adult child; or

21 (2) any adult adopted sibling, who is 21 or
22 older, of the adult child,

23 if all such persons involved in any such reunion have, on
24 their own initiative, expressed a desire for a reunion.

AMERICAN ACADEMY OF ADOPTION ATTORNEYS

P.O. BOX 33083
WASHINGTON, D.C. 20033-0083
(202) 331-1955

PLEASE REPLY TO:

Suite 400
1300 - 19th St., N.W.
Washington, D.C. 20036
(202) 331-1955
FAX 202-293-2309

PAST PRESIDENTS

KAREN R. LANE (1990-91)
MARK T. McDERMOTT (1991-92)
STEVEN M. KIRSH (1992-93)
DALE R. JOHNSON (1993-94)
RITA A. MEISER (1994-95)
THOMAS P. LOWMEES, JR. (1995-96)
SAMUEL C. TOTARO, JR., PA (1996-97)

BOARD OF TRUSTEES 1997-98

DIANE G. MICHELSEN, CA
PRESIDENT
JANE A. GORMAN, CA
PRESIDENT-ELECT
ROBERT D. TUKE, TN
VICE-PRESIDENT
STEPHEN W. HAYES, WI
ALLAN A. HAZLETT, KS
JEFFREY M. KAYS, MA
KAREN R. LANE, CA
MONICA P. LINKNER, MI
RITA A. MEISER, AZ
KATHRYN A. PIDGEON, AZ
RODNEY M. POOLE, VA
BENJAMIN J. ROSIN, NY
SUSAN L. STOCKHAM, FL
SAMUEL C. TOTARO, JR., PA
BRYANT A. WHITMIRE, JR., AL

February 18, 1998

Rep. E. Clay Shaw
Chairman, Subcommittee on Human Resources
House Committee on Ways & Means
2408 Rayburn HOB
Washington, D.C. 20515-0922

Re: S. 1487 National Voluntary Mutual Reunion Registry

Dear Congressman Shaw:

The American Academy of Adoption Attorneys strongly supports passage of S. 1487 which would establish a national voluntary mutual reunion registry. We respectfully urge you and your colleagues to pass this much-needed legislation.

The Academy is a national association of attorneys who practice in the field of adoption law. There are more than 300 members of the Academy from around the country. The Academy's work includes promoting the reform of adoption laws. As such, the Academy supports legislation which is of benefit to those whose lives have been touched by adoption. S. 1487 is such legislation.

If the Academy can assist you and your colleagues by serving as a resource during your consideration of this important legislation, please call upon us.

Very truly yours,


Mark T. McDermott
Legislative Chair

cc: Sen. Carl Levin
Sen. Larry E. Craig
Sen. John McCain
Sen. Mary L. Landrieu

AMERICAN ACADEMY OF ADOPTION ATTORNEYS

P.O. BOX 33053
WASHINGTON, D.C. 20033-0053
(202) 331-1955

PLEASE REPLY TO

BOARD OF TRUSTEES 1997-98

DIANE G. MICHELSEN, CA
PRESIDENT
JANE A. GORMAN, CA
PRESIDENT-ELECT
ROBERT D. TURE, TN
VICE-PRESIDENT
STEPHEN W. HAYES, WI
ALLAN A. HAZLETT, KS
JEFFREY M. KAYE, MA
KAREN R. LANE, CA
MONICA F. LINKNER, MI
RITA A. MEISER, AZ
KATHRYN A. PIDGEON, AZ
RODNEY M. POOLE, VA
BENJAMIN J. ROBIN, NY
SUSAN L. STOCKHAM, FL
SAMUEL C. TOTARO, JR., PA
BRYANT A. WHITMIRE, JR., AL

Suite 400
1300 - 19th St., N.W.
Washington, D.C. 20036
(202) 331-1955
FAX 202-293-2309

PAST PRESIDENTS

KAREN R. LANE (1980-91)
MARK T. McDERMOTT (1991-92)
STEVEN M. KIRSH (1992-93)
DALE R. JOHNSON (1993-94)
RITA A. MEISER (1994-95)
THOMAS P. LOWNOES, JR. (1995-96)
SAMUEL C. TOTARO, JR., PA (1996-97)

February 18, 1998

Rep. Sander M. Levin (CRANKING)
House Subcommittee on Human Resources
2209 Rayburn HOB
Washington, D.C. 20515-2212

Re: S. 1487 National Voluntary Mutual Reunion Registry

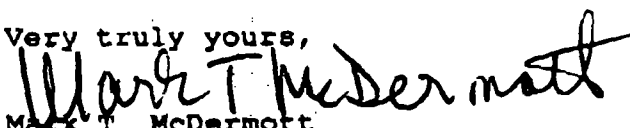
Dear Congressman Levin:

The American Academy of Adoption Attorneys strongly supports passage of S. 1487 which would establish a national voluntary mutual reunion registry. We respectfully urge you and your colleagues to pass this much-needed legislation.

The Academy is a national association of attorneys who practice in the field of adoption law. There are more than 300 members of the Academy from around the country. The Academy's work includes promoting the reform of adoption laws. As such, the Academy supports legislation which is of benefit to those whose lives have been touched by adoption. S. 1487 is such legislation.

If the Academy can assist you and your colleagues by serving as a resource during your consideration of this important legislation, please call upon us.

Very truly yours,


Mark T. McDermott
Legislative Chair

cc: Sen. Carl Levin
Sen. Larry E. Craig
Sen. John McCain
Sen. Mary L. Landrieu

CARL LEVIN
MICHIGAN

United States Senate

WASHINGTON, DC 20510-2202

U.S. SENATE SHOWS COMPASSION FOR BIRTH PARENTS, ADOPTEES AND SIBLINGS WHO ARE SEEKING ONE ANOTHER

SPONSORS OF FEDERAL LEGISLATION INCLUDE SENATORS WHO ARE ADOPTIVE PARENTS

-
- On Nov. 8, 1997, the U.S. Senate passed a *National Voluntary Mutual Reunion Registry* {S. 1487} to permit the Secretary of the U.S. Department of Health and Human Services to facilitate the voluntary and mutually requested reunion of birth parents, adult adopted persons, and adult siblings.
 - SPONSORS OF THE NATIONAL REGISTRY INCLUDE:
 - Senator Carl Levin (Democrat of Michigan)
 - Senator Larry Craig (Republican-Idaho) Adoptive Parent
 - Senator Mary Landrieu (Democrat-Louisiana) Adoptive Parent
 - Senator John McCain (Republican-Arizona) Adoptive Parent
 - CURRENT STATUS OF THE BILL
 - Remarks by Senator Carl Levin
 - Statement by Senator John McCain

Status of Bill

* The National Voluntary Mutual Reunion Registry has now been referred to the House Ways and Means Subcommittee on Human Resources Chaired by U.S. Representative Clay Shaw of Florida (R-Florida). I expect the Subcommittee to hold a hearing on the bill in March or April of next year, and then hopefully report the bill favorably to the full Committee on Ways and Means. The Senate has passed similar legislation three times in the past nine years, but the House of Representatives has never taken it up. With some luck and hard work, maybe this time will be different.

* If the National Voluntary Mutual Reunion Registry is passed by the full House, the next step would be to forward the legislation to the President to be signed into law.

* If the legislation is signed into law, the U.S. Department of Health and Human Services would not implement the National Registry until after comments are solicited and received from the Adoption community. Final regulations to govern the operation of the National Voluntary Mutual Reunion Registry would be issued after taking such views into consideration.

* The Registry would humanize the process through which adult biological relatives separated by adoption, who are looking for each other can make contact.

S12202

CONGRESSIONAL RECORD—SENATE

November 8, 1997

passed, as amended, the motion to reconsider be laid upon the table, and that any statements relating to the bill appear at the appropriate place in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 867), as amended, was read a third time and passed.

Mr. CRAIG. Mr. President, the Senate, by this action, has just passed a major reform in the foster care of this country, an issue that bipartisan Senators have gathered on over the last several months to resolve. Senator ROTH, of the Finance Committee, in the last several weeks, working with Senator ROCKEFELLER, Senator CHAFEE, myself, Senator COATS, and Senator DEWINE have taken on an effort to reform foster care in this country by the proposal of this legislation that we have now gained the concurrence of the Senate on.

It is without question, in my opinion, a landmark piece of legislation because what it does, for the first time, is use foster care the way we intended it originally to be used. It ensures the safety for abused and neglected children. It promotes adoption. It accelerates permanent placement. It offers to children of this country in need an opportunity for a loving and permanent home. And it increases the accountability of reform.

I am extremely pleased that at this late hour we could finally bring about a conclusion to this effort.

NATIONAL VOLUNTARY MUTUAL REUNION REGISTRY

Mr. CRAIG. Mr. President, I now ask unanimous consent that the Senate proceed to S. 1487 introduced earlier today by myself.

The PRESIDING OFFICER. The clerk will report the bill.

The legislative clerk read as follows: A bill (S. 1487) to establish a National Voluntary Mutual Reunion Registry.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. CRAIG. Mr. President, I ask unanimous consent that the bill be advanced to third reading and passed, and the motion to reconsider be laid upon the table, all without further action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 1487) was read a third time and passed, as follows:

S. 1487

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. NATIONAL VOLUNTARY MUTUAL REUNION REGISTRY.

Part E of title IV of the Social Security Act (42 U.S.C. 670 et seq.) is amended by adding at the end the following:

"SEC. 470A. NATIONAL VOLUNTARY MUTUAL REUNION REGISTRY.

"(a) EXCHANGE OF MUTUALLY REQUESTED IDENTIFYING INFORMATION.—The Secretary,

in the discretion of the Secretary and provided that there is no net cost to the Federal Government, may use the facilities of the Department of Health and Human Services to facilitate the voluntary, mutually requested exchange of identifying information that has been mutually consented to, by an adult adopted individual who is 21 years of age or older with—

"(1) any birth parent of the adult adopted individual; or

"(2) any adult sibling who is 21 years of age or older, of the adult adopted individual,

if such persons involved have, on their own initiative, consented by a signed notarized statement to the exchange of such identifying information.

"(b) REQUIREMENTS.—The Secretary shall ensure that a National Voluntary Mutual Reunion Registry established under this section (in this section referred to as the "Registry") meets the following requirements.

"(1) CENTRALIZED CAPACITY.—The Registry provides a centralized nationwide capacity for the information described in subsection (a) and utilizes appropriately designed computer and data processing methods to protect the privacy of the information contained in the Registry, and does not intrude on any other data system maintained by the Department of Health and Human Services.

"(2) ESTABLISHMENT OF PROCEDURES.—The Registry complies with procedures established by the Secretary that provide that—

"(A) only information necessary to facilitate a match shall be contained in the Registry and the Registry shall not attempt to make contact for the purpose of facilitating a reunion with any individual who is not entered into or participating in the Registry;

"(B) to the maximum extent feasible, the confidentiality and privacy rights and interests of all parties participating in the Registry are protected; and

"(C) information pertaining to any individual that is maintained in connection with any activity carried out under this section shall be confidential and not be disclosed for any purpose without the prior, written, informed consent of the individual with respect to whom such information applies or is maintained.

"(c) REASONABLE FEE.—Reasonable fee, established by taking into consideration, and not to exceed, the average charge of comparable services offered by States, may be collected for services provided under this section.

"(d) PENALTY FOR VIOLATION.—

"(1) FINE AND IMPRISONMENT.—Any individual or entity that is found to have disclosed or used confidential information in violation of the provisions of this section shall be subject to a fine of \$5,000 and imprisonment for a period not to exceed 1 year.

"(2) NONAPPLICABILITY OF SECTION 3571 OF TITLE 18, UNITED STATES CODE.—The provisions of section 3571 of title 18, United States Code, shall not apply to a violation described in paragraph (1).

"(e) NO PREEMPTION.—Nothing in this section invalidates or limits any law of a State or of a political subdivision of a State concerning adoption and the confidentiality of that State's sealed adoption record policy."

Mr. LEVIN. Mr. President, once again the Senate has gone on record in support of a measure aimed at humanizing the process through which adult biological relatives separated by adoption, who are looking for each other, can make contact.

The passage of this Craig-Levin bill would not have been possible without the steadfast leadership of Senator LARRY CRAIG. His sensitivity, his com-

mitment, his compassion and his clear understanding of this issue has been enlightening to all of the Members of this body. Let me also thank Senator MCCAIN and Senator LANDRIEU for their commitment and bipartisan spirit throughout our discussions on this issue.

Mr. President, we are deeply touched by the difficulties experienced by adult adopted persons, birth parents, and separated siblings who, often for many years and at great expense, have been seeking one another. Aside from the natural human desire to know one's roots and genetic heritage, there are other important reasons why many birth relatives seek to make contact with each other. Some are seeking a deeper sense of identity, some need vital information which may affect their own mental and physical health and some are facing momentous family decisions that require more knowledge about their heritage; and a substantial percentage of birth parents say they want to be available to the adult children many relinquished at birth, during a time of stress, should they also desire to make contact.

We believe that S. 1487, the National Voluntary Mutual Reunion Registry, deals with these needs and emotions in a careful and sensitive way. The legislation permits the HHS Secretary, at no net expense to the Federal Government, to facilitate the voluntary, mutually requested exchange of identifying information that has been mutually consented to in a signed notarized statement of identifying information by the birth parent, adult adoptee 21 years or older or adult siblings.

This legislation does not call for the unsealing of adoption records. Currently, over half the States provide for voluntary and mutual reunion facilitation. However, State-based systems are restricted, by nature, to the geographic boundaries of the State. Since we are a mobile society, that limitation reduces the utility of State-based systems. Adoptions are often started in one State but finalized in another. Additionally, the adoptee, birth parent or siblings may be a resident of several different States during their lifetimes.

Finally, Mr. President, this legislation does not mandate, but simply gives the Secretary the discretion to facilitate voluntary, mutual reunions, if she so chooses.

I commend my colleagues in the Senate on the passage of this humane and much-needed legislation. I ask unanimous consent that the text of the bill be included in the RECORD again at this point.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CRAIG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Summary of State Laws Concerning Access to Identifying Information in an Adoption

Court Order-Sealed Records (3)	Mutual Consent Registry (28)	Confidential Intermediary (6)	Contact Veto (6)	Search and Consent (5)	Open Records** (3)
D.C.	Alabama	Arizona	Hawaii	Connecticut	Alaska
New Jersey*	Arkansas	Missouri	Michigan	Georgia	Kansas
N. Carolina	California	Oklahoma	Minnesota	Kentucky	Tennessee***
	Colorado	Virginia	Montana	N. Dakota	
	Delaware	Washington	Nebraska	Pennsylvania	
	Florida	Wisconsin	Vermont		
	Idaho				
	Illinois				
	Indiana				
	Iowa				
	Louisiana				
	Maine				
	Maryland				
	Massachusetts				
	Mississippi				
	Nevada				
	N. Hampshire				
	New Mexico				
	New York				
	Ohio				
	Oregon				
	Rhode Island				
	S. Carolina				
	S. Dakota				
	Texas				
	Utah				
	West Virginia				
	Wisconsin				

NOTES:

* The Department of Youth and Family Services Operates a registry for its placements only.

** By open records is meant that the original unamended birth certificate is provided.

*** A stay has been issued temporarily barring implementation of the law opening Tennessee's adoption records.

NCFA has an adoption information access packet that is available for \$15.00. Send requests to NCFA, 1930 17th Street NW, Washington, DC 20009. The packet includes the following:

1. *Model Act to Establish a Mutual Consent Adoption Registry*--provides language not only for the establishment of a voluntary registry but also for disclosure of non-identifying information.
2. *NCFA's Model Background Information Form*--specifically designed to fit with NCFA's Model Registry as the means whereby non-identifying information can be transmitted.
3. *The Mutual Consent Voluntary Adoption Registry: A Sound Approach to the Sealed Records Controversy*--a law review article that provides a rationale for mutual consent registries as the preferred means of balancing the needs and rights of all parties in the adoption circle.
4. *1994 Uniform Adoption Act Article 6 Records of Adoption Proceeding: Retention, Confidentiality, and Access*. Ten pages are provided from NCCUSL's final act.

Congress of the United States
House of Representatives
Washington, DC 20515

November 7, 1997

The Honorable Clay Shaw
Chairman, House Ways & Means Subcommittee
on Human Resources
B317 Rayburn
Washington, D.C. 20515

Dear Chairman Shaw:

As legislators who support adoption, we thought we should alert you to our concerns with the Voluntary Mutual Reunion Adoption Registry contained within Sec. 205 of the PASS Act (S. 1195).

For your information, we have enclosed a copy of a letter detailing current procedures concerning this issue. Currently, 48 states have enacted legislation to deal with the question of how access to adoption records will be facilitated.

There are several problems included within Sec. 205 of S. 1195. First, it establishes Health and Human Services as the proper location for the registry. At the present moment, we are unaware that HHS seeks this assignment. We are also concerned about the "any birth parent" language contained in this section. We feel this could have the unintended result of a biological father "outing" a biological mother who did not give her consent. The addition of siblings complicates the situation greatly because siblings could also "out" biological parents who did not wish to have their identities disclosed.

Although sec. 205 specifically says there must be an agreement not to disclose other information, as a practical matter, this is unenforceable. Further, even if there were a penalty, no penalty could restore the good name and privacy of a person who was "outed." Currently, 48 states have some system in place for exchanging this information and the intrusion of the federal government in this state matter is unwarranted.

Adoption law is regulated by state statute. The federal role is limited. States have taken the lead in protecting family life. The states have a responsibility to maintain the privacy of adoption records when permanent parental rights and responsibilities for adopted children are transferred from birth parents to adoptive parents.

The Honorable Clay Shaw
Page 2

In this country, there has been a tremendous effort on behalf of the States to ensure the privacy of birth records in the cases of adoption. The proposal included in Sec. 205 of S. 1195 is a federal intrusion in a State matter and it is unworkable. If there is a Conference Committee for S. 1195/H.R. 867, we would urge you to delete this provision. If you have any questions please do not hesitate to contact us.

Sincerely,

Tom Bliley
Member of Congress

James Oberstar
Member of Congress

CC: The Honorable Bill Archer

The Honorable Dave Camp

Enclosure

Congress of the United States
House of Representatives
Washington, DC 20515

IMMEDIATE ATTENTION: ADOPTION LA

November 7, 1997

Dear Colleague:

As legislators who support adoption, we thought we should alert you to the Voluntary Mutual Reunion Adoption Registry provision (Sec. 205) contained within S. 1195, commonly referred to as the PASS Act. This provision was not included in the House-passed bill, which we supported.

Please join us in sending a letter to Rep. Clay Shaw, Chairman of the House Ways & Means Subcommittee on Human Resources in opposition to Sec. 205. It is our understanding that the Senate may pass this legislation soon, and it is imperative that Sec. 205 be removed from the final bill.

There are several problems with Sec. 205. First, it establishes Health and Human Services as the proper location for a federal registry. At the present moment, we are unaware that HHS seeks this assignment. I am also concerned about the "any birth parent" language contained in this section. Imagine if you were a "birth parent" and you placed a child up for adoption years ago. In the meantime, you refused to join the Adoption registry proposed in Sec. 205. You would be terribly upset if you were suddenly confronted by your child you placed for adoption with his/her biological parent playing reunion maker. This provision has the unintended result of a biological father "outing" a biological mother who did not give her consent and this is something we do not take lightly.

Currently, 48 states have some system in place for exchanging this information and the intrusion of the federal government in this state matter is unwarranted. We have enclosed a copy of a letter from the National Council for Adoption in opposition to Sec. 205 as well as a letter we are sending to Chairman Shaw in opposition to Sec. 205. If you would like to co-sign this letter to Chairman Shaw, please contact Bill Dolbow of Rep. Bliley's staff at 5-2815.

Tom Bliley

James Oberstar

**FAKED**
9-22-97

CONFIDENTIAL

Sept. 22, 1997

TO: Brooke Roberts, Office of Sen. Larry Craig (R-ID)

FROM: Bill Pierce *BP*

SUBJECT: Voluntary registries at the federal level

It was good talking with you on Sept. 19. As you requested, I am providing you with technical information about the options I believe may exist for Sen. Craig and others to consider. Please keep in mind that this is a quick response, and is in the nature of a "first draft" document. I have not had the time to review it with staff or with my Board. As we discussed, this is being shared with the understanding that: 1) you are going to see if anything seems reasonable enough to discuss with Sen. Craig; 2) you may then raise some of these issues with Sen. Craig, in the context of exploring his willingness to talk with Sen. Levin about a modified approach. It is my understanding that this memo, which is a very sensitive policy and strategy document, will not be shared with Sen. Levin or his staff unless and until we are agreed that this is a necessary action.

MY DEADLINE FOR SOME KEY DISCUSSIONS THIS WEEK IS CLOSE OF BUSINESS TOMORROW. I AM SORRY IT TOOK SO LONG TO GET THIS DRAFTED AND OFF TO YOU, BUT THIS WASN'T SOMETHING I COULD TAKE OFF THE SHELF. I BASICALLY WENT BACK TO SQUARE ONE TO TRY AND DO SOME ORIGINAL THINKING ABOUT POSSIBLE SOLUTIONS.

Possible Solutions

1. National Reunion Registry

In earlier Congresses, Sen. Levin introduced legislation that had as part of its rationale the fact that there are various sorts of situations where individuals wish to meet, wish to waive their right to privacy in an official, protected setting, but cannot avail themselves of existing state-established approaches. In some of the instances Sen. Levin cited, it was clear that the need for the "search" was that the individual had been the subject of an illegal act that resulted in loss or separation.

Some of the examples cited in writing and in discussions were: 1) Holocaust survivors wishing to contact members of their family they were separated from; 2) persons who

have U.S. citizens as parents but who were abandoned, separated from their parents or born out of wedlock in another country; 3) birth mothers who gave birth in one state and thought that the child was adopted in that state but, upon registering and finding that no such adoption took place of a child matching the specifications given, deduced that the adoption took place in some other state; 4) children whose birth certificates are either missing, err in fact or were for whatever reason forged, changed, etc., and therefore learn that they cannot register in the state where they thought they were born; 5) people who were abducted, abandoned, the subject of felonious transfer, etc., whether within or without the U.S., but who are now U.S. citizens and seek to arrange a meeting; 6) persons who live in one of the few jurisdictions which does not provide in its laws a means whereby one may waive one's right to privacy or otherwise engage in a legal action leading to exchange of identifying information or a meeting.

This kind of Registry, were it to be properly structured and specifically designed to exclude interaction with existing state-established systems, is something that NCFA might well endorse.

There is some question about whether HHS, given its workload on a number of matters, is the best site for such a service. HHS has a track record, with AFCARS for instance, of failing to carry out Congressional mandates in a timely and appropriate manner. It is also a matter of record that the health records controversy has raised serious questions within the privacy community about the willingness of HHS, or at least the current Secretary, to appropriately protect privacy. Similarly, there has been insufficient Congressional oversight of HHS on AFCARS, during the tenure of several Secretaries. Lack of Congressional oversight in HHS has also extended to other "minor" matters. Perhaps the FBI would be a better location for the service, or some other part of Justice, since in many of the instances where people are searching, a law was broken. (For international abductions, there is a Convention and State takes the role of administering the system.)

2. National Voluntary Mutual Consent Adoption Registry

Here, one can conceptualize that, similar to what is contained in item 1 above, persons who are unsure of their place of birth or place of giving birth, and who are adopted or placed children for adoption, desire to waive their right to privacy through a legally-established, accountable mechanism. In this instance, a system might be established, using HHS as the agency to establish and administer the registry, whereby individuals could approach HHS, file papers and documents, provide DNA samples, and if there appears to be a "match," then HHS could, either with counseling (as is required in the U.K.) or without counseling, release the identifying information to the two parties. There are complicating factors in such a system, however. For instance, it ought not to be possible for a biological father, who may not have given consent at the time of the adoptive placement, to trigger a "match" unless the biological mother had also consented. Secondly, it ought not to be possible for a person whose parental rights were terminated by the court to trigger a "match" unless the adopted person specified that they desired information and contact, notwithstanding the circumstances of the placement. Another

complicating factor is the matter of funding the system, especially for impecunious individuals, those who are incarcerated, etc. A truly self-supporting system would need to be established. Such a system would need to have as one of its features strict rules about unauthorized disclosure, with penalties. Such a system would also need to specify that it would have no interaction of any kind with any state system, in terms of information exchange or access. Finally, such a system would need to be guaranteed security from access by any other federal or state or law enforcement agency, regardless of the stated reason or need.

Although NCFA would have some concerns about such an approach, it is not likely that NCFA would oppose it being enacted, so long as sufficient specifics were made known in advance to assure that its design met the requirements stated above. NCFA's objections might well be lessened if, as in example number 1 above, HHS were not the location for the registry.

3. Sec. 205, with minimal practical amendments

This approach raises some serious operational questions. There is, first of all, the question of HHS as the proper location. I know of no evidence that HHS seeks this assignment. I do know that HHS is overwhelmed with other mandated responsibilities which, at least to the average person, seem to be higher priority concerns than Sec. 205. The question of managing the "no net expense" stipulation needs to be addressed. The fact that contact must be voluntary and mutually requested is good. The fact that the age of the adopted person is to be 21 is a substantial improvement over earlier proposals introduced by Sen. Levin. One of the practical problems that is presented is the matter of the "any birth parent" language. This could have the unintended result of a biological father "outing" a biological mother who did not give her consent. As a technician, I would suggest that the approach taken should be "any biological mother, and if the biological mother consents, the biological father of the adult child." I am no lawyer or bill drafter, but I believe the sense of my suggestion would solve that problem. The addition of siblings complicates the situation greatly, because siblings could also "out" biological parents who did not wish to have their identities disclosed. Although Sec. 205 specifically says that there must be an agreement not to disclose other information, as a practical matter, this is unenforceable. Further, even if there were a penalty, no penalty could restore the good name and privacy of a person who was "outed." No amount of financial damages and no prison term (if one went to that extreme) would restore a damaged reputation. Therefore, the suggestion would be that the sibling section be amended so that a sibling could not register unless and until there was proof that the biological parents had filed their consent to waive their privacy or, in the instance of the biological parents both being deceased, proof of their deaths. In addition, there would need to be a prohibition on the exchange of information, access by other federal agencies, etc., as specified in number 2 above.

As a practical matter, I believe these kinds of changes are among those that would be required to make a Sec. 205 approach work, whatever entity would be charged with operating it.

For reasons that I gave you in detail when we met in Sen. Craig's office, NCFA would oppose Sec. 205 as written. NCFA would not necessarily oppose a Sec. 205 approach, depending on what changes were made along the lines outlined above.

4. Sec. 205, as is

This seems impractical. As I have stated, I honestly do not know how it could operate and still function as you described your intention to me. This is why, when we had the impasse a few years back, I suggested to Rep. Bliley that NCFA would be comfortable with a very specific approach that would study the feasibility of Sen. Levin's plan.

5. A feasibility study

Essentially, this would be similar to what Rep. Bliley offered in the past, in the spirit of compromise with Carl and Sander Levin. The compromise was offered at the point that a bill had passed the Senate. My sense is that if Sec. 205 were to pass the Senate, as is, NCFA's recommendation would be that the House Conferees decline to accept that provision. Of course, rather than endanger an otherwise good package, NCFA is disposed toward leaving the door open so that reasonable people can continue to work together and move forward on the larger bill. It could be that NCFA would support a carefully-designed feasibility study as a compromise in Conference. NCFA would be less likely to support a feasibility study as a free-standing bill introduced in the House that could somehow be folded in at the time of the Conference. (The larger question remains with the other problems that are in S. 1195; my sense is that unless some of these are resolved, concerns about Sec. 205 are moot because the various groups will decide that they would rather have no bill than something like S. 1195.)

I look forward to talking with you about this memorandum.

Please feel free to contact us at any time for information or technical assistance on this or any other topic related to adoption or child welfare.

WP/ms

brsec20592297

Attachment #12, p.2

9) in Sec. 205, add a new (3) which reads: "(3) the penalty for any violation of confidentiality by any person shall be determined according to civil law. In order to arrive at the amount, if any, of civil penalty, no person or entity shall be granted sovereign immunity, including government employees, for any breach of confidentiality. A person bringing a civil suit may bring a class action on behalf of a group of individuals alleging damage to their reputation, livelihood, etc., as a result of the breach of confidentiality. A successful suit in civil court shall provide that punitive damages shall be not less than three times the amount of actual damages awarded. Any individual proven to have breached confidentiality shall, if said individual is a member of a licensed profession, such as an attorney, social worker, nurse, hospital administrator, physician, psychiatrist, or psychologist, be stripped of said license for a period of at least one year for each instance of a breach of confidentiality in addition to any money damages awarded."

For the more detailed, 3-page amendment sponsored by Senators Levin, Craig, McCain and Landrieu, we suggest the following amendments in addition to those provided above:

- 1) on page 1, delete all of line 25 and all of line 26 except the word "utilizes";
- 2) on page 2, delete the word "intrude" on line 3 and insert instead the word "utilize";
- 3) on page 2, line 4, delete the word "on" and insert the word "federal" between the words "other" and "data;"
- 4) on page 2, delete the words on line 4 after the word "system" and delete all of line 5;
- 5) on page 2, line 12, delete the word "the" and insert the word "any" and the phrase "of facilitating a reunion";
- 6) on page 2, line 15, delete the phrase "to the maximum extent feasible";
- 7) on page 3, line 1, delete the word "reasonable" wherever it appears;
- 8) on page 3, delete all the words in section (c) after the word "fees" when it is used the second time on line 1 through the word "may" on line 4 and insert instead the word "shall";
- 9) on page 3, line 4, delete the comma at the end of the line and add the following after a comma to be inserted: "including all direct and indirect costs whatsoever that may be incurred by the Department or any federal employee or any contract employee in the operation of this registry."
- 10) delete section (d) and insert language instead from the suggested language provided above pertaining to the establishment of civil penalties.

205amendments

Attachment #12, P1.

Possible amendments to any Levin-Craig proposals.

There are two general approaches that have been taken by Sen. Levin in the past. One is the very vague and brief language represented in Sec. 205 of S. 1195. The other is the three-page amendment, represented in one of the Senate Finance Committee versions of S. 1195 that was floated late last week.

In terms of amendments to the vague and brief language, it would seem that Legislative Counsel could be asked to do the following:

- 1) move to strike Sec. 205, as lacking sufficient detail to enable the Senate to determine what its effects might be;
- 2) move to strike Sec. 205, and in its place substitute language calling for a one-year feasibility study of such a proposal, said study to be carried out by a 7-person panel composed of the Secretary of HHS or the Secretary's designee and two persons appointed by the President, the Speaker of the House and the Majority Leader of the Senate;
- 3) in Sec. 205, delete the word "reunions" from the title of the section and instead insert the word "meetings";
- 4) in Sec. 205, delete the word "net";
- 5) in Sec. 205, insert the word "only" after the word "use";
- 6) in Sec. 205, insert the words "Children's Bureau of the" before the word "Department";
- 7) in Sec. 205, delete the word "reunion" after the word "requested" and after the word "a" and in both places instead insert the word "meeting";
- 8) in Sec. 205, delete the seven words after the numeral (1) and insert instead the following: "the man or woman deemed or adjudicated under the laws of a jurisdiction of the United States to be the biological father or biological mother of a child (but not a genetic father or mother through assisted reproduction), but only if the man's name appears on the original sealed birth certificate of the child and his consent was required and obtained in order that the child could be placed for adoption. Notwithstanding any other provision of law, unless the biological mother of a child has given her consent, the identity of the biological father may not be released to the adult adopted child nor may a meeting be arranged by the registry between the adult adopted child and the biological father or any adult adopted sibling who is 21 years of age or older, of the adult child, without the biological mother's express written consent, evidenced by a notarized affidavit";

MEMO (DRAFT)

To: Carol Williams
From: Jeffrey M. Prieto
Subject: S. 1487 Analysis
Date: February 20, 1998

I. QUESTION PRESENTED

Should the federal government, through the establishment of a National Voluntary Mutual Reunion Registry, provide information contained in adoption records to adoptees, adoptive parents and birth parents?

This report serves as the basis of formulating the Department's response to Senator Carl Levin's (D-MI) request to actively support the House passage of the National Voluntary Mutual Reunion Act (S. 1487). This report begins with a succinct review of current State practices. S. 1487's legislative background follows. A discussion of policy issues is next. The final section presents a series of Department options.

II. BRIEF ANSWER

There is no compelling reason for the federal government to provide information contained in adoption records to adoptees, adoptive parents and birth parents through a National Voluntary Mutual Reunion Registry. However, the Department should consider non-legislative strategies to assist in improving the current State-based system.

III. CURRENT STATE PRACTICES

According to National Adoption Information Clearinghouse ("NAIC"), individual States have different rules regarding the rights of adoptees, birth parents, and adoptive parents to gain access to information about the adoptee and birth relatives. Moreover, State laws change frequently, and States may implement more than one method.

The following analysis provides a succinct review of specific State practices.

A. IDENTIFYING AND NON-IDENTIFYING INFORMATION

States make a distinction between "Identifying" (data that may lead to positively identifying an adoptee, birth mother, or birth father) and "Non-identifying" (data generally restricted to descriptive details) information.¹ All States except the District of Columbia allow adoptive parents to receive non-identifying information. Adult adoptees can access their

non-identifying information upon reaching adulthood, except in the District of Columbia, New Jersey, and Nevada.² Finally, birth parents can access non-identifying information in 21 States (See Attachment 1).

B. REGISTRIES

There are several types of State-managed registries for adoptees or birth parents searching for information about one another. By registering, parties are indicating their consent to contact with another party to the adoption. Most are mutual consent registries, which require the permission of both parties before the State releases identifying information.³ I describe the two primary types of registries, "passive" and "intermediary," below:

- **Passive (or volunteer registries):** Both adoptees and birth parents must each independently post their name on a list to trigger a match. Once a match occurs, the State notifies both parties. These systems depend on both parties registering, a match being found, and the follow-up notification by a registry administrator.
- **Intermediary (or search and consent registries):** Allow trained intermediaries (often called a "confidential intermediary" or "search agent") to conduct searches for an adopted child or birth parent, make contact with each party, and obtain each person's consent or denial for the release of information.⁴ According to the NAIC, we can assume that States with intermediary registries also provide confirmation (verify the match) services.

Currently, 21 states have passive registries and 26 states have intermediary registries (See Attachment 2)

C. ACCESS VETOES AND AFFIDAVITS

An access veto or nondisclosure request is a form in the adoption file, usually placed by one of the birth parents, requesting the prohibition of the release of all identifying information to parties seeking that information. Some States may have provisions for a contact veto, permitting a party seeking information access to that identifying information, including a birth certificate, but prohibiting contact between the parties.

A total of 18 States has access veto or affidavit systems (See Attachment 3)

D. COURT ORDERS

In several states, adult adoptees must petition the court to release identifying information. Usually, petitioners must show "good cause" or "just cause" in order to gain access to such information.⁵

E. BILLS PENDING IN THE 1997-98 LEGISLATIVE SESSION RELATED TO ADOPTION RECORDS

A number of bills related to adoption records are currently pending in various state legislatures. Many of these bills seek to provide adult adoptees access to birth records (See Attachment 4).

Carol Williams

Page 3

February 20, 1998

F. SUMMATION OF STATE PRACTICES

Adoptive parents can receive non-identifying information in all states except the District of Columbia. Moreover, adult adoptees can access their non-identifying information upon reaching adulthood, except in the District of Columbia, New Jersey and Nevada.

In regard to registries, and other forms of access, the current situation is as follows.⁶

- 21 States have passive registries
- 26 States have intermediary registries⁷
- 18 States have access veto or affidavit systems
- 24 States had search and consent systems for at least one party
- 6 States had created veto systems for adult adoptees
- 4 States had access for adult adoptees (including Ohio for adoptees born before 1964, and in Tennessee for adoptees born before 1951)
- 4 States had no provisions other than petitioning the court for the release of identifying information
- 2 States have open records⁸

Clearly, State statutory schemes governing the disclosure of adoption information vary. One of the primary reasons for S. 1487, proponents maintain, is this variation. An analysis of S. 1487's legislative intent follows.

IV. S. 1487 LEGISLATIVE BACKGROUND

A. S. 1487 SPECIFICS

S. 1487, the National Voluntary Mutual Reunion Act, seeks to establish a national passive registry. S. 1487 would authorize the Secretary of Health and Human Services to use departmental facilities to facilitate the voluntary, mutually requested exchange of identifying information that has been mutually consented to, between a 21-year-old adult adopted individual and any birth parent or adult sibling, if all involved have consented to the information exchange. Furthermore, S. 1487 explicitly states that the legislation does not preempt a State's sealed adoption record policy.

B. ARGUMENTS FOR AND AGAINST S. 1487

Proponents of S. 1487 argue that a national registry would "humanize" the process through which adult biological relatives separated by adoption can make contact. They assert that because adoptions often start in one State and are finalized in another, the efficiency of State-based systems is severely limited. Finally, proponents are careful to emphasize that S. 1487 does not preempt a State's sealed adoption record policy.

Opponents of S. 1487 argue that a national registry could result in the inappropriate disclosure of private sensitive information. While S. 1487 explicitly states that it will not preempt State sealed record policies, some opponents believe that any movement towards "open records"

Carol Williams
Page 4
February 20, 1998

could result in a negative effect on adoption.

In regards to the Department's position, it supports the creation of an efficient system. Additionally, the Department generally supports Senator Levin's approach. However, the Department has serious concerns whether the federal government should, or can, establish and maintain a national reunion registry.

C. LEGISLATIVE BACKGROUND

According to an ASL memorandum, Senator Levin has been attempting to pass legislation to create a National Voluntary Reunion Registry for nearly two decades.⁹ Historically, the primary controversy surrounding this legislation has centered on privacy issues as they related to adoption.

Most recently, according to the ASL memorandum, Senator Levin incorporated his adoption registry provisions into the Adoption and Safe Families Act introduced by Senators Chafee and Rockefeller. There has always been strong opposition to Senator Levin's provisions. Several Senators threatened to hold up the adoption bill unless the Levin provisions were dropped. In order to help secure Senate passage of the adoption bill, the Administration joined others in requesting that Senator Levin remove his provisions from the bill. Senator Levin agreed to remove the provisions from the bill. Both houses then passed the adoption bill and the President signed it. Later, the Senate passed Senator Levin's bill, S. 1487, by unanimous consent.

The House Ways and Means Subcommittee on Human Resources agreed to schedule a hearing on S. 1487 early this year. Subcommittee Chair Shaw opposes S. 1487. Several other members, including Representatives Bliley (R-VA) and Oberstar (D-MN), the co-chairs of the House Adoption Caucus, plan to testify against S. 1487.

D. POSITION OF ORGANIZATIONS

1. National Council for Adoption (NCA)

NCA has historically opposed the opening of adoption records due to the resulting negative effect on adoption. NCA maintains that a national registry could result in the inappropriate disclosure of private sensitive information, despite the fact that S. 1487 explicitly states that it will not preempt state sealed record policies.

2. American Public Welfare Association (APWA)

APWA has not taken a position on S. 1487 because it is not specifically a state issue.¹⁰ However, some State officials have contacted the organization to express concern about confidentiality problems if state registry information is released to a federal registry.

3. Child Welfare League of America (CWLA)

CWLA believed S. 1487 to be well intentioned, but questioned whether the Act would actually be a comprehensive solution.¹¹ CWLA stated the Department should closely study the budget implications of creating and maintaining a national registry.

Carol Williams

Page 5

February 20, 1998

D. CONCLUSION

The ASL memorandum concludes that S. 1487 is unlikely to gain the approval, even with the Department's more active support, of the Ways and Means Subcommittee. The memorandum suggests the Department considers a series of non-legislative options. These options include: initiating a consultation process among States and advocates; convening a meeting among experts to develop recommendations; or sponsoring a pilot among States that are willing to participate. I discuss each of these options later in this report.

IV. POLICY ISSUES

This nation needs to find a more efficient way to provide appropriate information to adoptees, birth parents, and adoptive parents. However, the question remains whether increased federal involvement would result in a more efficient system. What is clear is the implementation of a national registry would represent an expansion of the federal role from the adoption of children languishing in foster care to an area that has traditionally been the exclusive domain of the States and private organizations.

The following section discusses whether there is a compelling reason for federal involvement. First, I address the question of whether the Department should create a national registry. Second, I discuss whether the Department has the resources and expertise to establish and maintain a registry. Finally, I discuss the potential for privacy breaches to occur.

A. SHOULD THE FEDERAL GOVERNMENT BE INVOLVED IN A NATIONAL REGISTRY?

One important rationale for federal involvement is that the current State-based system is too varied. Accordingly, a federal system, proponents reason, would result in a system that is: 1) better publicized; 2) more efficient due to the removal of inter state barriers to reunion; and 3) less expensive (or at least not more expensive). I examine each of these claims.

1. The Creation Of A Federal National Registry Will Not Automatically Result In A Better Publicized System.

Proponents of S. 1487 argue a federal system is needed because interested individuals are not aware of the various State services. Accordingly, the publicity surrounding the creation of national registry would inform interested individuals of the existence of this national service.

However, even assuming the initial publicity is substantial, there is no assurance that there will be ongoing publicity. Considering budget constraints, a national registry, much like the current State-based system, would rely on existing sources of information (e.g., state agencies, private organizations, word of mouth, etc.).

An active multi-media (e.g., television, radio and newspaper) campaign is needed to assure ongoing exposure. Unfortunately, such a campaign would be expensive, and ultimately not feasible because of budget constraints.

Carol Williams
Page 6
February 20, 1998

2. The Creation Of A Federal National Registry Will Not Necessarily Result In A More Efficient System.

Proponents of S.1487 argue that a federal system would be more efficient due to the removal of inter State barriers. For example, participants would only have to register once, as opposed to registering in a variety of States. Moreover, a national system would be especially advantageous for those adoptees who do not know which State their birth or adoption actually took place.

However, it is not evident that States will cease to provide services if a national registry is created. In fact, if States continue their services, a dual system would be created. Thus, there is a possibility that a more complex system would be the result of a national registry.

a. Creation of a National Registry

Proponents of S. 1487 maintain that an efficient national registry would be easy to establish. Presumably, the Department would create a computer data base. The Department would then provide a national registry form to collect the necessary information. Individuals would fill out these forms and submit them to a designated federal location. The Department would enter the information into the data base. Finally, the Department would contact individuals if a match occurred.

For such a registry to work, it must be technically correct. It is also important that the registry be easy to access. The assumption that the Department can easily establish an efficient national system is speculative. Unfortunately, there are very few models, either public or private, to draw upon. I discuss some models below.

b. Federal Model

There are very few federal models that allow one to conclude a federal registry can be easily established. Two examples of federal data bases are the maintenance of fingerprints and child support information.

Unfortunately, both the fingerprint and child support examples differ significantly from a national registry. Unlike the maintenance of fingerprint or child support information, a national registry would not be supported by uniform state regulation and practices. Additionally, a national registry is not associated with law enforcement programs that require State and federal cooperation.

c. Private Sector Model

One potential private sector model is International Soundex Reunion Registry ("ISRR"). This volunteer run organization, generally considered the world's largest reunion registry, maintains a passive computer registry. ISRR accepts approximately 1,300 registrations per month (there is no fee).¹² ISRR completed a total of 587 matches last year.

Adoptees 18 years or older, birth parents and adoptive parents of adoptees who are still under the age of 18 are eligible to register. ISRR notifies both parties if data matches and it determines if a relationship exists. However, ISRR does not confirm matches (e.g., contact state agencies to conclude the match is accurate). Additionally, ISRR does not perform searches or

Carol Williams

Page 7

February 20, 1998

provide search advice.

Could the Department follow a ISRR model? If established, it is conceivable that a national registry would parallel the ISRR model. Yet, the question remains if a national registry parallels the ISRR model, why is it needed?

3. It Is Unclear Whether The Creation Of A Federal National Registry Will Result In Lower Fees

Proponents of S. 1487 note that the Act requires the establishment of the national registry be accomplished at no cost to the federal government. Additionally, S. 1487 limits the fees the Department might collect to not more than the average charge of comparable State services. It has been estimated that the average cost of adding a name to a State registry is approximately \$40.¹³

As stated previously, there is no guarantee that the creation of national registry would result in the elimination of State registries. If State registries continue to exist, individuals would have to register with both the appropriate State agency and the federal registry to ensure a comprehensive search. Thus, the potential for dual fees exists.

B. IT IS UNCLEAR WHETHER THE FEDERAL GOVERNMENT HAS THE RESOURCES TO MAINTAIN A NATIONAL REGISTRY

It is difficult to estimate the Department's cost of establishing and maintaining a federal registry. The Department is currently downsizing its workforce. Accordingly, it is unrealistic to assume that remaining employees can easily add federal registry work to their existing, and growing, workload. Seemingly, the Department would have to hire additional staff. The actual cost of a national registry requires further study.

Assuming the Department chooses to proceed, there are two ways the federal government could create a national registry. Each are discussed below.

1. Contract Out to Private Agency

The first option is to contract out to a private agency. In general, most of the Department's outside contracts have involved general technical assistance or support to States implementing federal regulations. Thus, contracting to a private agency would represent not only an expansion of the federal government to an area historically left to the States, but also an expansion of the use of private contracting.

2. The Department Creates and Maintains a National Registry

The second option is for the Department to create and maintain a national registry. The following discusses some of the potential problems if the Department creates the registry.

a. Counseling should be an important part of the process

In expressing concerns about S. 1487, ACF stated the decision to facilitate contact between adoptees and their birth parents is one that requires emotional preparation of all parties.

Carol Williams

Page 8

February 20, 1998

Accordingly, ACF believes any process should include access to appropriate clinical staff. Clearly, the Department lacks suitable staff, facilities and infrastructure to provide counseling.

b. The federal government should not confirm matches as part of a national registry

By definition, a passive registry does not include confirmation of the match. However, it is conceivable that if the Department establishes a national registry, users would petition to include confirmation services. This potential expansion of the national registry would require access to State and, possibly, national records.

While not part of the current proposal, we should consider the potential expansion of the registry. Any move to include confirmation will result in S. 1487 opponents and State agencies legitimately expressing the concern that the federal government is endorsing a significant step towards "open records." There is no indication the Department would support this expansion of the federal role.

C. A NATIONAL REGISTRY WILL NOT RESULT IN THE UNINTENTIONAL DISCLOSURE OF INFORMATION.

Opponents of S. 1487 submit that a national registry could result in the unintentional disclosure of private sensitive information (despite the fact the Act explicitly states that it will not preempt state sealed record policies). However, opponents offer very little evidence to support such a claim.

The possibility of unintentional disclosure is not specific to a national system. We can assume that if this possibility is sound, this unfortunate situation would be occurring on a state level. According to the NAIC, unintentional disclosures on the State level is rare. One reason for this rarity is the passive registry's relatively low match rate (approximately 10%). In sum, there is no evidence that a national registry would result in a greater risk of inappropriate disclosures.

D. THERE IS NOT A COMPELLING REASON TO SUPPORT THE CREATION OF A FEDERAL REGISTRY

A federal registry would not automatically result in a better publicized, more efficient, less costly system. Considering this conclusion, the Department should consider non-legislative alternatives.

VI. DEPARTMENT OPTIONS

Subsequent to discussing options, I wish to reiterate the Department's objectives and constraints. First, the Department supports the creation of an efficient system. Second, the Department generally supports Senator Levin's approach. However, the Department has serious concerns about whether the federal government should, or can, establish and maintain a national reunion registry. Finally, the Department believes it is unlikely that S. 1487 will gain the approval of the Ways and Means Subcommittee, even if the Department more actively supports the bill.

Carol Williams
Page 9
February 20, 1998

In light of the above objectives and constraints, the following discussion presents a number of non-legislative options.

A. MAINTAIN THE STATUS QUO

The Department's first option is to support the status quo. This includes generally, as opposed to actively, supporting Senator Levin's approach. It remains probable, no matter the level of the Department's support, that the House will not adopt S. 1487 (see previous Legislative discussion).

Even if the Department chooses to support the status quo, opportunities to access information may actually increase. According to NAIC, internet websites and services have increased the ability to obtain information. For the most part, increased internet access is beyond the Department's ability to regulate.

The primary negative to the status quo option (assuming S. 1487 does not pass) is that stated goal of a more efficient system will go unrealized. Moreover, the Department will not be responding favorably to a Senator Levin's request to more actively support S. 1487.

B. CONVENE COMMITTEE

The second option is to convene a national committee. This committee could include a diverse group of experts to study the numerous outstanding issues.

The benefit of this approach is that it provides an opportunity (albeit slight) for a consensus to be reached. It also allows the Department to delay its decision whether to actively support S. 1487 until after the committee has completed its report.

The negative to this approach is that the Department could be accused of simply delaying S. 1487's inevitable non-passage.

C. SUPPORT A PILOT AMONG THE STATES WILLING TO PARTICIPATE

The third option is to support a pilot among the States willing to participate. This pilot would attempt to create the type of data base, and supporting infrastructure, needed to establish a successful national registry.

The primary negative of this approach is that it is questionable how much more information a pilot program would provide as opposed to studying an existing well-run State or private sector program. Additionally, a State pilot may not be the best predictor of national program.

D. PROVIDE SUPPORT TO EXISTING PRIVATE AND PUBLIC PROGRAMS

The fourth option is to provide support for existing programs. In terms of the private sector, the Department could support ISRR's efforts. Currently, Department cannot support ISRR because it is not a federally funded program.

If the Department could support a non-federally funded program, it could publicize ISRR

*Why not
support
state pilot*

2/24/98

Carol Williams

Page 10

February 20, 1998

as a viable option for individuals seeking information. This could occur by linking the ISRR home page to existing Department websites. Moreover, the Department could include ISRR's telephone number in any appropriate adoption related materials.

Concerning the public sector, the Department could produce model information forms. Use of these forms by interested States ~~in addition~~ would result in a more uniform information gathering process. Additionally, the Department could compile information on each State's policies and regulations. This information, made available to the public, would help users access the various State programs.

ATTACHMENTS:

1. States Providing Non-Identifying Information
2. States with Registries
3. States with Access Veto or Affidavit Systems
4. Pending State Legislation

Carol Williams
Page 11
February 20, 1998

ENDNOTES

¹ In general, "Identifying Information" is considered to be that data that may lead to positively identifying an adoptee, birth mother, or birth father. Names, addresses, and dates contained in court records or submitted to the State department of vital statistics are usually considered identifying information.

In contrast "Non-identifying Information" is generally restricted to descriptive details, including the medical, genetic, and social history of the adoptee's birth relatives. Medical history is rarely updated, making the information as old as the adoptee. Social history may include the age, physical description, education, occupation, religion, ethnicity, and marital status of one or both birth parents.

² The legal age of adulthood varies from State to State, and is often different from the legal age of majority.

³ Some States have birth parent registries, where information is collected from birth parents only, and released to adoptees only. Other States do not have centralized registries; instead, the adoptee, adoptive parent, or birth parent must register with the agency or court that handled the adoption. Often, States will use more than one type of registry. States do not often release information to a requesting party if the other party is deceased, and numerous other restrictions exist, but vary from State to State.

⁴ According to the NAIC, most intermediaries, who are generally adopted adults, are volunteers. The State refers interested individuals to these volunteers. The volunteers then bill the interested individuals directly for expenses.

In a limited number of States, intermediaries are state employees. In this case, the State charges the interested individuals a fee for the use of intermediaries.

⁵ Alabama's statute lets parties with a "compelling need" for medical information petition the court for permission to make contact in order to get that information. The District of Columbia seals all adoption proceedings, and makes no provision for releasing any information to any party except by order of the court. Illinois allows adoptees or adoptive parents to ask the court to appoint a confidential intermediary to locate birth parents to request information necessary for medical treatment for the adoptee. Iowa requires adoptees to show "good cause," but the court may deny the request for information if releasing it may harm a minor sibling. Kentucky allows the adoptee to petition the court to open closed records if the birth parents are missing or deceased. North Carolina requires a court order to release identifying information. Virginia will release identifying information if an individual shows "good cause."

⁶ The current State situation as of July, 1996.

Carol Williams

Page 12

February 20, 1998

⁷ According to the NAIC, we can assume that states with active registries confirm their matches.

⁸ An "open record" system is characterized by allowing adoptees to obtain their original birth records. Currently, Kansas and Alaska have an open record system. Tennessee's proposal to implement an open record system has been legally challenged.

⁹ Memorandum to Secretary Donna Shalala from Richard J. Tarplin, Assistant Secretary for Legislation, dated, 11/18/97.

¹⁰ Telephone conversation with Betsy Rosenbaum, 1/97

¹¹ Telephone conversation with Anne Sullivan, 1/5/97

¹² Telephone conversation with Jack Vilardi, 1/5/97.

¹³ Telephone conversation with Ms. Jackie Parker, Senator Levin's office.

ATTACHMENT 1

BIRTH PARENTS CAN ACCESS NON-IDENTIFYING INFORMATION IN THESE STATES:

Alabama	Hawaii	New Mexico	Utah
Arizona	Indiana	North Carolina	Vermont
Arkansas	Maryland	Oklahoma	Washington
California	Massachusetts	Oregon	
Connecticut	Michigan	Rhode Island	
Delaware	Minnesota	South Carolina	

ATTACHMENT 2

STATES WITH PASSIVE REGISTRIES:

Arkansas	Nevada
California	New Mexico
Florida	New York
Idaho	Oklahoma
Illinois	Rhode Island
Iowa	South Carolina
Louisiana	South Dakota
Maine	Texas
Maryland	Utah
Massachusetts	West Virginia
Missouri	

STATES WITH ACTIVE REGISTRIES:

Alabama	Montana
Arizona	Nebraska
Colorado	New Hampshire
Connecticut	New Jersey
Delaware	New Mexico
Georgia	North Dakota
Indiana	Oregon
Kansas	Pennsylvania
Kentucky	Tennessee
Michigan	Vermont
Minnesota	Washington
Mississippi	Wisconsin
Missouri	Wyoming

STATES WITH BIRTH PARENT REGISTRIES:

Alabama	Michigan
Alaska	Nebraska
Georgia	Pennsylvania
Kentucky	Wisconsin

ATTACHMENT 3

STATES WITH ACCESS VETO OR AFFIDAVIT SYSTEMS:

Alabama	Maryland	New Hampshire	Pennsylvania
California	Massachusetts	New Jersey	Washington
Delaware	Minnesota	New Mexico	Wisconsin
Iowa	Mississippi	Ohio	
Kentucky	Nebraska	Oklahoma	

SPECIAL CASES:

Hawaii: The State has a hybrid system, utilizing a "notice and consent" provision for adoptions before 1991, where parties being sought are sent notice through certified mail. If the party does not respond, confidentiality is assumed to have been waived, and identifying information is released. For post-1991 adoptions, an access veto system is in place.

Indiana: Adoptees whose adoptions were finalized through 1993 are serviced through an active registry system, while post-1993 adoptees are subject to an access veto system.

Michigan: The State system combines access veto, passive and active registry systems. Use of these plans is determined by the date of termination of parental rights, with division between those whose rights were terminated before 1945, between 1945 and 1980, and after 1980.

Nebraska: An access veto system applies for adoptees relinquished after 1988. For adoptions prior to that date, there is an active registry. A birth parent registry, to which affidavits may be submitted, also exists.

Ohio: Ohio has different access provisions for pre-1964 adoptions, adoptions finalized from 1964-1996, and those finalized after 1996. Pre-1964 adoptees have full access, an affidavit system is in place for adoptions 1964-1996, and access veto system applies to post-1996 adoptions.

Tennessee: The State enacted a statute in 1995 granting access to records to adoptees adopted before 1951, and providing a contact veto system for other adult adoptees starting in 1996. As of February 1997, the statute is under an injunction and is being appealed to the U.S. Supreme Court.

Vermont: Extensive changes to Vermont access laws go into effect at the end of 1997. Until then, there is an affidavit system in place.

ATTACHMENT 4

PENDING STATE LEGISLATION:

- **Idaho:** House Bill 212 would allow the court to appoint an intermediary to obtain information.
- **Illinois:** House Bill 474 would give adopted children 18 or older access to their original birth certificate. Senate Bill 600 is the companion Bill to House 474.
- **Maryland:** House Bill 303 would allow adoptees 25 and older access to specified birth records, unless the birth parent has filed a nondisclosure request; and would grant birth parents access to records under specified circumstances, unless the adoptee has filed a nondisclosure request. House Bill 1382 would provide for safekeeping of records from adoption proceedings.
- **Minnesota:** House Bill 58 makes birth records public information on the 75th anniversary of the adoption finalization. Senate Bill 122 is the companion Bill to House 58.
- **New Jersey:** Senate Bill 287 grants adoptees 18 or older access to their original birth certificate. Birth parents will have one year to request that the State delete their names from records.
- **New York:** Assembly Bill 1860 gives adoptees 18 and older access to adoption records unless the birth parent files a nondisclosure request.
- **Pennsylvania:** Senate Bill 443 grants access to adoption records.
- **Rhode Island:** House Bill 5169 gives adoptees 21 and older access to adoption records.

N- In case you missed this
FYI. Jen

Adoptees seek national search registry

State programs called inadequate, but critics fear privacy would be violated

By Cheryl Wetzstein
THE WASHINGTON TIMES

Adoptee Jim Rockwell first learned of his 13 birth siblings at the age of 61 through what he calls "pure dumb luck."

"I walked into the county clerk's office, asked for my [birth] information and the dear, dear lady ... gave me everything," recalls Mr. Rockwell, of Cornell, Mich., of the incident more than a decade ago. "She said she thought at my age, I had the right to know."

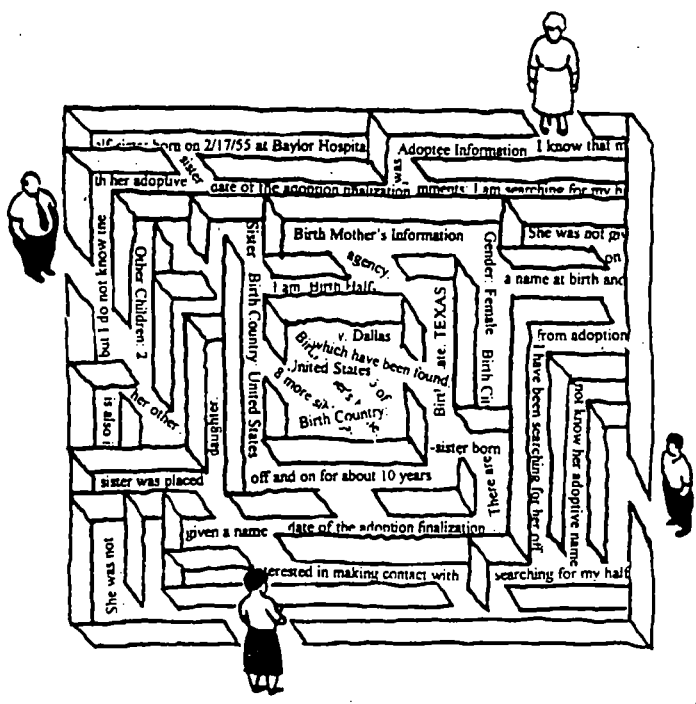
Without the clerk's extraordinary decision to hand him his birth data, Mr. Rockwell is sure he would never have found his siblings, who live in four other states. His adoptive parents had died before he decided to search for his birth family, and he later learned that a birth sister had hunted in vain for him for 40 years.

Mr. Rockwell, 72, supports a National Voluntary Mutual Reunion Registry, proposed by Sen. Carl Levin, Michigan Democrat. It would create a way for "two people related by birth" to learn of one another if both parties consent, Mr. Rockwell says.

No one knows for sure how many adoptees are in the United States, but the best estimates put the number at about 6 million. Between 15 percent and 25 percent of adoptees and birth parents are believed to actively "search" for family members at some point in their lives, says a spokeswoman at the National Adoption Information Clearinghouse.

Most searches are hampered, however, by gaps in basic information about the birth and adoption.

Twenty-eight states now run their own registries to help searchers find each other, according to the nonprofit National Council for Adoption (NCA). Eleven other states, including Virginia, offer alternate search options such as talking to a "confidential intermediary," who can search records



A national registry "would help with the unimaginable challenge of searching the entire nation for a relative."

—Sen. Larry E. Craig

for someone. The District opens records only by court order.

But many adoptees and birth parents complain that registry rules and the lack of available information make matches nearly impossible. Florida's registry, for instance, has made 125 matches in 16 years—fewer than eight a year.

Mr. Levin says the proposed national registry would collect notarized data filed by adult adoptees, birth parents and birth siblings from all states. When information matched, the registry would notify the registered parties.

The registry would be supported by "reasonable" user fees and be handled by the Department of Health and Human Services at "no net cost" to the federal government, Mr. Levin adds. It wouldn't open sealed records, wouldn't match people who aren't registered and would punish anyone who misused confidential data.

A national registry would "help with the unimaginable challenge of searching the entire nation for a relative," adds Sen. Larry E. Craig, Idaho Republican and co-sponsor of the registry bill, which passed

the Senate in November. Rep. Charles E. Schumer, New York Democrat, has introduced a similar bill in the House.

But Mr. Levin, who has been promoting a registry for 19 years, has always met with resistance:

- Some adoption experts say the system would be unnecessary. Most state registries "work rather well," lawyer Robert C. Robinson told a House subcommittee hearing in June on the bill.

- Rep. Thomas J. Bliley Jr., Virginia Republican, and Rep. James L. Oberstar, Minnesota Democrat — both adoptive parents — insist that the registry would lead to privacy violations and unsolicited reunions. If one birth parent was found, he or she could "out" the other parent, says Mr. Bliley.

- Mr. Oberstar also warns that by weakening "the fundamental right of privacy for birth parents," a national registry could "lead to an increase in abortion."

Registry supporters say no one can guarantee birth parents that they'll never be found, and the idea that a registry would drive pregnant women to abortion hasn't been backed by hard data.

Women are likely to choose abortion over a "closed" adoption, but not over an "open" adoption, says Jo Anne Swanson, a registry supporter who runs a post-adoption support service in Westmore, Mich.

This is because open adoption creates an avenue for future communication between the birth mother and the adoptee, she says.

Maureen Hogan, executive director of Adopt a Special Kid, notes that Kansas and Alaska, the nation's only open-records states, have higher-than-average adoption rates, but lower-than-average abortion rates. "It would appear that a culture of openness around adoption may encourage people to choose adoption," she says.

Mrs. Swanson says some registry critics worry it would unearth

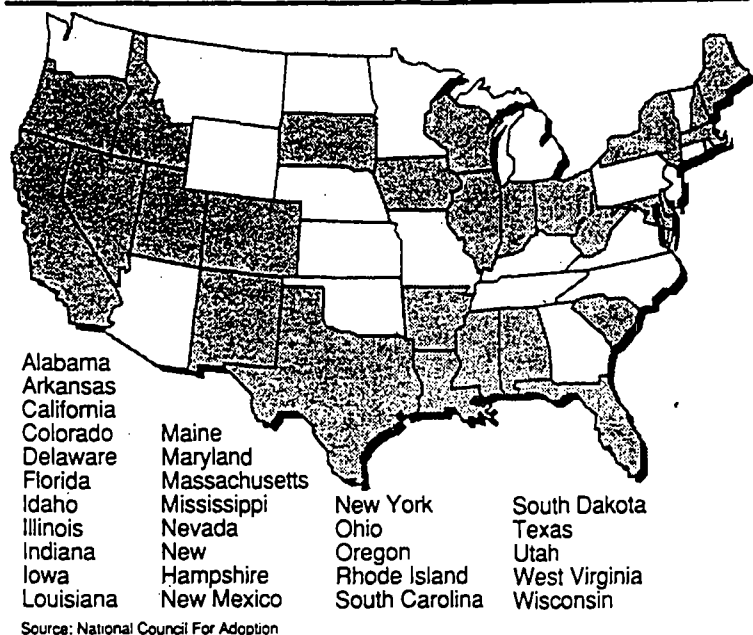
The Washington Times

WEDNESDAY, AUGUST 19, 1998

1/2

REGISTRY ROSTER

Twenty-eight states run "mutual consent" reunion registries to help adoptees and birth parents find each other.



Alabama
Arkansas
California
Colorado
Delaware
Florida
Idaho
Illinois
Indiana
Iowa
Louisiana

Maine
Maryland
Massachusetts
Mississippi
Nevada
New
Hampshire
New Mexico

New York
Ohio
Oregon
Rhode Island
South Carolina

South Dakota
Texas
Utah
West Virginia
Wisconsin

Source: National Council For Adoption

The Washington Times

Rep. James L. Oberstar says a national registry could weaken the "fundamental right of privacy for birth parents," leading to more abortions.

unethical and illegal acts committed by agencies and others, especially in the 1930s, 1940s and 1950s.

"Many children were literally sold like chattel to the highest bidders," Mrs. Swanson told the House subcommittee hearing.

One "notorious Tennessee baby seller," who was investigated by the Senate in 1955, admitted selling more than 1,000 babies across the nation between 1939 and 1950, she said. A national registry could help these searchers find each other.

Privacy and confidentiality rules "may indeed have covered up crimes," says Bill Pierce, president of the NCFA, a longtime opponent of a national registry.

But the registry's "No. 1" problem would be its erosion of the privacy that birth mothers have been promised, he says.

During World War II, explains Mr. Pierce, "many married women got pregnant while their husbands were overseas." These women, who gave the children up for adoption, "want to keep their privacy from their husbands," he says, adding that there are other personal reasons why birth mothers would not want to be found by adopted offspring.

Mr. Levin's registry is also opposed by adoptees who believe it would subvert their efforts to get adoption records opened.

"We're just pretty sure that [the national registry] is going to be

used, as it has on the state level, to beat open-records advocates over the head and say 'This is enough, back off,'" says Shea Grimm, a leader of Bastard Nation, an adoptee group working for open records.

Some adoptees suggest that Congress help searchers by publicizing the nonprofit, volunteer-run International Soundex Reunion Registry (ISRR), which was founded in 1975 by an adoptee searching for her birth family.

The number of people registered in the ISRR is "in the six figures" and more than 1,000 new applications are processed each month, says a volunteer in the registry's Carson City, Nevada, office.

In 1997, the ISRR had 603 confirmed matches, says the volunteer, adding: "We have some birth moms who are in their 90s — they just won't give up."

But while the policy debates rage, the time for searching is coming to a close, especially for anyone adopted before 1950.

Brooklyn executive and adoptee Jonathan Marin, 54, recently ended a 30-year search for his birth parents. "It's probably too late," he says. "People would be in their 70s and 80s. If they're alive, they're probably ... in Florida," he says half-jokingly.

Mr. Marin prefers opening adoption records over a federal national registry. However, if such a registry existed today, he says he would sign up — immediately.

2 1/2

The Washington Times

WEDNESDAY, AUGUST 19, 1998