



## Records Preservation & Access Committee

Federation of Genealogical Societies, National Genealogical Society,  
International Association of Jewish Genealogical Societies

Statement to Health Services Committee, Oregon Legislative Assembly, State of Oregon,  
regarding HB 2093, Revision to Model State Vital Statistics Act.

The Records Preservation and Access Committee appreciates the need to revise and modernize many portions of the 1992 Model State Vital Statistics Act. However, we object to Section 32. ORS 432.115(4) which will close vital records for 125 years for births, 75 years for deaths, and 100 years for marriages, which is an unjustified increase in every category. We have seen no evidence of harm from the current embargo periods.

RPAC is a joint committee of the Federation of Genealogical Societies (FGS), the National Genealogical Society (NGS), and the International Association of Jewish Genealogical Societies (IAJGS) as sponsoring members. The Association of Professional Genealogists (APG), the Board for Certification of Genealogists (BCG), International Commission for the Accreditation of Professional Genealogists (ICAPGen), and the American Society of Genealogists (ASG) also serve as participating members. RPAC meets monthly to inform and advise the genealogical community on ensuring proper access to vital records and on supporting strong records preservation policies and practices at the federal, state, and occasionally the local level.

**Background:** Many state vital records registrars have been operating since 1992 under state legislation based on the last approved Model State Vital Statistics Act which includes restrictions on access to birth records for 100 years and death, marriage, and divorce records for 50 years. The Model State Vital Statistics Act was developed by the Center for Disease Control and Prevention (CDC), a US government agency under the Department of Health and Human Services. The 1992 Model Act currently in effect, may be read at:

<http://www.cdc.gov/nchs/data/misc/mvsact92b.pdf>

A Working Group, consisting primarily of state and local vital statistics executives, was formed in 2009 to update the Model Act and after distributing a draft to vital records officers for comments in 2011, reported out their work as the 2011 Revision in May 2011. The public, including genealogists, were not invited to comment. The United States Department of Health and Human Services (HHS) put the 2011 Revision "on hold" in April 2012. RPAC has contacted the United States Department of Health and Human Services and requested that prior to adoption, the proposed 2011 Revised Model Act should be made available for public review and comment. We likewise request that the Health Care Committee for the State of Oregon, hold hearings and allow the genealogical community to testify before it unnecessarily limits access to vital records in Oregon.

**Why vital records must continue to be accessible to the public:** On average a new generation begins every 25 years. For each additional 25 years that vital records are closed, another generation is limited in its ability to research its family's past. By the time people retire and become interested in family history, their oldest relatives have passed away and their records have been lost. The death certificate for a great grandparent, may be the only record which

provides their parents' name and place of birth, especially when the decedent may have been an immigrant from another country. Vital records are public records and they have been since the founding of this country. Yes census records are available online but if you have a common surname, researching vital records is often the only way to prove you have the correct parent child relationship. Even US census are only restricted for 72 years.

In addition, hereditary diseases which pass from generation to generation, can often only be detected by beginning with great, great grandparents and tracing all the children for several generations and ascertaining a commonality in the cause of death. The more inaccessible the death records, the longer the disease will be passed on without detection.

The United States Health and Human Services Department put this legislation on hold for a reason. If the Model State Vital Statistics Act is going to be revised for the first time in twenty years, it should be properly vetted so it is a Model Act that will stand the test of time.