



# The Genealogical Society of New Jersey

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16 December 2004

Senator Frank Lautenberg  
324 Hart Senate Office Building  
Washington, DC 20510

RE: Formal Statement of Support if Amended to S.2845

Dear Senator Lautenberg:

The Genealogical Society of New Jersey, a non-profit organization with nearly 900 members, including many family historians and professional genealogists in New Jersey and throughout the United States, commends the intent and efforts by the federal government to prevent the abuse of identity theft in a post-9/11 world. While we recognize the need to protect the privacy of individuals, we also seek a balanced solution that will protect privacy and national security yet allow appropriate access to historical public records and the family history information they contain.

Please consider amending S.2845 Section 3063(d)(2) by adding the following wording to the existing paragraph: "However, nothing in this Chapter 2 shall be construed to require a State to change its law with respect to public access to (A) non-certified copies of birth certificates, or to (B) birth records once a period of 100 years has elapsed from the date of creation of the certificate or record."

We believe that this amendatory language is imperative so that the states do not react by restricting all birth certificates to comply with the law, rather than dealing with certified as opposed to non-certified birth certificates. The proposed additional language would remind state and local government agencies that historical and genealogical requests for older records can and should be treated differently than requests for birth certificates of potentially living persons. Moreover, the proposed amendment does not detract from the intent of the bill to provide the security the nation needs to prohibit the misuse of certified copies of birth records. In New Jersey, we have already witnessed extreme restrictions on historical vital records, including marriage and death records from as early as 1878, in part as a result of federal guidelines. The additional language proposed above will allow the states to comply with the law without jeopardizing the legitimate use of government records for family and medical history research.

Thank you for your consideration.

Respectfully,

Joan M. Lowry  
President, Genealogical Society of New Jersey