

President's Quarterly Report



Barbara J. Mathews, CG
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SUCCESSFUL MGC 2009 ANNUAL MEETING AND SEMINAR

I heard very positive feedback on every bit of the program, from the Beginners Workshop to the Luncheon Speaker and to every session in-between. We had such a great attendance that the kitchen had trouble keeping up with us at lunch time. This was the first program with Josh Taylor as our Program Director and I'd say he was a success.

2010 MGC MEETING: FOCUS ON RECORDS

Josh has already started planning next year's Annual Meeting. The theme will focus on records.

The MGC 2010 Annual Meeting and Seminar will take place on June 26th at Bentley University in Waltham. Save the date!

LEGISLATION

In addition to education, our task is to monitor government activities for events of interest to genealogists. Our Civil Records Director, Bernie Couming, caught up with the legislature's Joint Committee on Public Health. His testimony and a fact sheet on our bill are included in the newsletter. He hit on some very important points. If a vital records bill should move forward from this committee this year, Bernie's testimony and facts will be very helpful to us.

NARA INTERVIEW

Michael Brophy, our Publicity Director,

represented MGC at the annual Historiopalooza event in Watertown. A genuine multitasker, Michael not only passed out brochures and discussed our concerns, but he also took the opportunity to find out more about Federal Records. Check out his interview about the Waltham branch of the National Archives with Joe Keefe.

NERGC 2011

MGC has signed the paperwork to participate in the next New England Regional Genealogical Conference in 2011. Set aside the date: NERGC 2011 will run from 6 to 10 April 2011 in both the Sheraton Springfield Monarch Place Hotel and the Springfield Marriott, Springfield, Massachusetts. We will have much more information on this for you next year.

HEAR TESTIMONY AGAINST HOUSE BILL 2064

Watch the video of testimony against H-2064 for free at: <http://comflmregistrynews.blip.tv/file/2784774/> You will see first an organization of hospice nurses and then Sharon Sergeant testify on our behalf.

SEE www.massgencouncil.org

Check out our website for membership and contact information. From there you can download our White Paper, link to member organizations, or read about our activities.

**22 Organizations
representing over
35,000 Genealogists**

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Civil Records Quarterly Report

We are currently in the 186th Legislative Session. The full session runs for two years.

At the end of November the FORMAL LEGISLATIVE SESSION closed for the current year, to be reconvened one week into January for 2010.

Vigilance is still the byword even during INFORMAL SESSION. After our experience in informal session

when one state senator tried to get a bill passed on New Year's Eve, we all know how important it is to be vigilant.

We are tracking a number of bills on Beacon Hill that would restrict records access. The Massachusetts Town Clerks Association has again submitted a bill that undermines the interests of all stakeholders. In addition, this year even sees a bill

that would close all vital records since 1841!

To read the full text or see the status of any of these bills, go to www.mass.gov/legis, the homepage of the legislature, and make choices under Current Legislation. The S in the bill number indicates a Senate bill and the H a House bill.

Bernie Couming
records@massgencouncil.org

MGC POSITION:	BILL NO., SIZE	PRIMARY SPONSOR	GENEALOGY ISSUES
Opposed	S-820, 3 pps	Jehlen, P.D.	Closes all vital records since 1841.
Concurred	S-822, 13 pps	Kennedy, T.P. (for MGC)	Drafted by MGC, this bill is the result of consultation with all stakeholders.
Opposed	H-2064, 3 pps	Harkins, L. (for MTCA)	Does not represent the interests of all stakeholders. Generalized language would permit records closure by the Registrar without review.
Opposed	H-2124, 2 pps.	Murphy, J.M.	Excessive restriction on public access. Was submitted last year as H-2201.
Concurred	H-2133, 2 pps	Poirier, E.	Would cancel most existing restrictions to "out of wedlock" birth records.
Under review	H-2134, 2 pps	Poirier, E.	The title of this bill and the language of the bill are unclear as to intent..

Testimony to the Joint Committee on Public Health, 27 October 2009 on Beacon Hill

Joint Committee on Public Health
Massachusetts General Court
October 27, 2009, Hearing

Testimony
By Bernard Couming
Director of Civil Records
Massachusetts Genealogical Council

The current collection of bills before the Joint Committee on Public Health includes S-822, submitted by the genealogical community and the spokesman agency, the Massachusetts Genealogical Council (MGC). It is presented by Senator Thomas P. Kennedy of the 2nd Plymouth and Bristol District, and others.

This testimony is intended to support that bill and is submitted by Bernard Couming, the Director of Civil Records for that submitting Council.

S-822 represents the culmination of over ten years of negotiation with the past two registrars and includes mutually agreed effects on various elements of the existing statutes. It also provides for citizen oversight of the registry with the statutory inclusion of various stakeholder organizations. These organizations represent interests in the operation of the registry as well as continuation of public access to the records of the registry.

The first SECTION of S-822 would refine the language of section 4 in Massachusetts General Law, chapter 17 in order to spell out the make-up and operation of a special committee on vital records and statistics. Currently, although the structure has long been a part of that statute, those segments

have never been implemented. The language does, however, spell out the purpose and intention to include genealogists and historians in the promulgation of regulations. It also addresses the intent to ensure that no undue restrictions are placed on the access to the vital records by genealogists and historians.

Chapter 17 defines the Department of Public Health. Section 4 establishes the registry of vital records and statistics, complete with a committee of seven to oversee the promulgation of registry regulations. However, since the founding of the registry no such committee has been set up. Nevertheless, the intention in the law of the Commonwealth is clear. It requires public hearings for any regulations and a majority vote to promulgate such regulations,

and they “shall not unduly restrict access to said records by qualified genealogists and historians” (see full quote below).

See the attached FACT SHEET for S-822, which summarizes the remainder of the bill. Primarily it makes various “housekeeping” language corrections to chapter 46 (the statute defining RETURNS AND REGISTRY OF BIRTHS, MARRIAGES AND DEATHS). It also spells out in further detail the structure and operation of the special committee and provides for automation of records and for reproduction. It also recommends a fee-based system for funding the automation of records.

SECTION 18 of the bill amends section 2 of chapter 111 THE STATUTE ON PUBLIC HEALTH to provide for the creation of an index of vital records by the registry.

The Massachusetts Genealogical Council challenges bill S-2064. It has been submitted by the legislative committee of the Massachusetts Town Clerks Association (MTCA) and has been presented on their behalf by Representative Lida Harkins of the 13th Norfolk District and others.

It should be noted here that H-2064 only addresses chapter 46 and fails to take into account the ramifications in other statutes that need to be addressed for cohesive coordination between the various jurisdictions. One such fault in H-2064 is the establishment of a “czar” of vital records and statistics in the person of the registrar.

It does not provide input by the many stakeholders in the operation of the registry and its holdings. That also would create a conflict with established law under chapter 17 and chapter 30A (STATE ADMINISTRATIVE PROCEDURE). Even the MTCA sponsors of the bill may have overlooked their own self-interest in vesting all decision making power in the hands of the “czar”.

There are several other bills before the committee, which are more draconian in that they call for the closing of access to these Public Records. The primary purpose of these proposed restrictions is based in a false sense of security against the crime of identity theft. Current law enforcement understanding of controlling ID theft crime spells out a list of 9 “sources of ID theft”. NONE reference vital records of any kind. (See “The President’s Identity Theft Task Force Report,” October 2008, 60 pp.; at <<http://www.idtheft.gov/reports/IDTReport2008.pdf>>. And Utah Government Services, Identity Theft Reporting Information System, “What is Identity Theft?” <http://idtheft.utah.gov/education/educationpages/whatisidentitytheft_001.html>.) Access to vital records is NOT a significant tool for facilitating ID theft. Conversely, the transparency provided by our public record laws (for example, linking death records to the birth records) is the best bulwark against individuals and organizations that seek to

undermine our system.

There is one other point that bears repeating. There are many public economic interests that would suffer if the current bills were to become a Trojan horse for restricting access to current vital records.

One certainly is the very significant tourist cash (hotels, meals, gifts) generated by genealogical, historical, and academic researchers coming with families or in groups from out of state and from out of country, specifically for access to the Massachusetts records historically available to them.

Another is the real estate and probate interest that is fully dependent on using these records to find people legally entitled to property. This “heir-search” industry (a subset of genealogy) has no assured jurisdiction for access to current vital records outside of the existing public records law. If the current system were to be undermined by access restrictions, the settling of estates would become even more protracted.

These are examples of “unintended consequences.”

Finally, the Massachusetts Genealogical Council would like to be privy to the details of any merging of bills under the Vital Records rubric, and we beg the Joint Committee’s indulgence for collaborating with us in this effort.

Sincerely,
Bernard J. Couming
Civil Records Director, MGC

Our White Paper “Framing a Discussion on Vital Records Access” Has Impact at National Level

Last May we announced our white paper about the ways in which other stakeholders had confused the relationship between records access and consumer identity theft. We made this announcement at the Presidents Meeting at the annual conference of the National

Genealogical Society. NGS President Jan Alpert spoke about how our white paper finally made the issues clear to her. It was very well received.

We have just learned that it also had another impact. The NGS/FGS

Records Preservation and Access Committee added a very positive Executive Summary to their white paper after hearing about our hard-hitting and fact-based work.

Download your copy from:
www.massgencouncil.org

S-822, A BILL RELATIVE TO BIRTH, MARRIAGE AND DEATH RECORDS

Sponsored by Senator Thomas P. Kennedy, 2nd Plymouth & Bristol, Brockton1, Mass.

Proposed by the Massachusetts Genealogical Council

Public Hearing, Tuesday, OCT. 27, 2009

By the Joint Committee on Public Health

Chaired by Sen. Susan C. Fargo and Rep. Jeffrey Sanchez

FACT SHEET for this bill:

Note 1: "SECTION" in all caps refers to a SECTION of this bill. "Section" with an initial cap and remainder in lower case refers to a Section of existing law.

Note 2: SECTIONS No. 2, 7, 8, 9, and 11 – 16 are omitted here as Minor "housekeeping" items.

SECTION 1. amends (Public Health) Chapter 17, Section 4. and clarifies the current wording concerning the special vital records and statistics committee for proposing regulations of the Dept. of Public Health to be established under Section 31 of Chapter 46. The committee mentioned in present Chapter 17 Sec. 4 was never established, and has incorrect organizations listed.

SECTION 3. amends Chapter 46, Section 1E and adds eight (8) definitions (including certified copy and informational copy).

SECTION 4. amends Chapter 46, Section 2 and requires an index of records and that such an index will be available to researchers. It also provides for an automation of records and for reproductions.

SECTION 5. amends Chapter 46, Section 2A, and (a) provides for the orderly transfer of records to the state archives and funding to pay for care and preservation. (b) provides for public examination and abstractions of information. Keeps present exclusions of records for abnormal sex births and fetal deaths. In addition, (c) and (d) provide for federal agency of national statistics use, and exchange of records between states, and (e) provides that forms are

to be uniform throughout the state, provided by the state registrar and have security features. Also, (f), (g), (h), and (i) concern records. (This SECTION was first proposed by the committee formed by the registrar and interested organizations about 15 years ago, to increase shelf space at the registry.)

SECTION 6. amends Chapter 46, Section 7, and clarifies reporting by the Master of vessels, concerning births and deaths at sea.

SECTION 10. amends Chapter 46, Section 16, and clarifies the provisioning of forms, instructions and explanations for the returns of vital records.

SECTION 17. This has four Sections, 31, 32, 33, and 34, to be adds to Chapter 46:

Section 31 establishes a permanent special vital records and statistics committee, the starting date to be no later than January 1, 2009. The duties, number of members and organizations they represent, the number of meetings and the quorum required of 12 out of the 19 members, and how the expenditures may be made.

Section 32 provides for the matching of death and birth records to prevent fraudulent use.

Section 33 requires a safe storage of records in a state owned building to preclude the registry being moved frequently, which contributes to deterioration of records.

Section 34 provides for funds from fees to be collected to be used for improving the system for automation of the records system.

SECTION 18. amends (Public Health) Chapter 111, Section. 2, to require that an index of records be created.

Massachusetts Genealogical Council

P.O. Box 5393

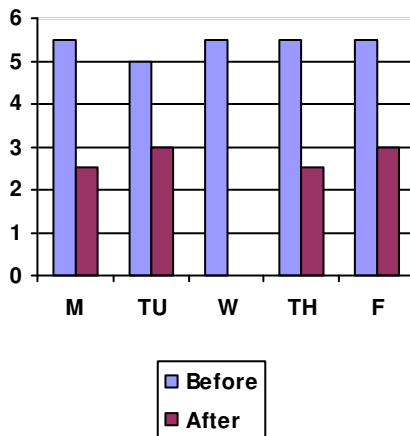
Cochituate, MA 01778-5393

Your News About the Massachusetts Registry of Vital Records and Statistics

BUDGET CUTBACKS STILL RESULTING IN ACCESS RESTRICTIONS

Submitted by Barbara Mathews

The Massachusetts Department of Public Health announced a drastic cut in the research hours in February 2009. Those cutbacks remain at this time.



It is important that we recognize that these cutbacks result in restrictions in our abilities to access records. The bar chart presented

here shows in blue the hours the research area was open prior to cutbacks and in purple the hours it is open now. We now have only one-third of the time available and can therefore only access one-third of the records we could access previously.

The Massachusetts Genealogical Council still finds the severity of this cut unacceptable

BEHIND-THE-SCENE TOUR

Submitted by Michael Brophy

One of our member organizations, the New England Chapter of the Association of Professional Genealogists, toured the Registry of Vital Records and Statistics. Harold Leonard, Records Unit Supervisor, hosted a behind the scenes look at the operation of the registry.

Several unit supervisors offered a summary of their job responsibilities and functions. Registrar of Vital Records and Statistics Stanley E. Nyberg spent time giving his inter-

pretation of House Bill 2064. MGC worries that it lets the Registrar close records without due process.

The start of processing a vital record at the office is in the Registration Unit where the records are delivered. The records are checked to make sure they are correct when they come in. If not, then they are rejected and sent back to the town clerks. The estimates from this unit of volume are 80,000 births, 45,000 marriages, and 55,000 deaths per year in the state.

Birth records back to 1953 have been digitized. The new computer system will be indexed on 24 fields so searching will be very flexible. Surnames, however, will have to be very specific with regard to character input. Tools like soundex and wildcard searches will not be made available with the database. When the system is finished, images will be available in the research room, but printouts will not. Certified copies will still be required.

2010 U.S. Census Forms Will Arrive March 15th

Next year is a federal census year. The 2010 census will count over 300 million people in the 50 states, the District of Columbia, Puerto Rico, Samoa, Guam, the Northern Marianas, and the U.S. Virgin Islands. On 15 March 2010 the form will arrive in your mailbox. A public relations campaign to encourage people to participate will begin soon.

Planning for the last census in 2000 resulted in a U.S. Supreme Court decision in January 1999 that the use of sampling was prohibited. As a result, images of all household census forms were copied onto microfilm. If you were a person who elected to make a marginal note on that form for your descendants to read, that note will be available for posterity in 2072.

With the next decennial census, public feedback has led the U.S. Census Bureau to scrap plans to use handheld computers to collect information from 10% of the total leaving no hardcopy forms. Now forms will be made for all households.

Our V.P. is tracking this topic:
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President of Connecticut Town Clerks Association Welcomes Connecticut Genealogists



Joseph Camposeo, on the right, is the Town Clerk of Manchester, Connecticut, and the President of the Connecticut Town Clerks Association. Genealogists Nora Galvin and the Rev. Dr. Robert Rafford take a tour of the town hall vault.

The town of Manchester, Connecticut, serves as a great example of how good things can be when town clerks and genealogists work together. The photo shows Joe Camposeo, the town clerk of Manchester, in the vault at town hall. Nora Galvin is holding up early town meeting records that were professionally conserved with monies the town received as their share of a preservation legislated with the support of Connecticut genealogists.

The town clerk hosts Family

History Days regularly in town. On those days, he offers his constituents personalized consultations for their own family history research from members of the Connecticut Professional Genealogists Council.

This close collaboration is a win-win affair for the town of Manchester and for all genealogists whose families passed through Manchester. It all comes from a simple recognition by the town clerk that genealogists are stakeholders in records access and preservation. The benefits are enjoyed by all!



Spotlight on our Member Societies: Massachusetts Society of Genealogists



The Massachusetts Society of Genealogists was founded in 1975 to promote genealogical research and education in Massachusetts. The first president was Robert Tarte. Today it is recognized by the IRS as a 5.01 (c) (3) educational society.

At the outset it was organized into county-wide chapters. The Worcester, Middlesex, and Bristol

county chapters have remained active over the years. President Pat Stano-Carpenter recently announced the opening of two new chapters, one on Martha's Vineyard and one in the Merrimack Valley. This represents significant recent growth at MSoG. Coupled with the new website, it is easy to see that MSoG is a vibrant and growing organization.

MSoG was an original member of MGC. Their annual meetings are scheduled to be six months off-kilter from the MGC annual meetings, thereby affording genealogists two full conference opportunities in Massachusetts every year.

MSoG differs from MGC in that it is focused on the individual genealogist's skills acquisition and ge-

nealogical expertise. Each chapter meets regularly, often monthly, for meetings that include lectures and activities on genealogy topics. In December 2009 alone, those topics include information on ethnic customs, computerized databases, and library resources.

Another educational arm of MSoG is its quarterly journal, *MASSOG*. Each issue contains genealogy narratives, how-to information, book reviews, records transcriptions, and contact information. Last summer's issue included vital records from samplers in the collection of Old Sturbridge Village.

For more information, be sure to check out their website at www.massachusettsocietyofgenealogists.org.

Brophy's



Corner

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INTERVIEW WITH JOE KEEFE

This interview was conducted at the New England History Festival in Watertown, Massachusetts, with Joe Keefe, Archives Specialist, National Archives and Records Administration (NARA)-Northeast Region, on 14 November 2009, by Michael Brophy of MGC.

MB. What is new at the National Archives?

JK. We have numerous new collections that continue to be opened to the public—our newest collection is the records of the Provost Marshall General's Office for all six New England States. The Provost Marshall's Office was responsible for administering the draft, arresting deserters, placing troops into regiments which were in need of reinforcement, and recruiting for the invalid corps for the Navy and Marines. In partnership with *Footnote.com*, NARA continues to have millions of documents digitized. Some of the new material collected includes material on the Holocaust

and German records captured at the end of the war, interviews with German officers by the US Army, service records from the Civil War, I could go on and on.

MB. You mentioned *Footnote.com*, one of my favorite websites. Tell us more about that for those that may not be familiar with it.

JK. *Footnote.com* is a company which NARA is working with to digitize our massive collection of material, most of the material digitized by *Footnote.com* has never been available outside of the National Archives before. Much of the material being made available is very useful for genealogists and historians alike. The material ranges from US census records to Civil War records to American Indian records to records on the Holocaust, Civil War Navy records, and records of the War and State Departments from War World I. They are also working on a project to digitize the service and pension records for men who served in the Union army. Confederate Service records are also on *Footnote.com*. The site is a pay site costing around sixty dollars a year but is free to use at NARA in Waltham.

MB. What is your role at the Archives?

JK. My title is Archives Specialist. I conduct research, answer reference questions, help with the maintenance of the records, and check on the records to determine preservation needs. I index collections to make them usable for the public and research and create lectures for the public to help them use the records of the National Archives.

MB. You're a busy guy!

JK. Yes I am.

MB. What services does NARA offer that the general public may not know about?

JK. We perform reference for the public. For naturalized citizens we obtain certified copies of their naturalization records which will help them obtain passports, social security benefits, and driver's licenses. We can also help veterans order and obtain their service records for benefits, people with dual citizenship benefits, folks with their genealogy, and lawyers with locating federal court records. On the educational end of things we conduct monthly workshops for teachers to earn professional development points and for the general public to learn about genealogy that I mentioned earlier.

MB. Any future plans for the NARA Waltham we should know about?

JK. The National Archives will be having a major renovation in the next few months which will expand our records research room and make it more comfortable for researchers. We will have a large new area which will allow us to host large conferences and exhibits, a new education center which will allow more access for school and college groups, and free wireless access for researchers and expanded storage.

MB. The free wireless is big plus. That has always been a pet peeve of mine when I go to Waltham. I can't even get a good signal when using my wireless air card inside the building!

JK. This is going to be incredibly

useful for researchers. They can supplement their research at NARA with internet resources. This has been a long time coming but with any government agency we are subject to funding constraints and cost-justifying any service. Unfortunately, many of the folks who are responsible for funding are not researchers and have not conducted research so they do not understand the needs of historic and genealogical researchers. The ability to have free Wi-Fi on site will really help the research community and help make NARA an even more desirable research destination.

MB. I notice that when I come into NARA that there is a sign that points to "Court records," bankruptcy records to the left. Are these records useful to genealogists?

JK. Yes, if a genealogist knows that their ancestor knows was involved in a federal court case. They can obtain valuable information which may not be available in other re-

ords. Bankruptcy records, for example, will give detailed information on a family or business assets. If someone was involved in a criminal or civil case the records can provide unknown details about the events that they were involved with. Some the land cases can provide unknown details about a property.

MB. What would you say is the #1 resource that genealogists come to NARA to use?

JK. Our best records for genealogists are the federal census, petitions for naturalizations, and passenger arrival lists. We have access to all passenger arrival records nationwide via *Ancestry.com*. Also Canadian Border crossing records and World War I draft cards are very popular.

MB. There seems to be a widespread notion that you can do all your genealogy and family history over the internet. What would a researcher be missing out on by

not visiting NARA Waltham in person?

JK. Only about 1% of the National Archive's holdings have been digitized. Most Naturalization records, for instance, have not been digitized or military service records, military pension records, federal court cases, customs and seaman's records. The cost of digitization of records is extremely expensive and time consuming. Data must be added so that researchers can search those records. NARA will never have all its records online and researchers should know that a wide variety of useful material is not online.

MB. How can we contact you or the main desk at NARA Waltham?

JK. www.Archives.gov/boston or toll free at our reference desk 1-866-406-2379. Our email is Waltham.archives@nara.gov

MB. Joe, thank you for your time.

JK. My pleasure.

Save the Date for the Next MGC Seminar: 26 June 2010 at Bentley University in Waltham

D. Joshua Taylor, Program Director of MGC, announced that the 2010 Annual Meeting and Seminar will be taking place at the LaCava Center, Bentley University, Waltham, Massachusetts. This will be our third year at Bentley where there is ample free parking. Lunch will once again be included with registration.

The program will FOCUS ON RECORDS with several tracks of speeches on Massachusetts and

Federal records. Josh is now lining up speakers and working with member organizations in designating tracks.

The MGC board is going to establish online registration with this Annual Meeting. You will be able to register online and to charge the registration fee to a charge card. More details to follow.

Please join us in congratulating Josh on his appointment as the Director



of Education for the New England Historic Genealogical Society in Boston!

D. Joshua Taylor
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MASSACHUSETTS GENEALOGICAL COUNCIL

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Massachusetts
Genealogical
Council

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2010 Membership Renewals Due January 1st

NAME(S) _____

MAILING ADDRESS _____

CITY, STATE, ZIP _____

TELEPHONE _____ ; EMAIL _____

Membership Status: _____ RENEWAL _____ NEW

Newsletter format: _____ Paper _____ Email

Membership Category: _____ \$10.00 Individual;
_____ \$15.00 Family (same mailing address, one newsletter, both eligible for seminar discount);
_____ \$20.00 Organization

Make checks payable to: Massachusetts Genealogical Council.

Mail to: MGC Treasurer, P.O. Box 5393, Cochituate, MA 01778-5393.

MGC has a number of committees that work on various projects. If you are interested in getting involved, please indicate your interest(s) and we will contact you!

_____ Legislative issues; _____ Preparing the newsletter; _____ Organizing or volunteering at the annual seminar

If you have questions about your current membership status, please email Kathryn Black, treasurer@massgencouncil.org.