



# Society Strategies

Federation of Genealogical Societies

P.O. Box 200940 Austin TX 78720-0940

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Series Set I Number 25

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## Set I Strategies for Societies

### Access to Public Records: One Person Can Make a Difference

by David E. Rencher

## Supplemental Page

This strategy paper, written some years ago, is an FGS *Classic* that contains ideas and strategies still relevant today in society management.

This paper discusses the importance of vigilance on the part of genealogists and historians for keeping the records public and accessible to researchers.

The information on page 4 which directs the interested person on how to obtain copies of this paper is incorrect. The FGS office no longer reprints the SSS papers, and has phased out paper copies of the SSS papers altogether.

There is no charge for any of the SSS papers and no limit to the number of copies you may download.

You may obtain SSS papers via download from [www.fgs.org](http://www.fgs.org)



# Society Strategies

FEDERATION OF GENEALOGICAL SOCIETIES

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The FGS *Society Strategies Series* consists of papers which offer suggestions and instructions for innovative and effective management for genealogical and historical societies. The Federation holds a copyright to this material. A list of sets and ordering information appears at the end.

## Set I. Strategies for Societies Access to Public Records: One Person Can Make a Difference

by David E. Rencher

Chair, Records Preservation and Access Committee

### INTRODUCTION

The question is often asked, "What can I do? I'm only one person." A legitimate question, but one that undervalues the efforts, influence and success that one person can have. Each year, thousands of historical records are earmarked for destruction. Federal, state and local record retention schedules, administered by governing agencies, determine the end of a record's value for which it was created.

Although an issue for many years, the events surrounding the destruction of the World Trade Center on September 11, 2001 brought identity theft to the forefront as a subject for government and media scrutiny. Since then legislatures have raised a number of pieces of legislation directed at controlling the access and misuse of public records<sup>1</sup>.

### KEEPING INFORMED

"Where do I start?" Start by identifying your Federal and State legislators. Most states have a

<sup>1</sup> Examples include: SB1614 California; SB1608, Oklahoma; Executive Order 18, New Jersey.

Web site with a "Directory of Elected Officials." You can access these sites using <www.[name of state].gov> (e.g. www.iowa.gov). At your state's site find links to the legislative branch and the offices of your legislators. The legislative aides in these offices can generally tell you if pending state legislation addresses the topics of: *vital records*, *identity theft*, *archives* and/or *libraries*.

The National Conference of State Legislatures' Web site <www.ncsl.org> offers information on key public policy issues debated within state legislatures.

Another obvious place to look for information about these topics is in the newspaper. Often, these subjects are in a special legislative section. Some newspapers carry summaries of the pending bills.

The Records Preservation and Access (RP&A) Committee, a joint effort of the Federation of Genealogical Societies (FGS) and the National Genealogical Society (NGS), works "To advise the genealogical community on ensuring proper

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access to historical records of genealogical value in whatever media they are recorded. . .” Representatives from the Association of Professional Genealogists (APG) and the Board for Certification of Genealogists (BCG) also serve on the RP&A Committee. State liaisons work with the committee to keep information current on pending bills.

Most state legislatures are in session during the first quarter of the year. To identify when your legislature is in session, go to the FGS Web site at <[www.fgs.org](http://www.fgs.org)> and follow the link to the Records Preservation and Access pages. On the RP&A web page, go to "State Liaisons" and click on the "[year] State Legislative Calendar."

Summaries of current issues are also printed in the Federation of Genealogical Societies' quarterly publication, FGS FORUM and in the National Genealogical Society's *NGS NewsMagazine*.

### National and State Issues

National issues are sometimes easier to spot at the state level. Often, the news first breaks in the home state of a state representative or senator who introduces a bill. With the genealogical community e-mail network, this news can travel rapidly. Since many bills are referred to committee, there is usually time to organize efforts of support or opposition. Bills at the state level can be tracked in the same manner as those at the national level.

The strategy to voice your support or opposition to these bills at either the state or national level is best focused on the following steps:

- Identify the sponsor of the bill
- Identify the committee, its members, and hearing dates
- Determine if the bill requires funding (this sends it to the appropriations committee)
- Obtain contact information for the members and their legislative aides

- Read the text of the bill usually posted on the legislative Web site
- Ask if the majority or minority counsel has written a summary of the bill
- Notify your state RP&A liaison and voice your concerns with the bill
- Be patient – you may want to wait for a response from the Records Preservation and Access Committee for an analysis of the bill
- You may choose to send a letter of support or opposition to the bill to your legislator

Coordinating your efforts with the RP&A state liaison increases your effectiveness. Your help and assistance may be needed to track the bill, contact others in the genealogical community, or other activities.

### Contacting Legislators

If you choose to telephone, fax, e-mail or send a letter to your legislator, take some time to craft your comments carefully. Be articulate, get directly to the point and make your position clear. If you choose to e-mail, be aware that some states do not allow the receipt of attachments due to the threat of receiving computer viruses.

Watch the progression of the bills closely. Often, a bill will be tabled in committee only to show up again in another bill. The new bill may or may not be closely associated with the previous bill.

If the bill is an "administration bill," it means that it is a bill that the Governor or the President is pushing. This usually means that the voting will line up along party lines. Getting members to cross over on their vote is more difficult, but not impossible. Knowing which party controls the Assembly, House or Senate is key to understanding if the voting will pass or defeat the bill. Knowing the same information about the committees also helps you understand the chances of the bill making it out of committee and on to the legislative floor for passage.

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When you are ready to send a copy of your position to your elected officials, the letter should be addressed to the sponsor of the bill with a copy to the following, addressing each by name as a cc:

- Governor or President
- Committee chair and members
- Staff counsel, respective committees
- Majority Consultant, House (or Assembly) Republican Caucus
- Minority Consultant, House (or Assembly) Democratic Caucus

The consultants listed above write the summary of the bill for the legislators. The salient points of the bill are described, the party's recommended voting position (yea or nay) and the list of those in support or opposition to bill are detailed. Each legislator and staff member receives a copy of the summary. Therefore, it is very important to get your written opinion to them. Sample statements are often taken from the letters received to craft the language of support and opposition.

### Networking

One of three principle objectives of the Federation of Genealogical Societies is to "Marshall the resources of the genealogical community." Organizing a network of support or opposition to legislation that impacts records preservation and access is a central focus of this organization. Many other organizations and disciplines have interests similar to those of the genealogical community. Interestingly, some of these make "strange bedfellows." Here are a few:

- Newspapers
- Banking Industry
- Adoption Groups
- State Registrars and Archivists
- Historical Societies
- Commercial Genealogical Businesses

Forming a successful coalition of partners to affect legislation can bring a number of positive outcomes. Many of the above named groups, with the exception of State Registrars and Archivists who are prohibited from lobbying, have networks and resources, including paid lobbyists, that can influence opinions and educate legislators on a number of fronts.

If you are a member of a local, regional or state genealogical society, contact the officers of those organizations to alert them to any legislation about which you have concerns.

### Media Coverage

On some issues, emotions run high. Going immediately to the media is often a reactive tactic. However, just as you take the time to craft issues well, you must take the time to develop a strategy with the media. Remember, you have no control over the final product. If you are not careful, this strategy can backfire quickly and become a detriment to your cause. For example: you choose to have a rally at the state capitol building. The news media announces that your group is meeting at noon and interested legislative staff keep an eye out the window to gauge the level of support for your issue. Nobody, or only a few people come! This is a difficult blow to overcome.

It is generally useful for you to work with your local, state and regional genealogical and historical societies in establishing a relationship with the media prior to needing their assistance on lobbying a piece of legislation.

The issue must be a story that is appealing to the public. While an emotional appeal is sometimes attractive, gathering your facts and being able to clearly articulate your position is more important. If you are interviewed, be sure to get your message across. Practice bridging from any question the reporter asks, to one of your key messages. Write down your key messages ahead of time and practice answering questions with a friend. Be calm and coherent.

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### Useful Web sites

The following Web sites carry information that will be useful as you stay informed on issues of concern to records in your areas of interest.

1. <[www.fgs.org](http://www.fgs.org)> – Federation of Genealogical Societies – click on the Records Preservation and Access Committee link
2. <[www.ngsgenealogy.org](http://www.ngsgenealogy.org)> – National Genealogical Society – check current events link
3. <[www.\[name of state\].gov](http://www.[name of state].gov)> – check your state's Web site for current session information and bill tracking. Additional, check <[www.house.gov](http://www.house.gov)> and <[www.senate.gov](http://www.senate.gov)> – these sites will keep you informed on national issues that may impact records access.
4. <[www.ncsl.org](http://www.ncsl.org)> – National Conference of State Legislatures – offers links to state legislature sites

### Summary

One person can certainly get things rolling when it comes to identifying legislation that impacts records preservation and access. Getting personally involved is the best way to use your voice and vote to protect and preserve our nation's precious historical records.

At times, you may disagree with the collective position taken by the FGS/NGS Records Preservation and Access Committee – wonderful, voice your opinion – that's what makes America work! RP&A Committee members can often only offer assistance and advice. It is up to you to take that advice and transform it into action on your local and state level.

Always remember, individually and "*together, we can make a difference!*"

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