

February 11, 2025

Dear Chair Krueger, Chair Pretlow, and members of the New York State Senate Health/Medicaid Committee,

Thank you for the opportunity to testify, which I am pleased to provide on behalf of the New York Genealogical and Biographical Society (NYG&B), a private nonprofit organization with a mission to preserve, document, and share family history and stories from across New York State.

As President and CEO of the NYG&B—the oldest and largest genealogical society in New York State—I'd like to share with you how the proposed bill regarding "Part U – Digitize Genealogical Records" in the FY 2026 Executive Budget would negatively impact New Yorkers' and the wider family history community's ability to access vital records and conduct research. Certain aspects of the proposed bill would close off important access points—and sometimes the only avenue—for discovering and understanding their family history and place undue procurement burdens on record-seekers.

Additionally, I'd like to provide some background along with recommendations and actionable solutions to ensure continued access to vital records that can be a win for both New Yorkers and the State.

Address and Rectify Current Wait Times for Requested Documents

Access to New York State vital records is an important and serious issue at the NYG&B and for our community. The millions of birth, marriage, and death records overseen by the New York State Department of Health (DOH) are essential building blocks for genealogists, historians, and anyone else researching their New York history.

Unfortunately for some time now, anyone who has requested vital records from the DOH continues to face extremely long wait times for obtaining both genealogical and certified vital records. These delays in access to New York State vital records are a grave concern.

On a weekly basis at least, the NYG&B receives inquiries by phone and/or email from people who have requested vital records from the DOH but have faced significant delays—often three years and upwards since they first requested a copy. Adding to the frustration and compounding the issue is that these people have previously submitted payment for the record request, which the DOH processed at the time of the original request.

Both the protracted wait times and fees incurred for services not yet rendered that are imposed on these consumers are untenable.

Additionally, the current situation puts undue pressure and unreasonable burdens on local registrars throughout the State, as people desperate to obtain vital records turn to them for help. These local offices—many of which are less-resourced and have significantly less staff capacity—are often overwhelmed and inundated by these requests.

Although the New York Governor’s proposed FY 2026 budget attempts to address some of these longstanding issues in part, the proposed bill would have additional negative consequences on current and future requests while not meaningfully ameliorating the current problems.

Maintain Current Time Frames for Vital Records Access

The proposed time frame extensions in Part U that would restrict individuals’ access to New York vital records are harmful and counterproductive. Rather than decrease the number of requests, it will only increase the number of denials, as individuals confused about or unaware of the restrictions will continue to submit requests.

Restricting access to death records for 75 years, birth records for 125 years, and marriage records for 100 years **(1)** creates inequities among people trying to trace and understand family and local history, **(2)** conveys the message that only New Yorkers with a longer history of settlement in the State are worthy of this access to records, and **(3)** puts up barriers for families who have shorter time spans between generations. For example,

- Descendants of refugees or Holocaust survivors who made New York their home would be unable to connect with their family history.
- A New Yorker whose parents, grandparents, or great-grandparents immigrated to New York would be unable to access critical information that often provides the only details on lineage and place of origin.
- A New Yorker who is seeking to learn more about their family’s connection to the American Revolution or the New Netherland colony would be unable to access records for their own grandparents and other family members.

- An individual attempting to settle the estate of a recently deceased relative would find new, untimely barriers in accessing records for insurance and probate purposes.

We **strongly urge** that the current time frames be left unchanged. At the very least, a concrete listing of those able to receive copies of vital records should also be established and reflect the listing adopted by New York City. For those seeking death and marriage certificates we advise including:

- Spouse
- Domestic partner
- Parent
- Child
- Sibling
- Grandparent
- Grandchild
- Informant listed on the certificate
- Person in charge of disposition
- Niece/nephew (without cause of death on certificate)
- Aunt/uncle (without cause of death on certificate)
- Great grandchild and great-great grandchild (without cause of death on certificate)
- Grandniece/grandnephew (without cause of death on certificate)

For those seeking birth certificates we advise including:

- Spouse
- Domestic partner

- Parent (if the deceased was 18 or younger)
- Child
- Sibling
- Niece/Nephew
- Aunt/Uncle
- Grandchild
- Grandniece/Grandnephew
- Great grandchild

Elucidate the Fee Structure

The language of Part U is ambiguous and confusing regarding the fee structure for requesting vital records.

For example, the bill mentions the existing hourly fee of \$20 (in addition to \$2 for a copy) to search for a record and yet immediately follows with language that discusses a search fee of \$50 per hour. With indexes to many of these records now accessible, many genealogists can provide the precise name, location, year, and certificate number within their request, minimizing the search and retrieval time by the DOH. The lack of transparency regarding the actual cost(s) of locating a vital record is worrisome.

And for many New Yorkers during this inflationary time, the fee increases will be seen as an additional, unreasonable financial burden. It will also contribute to further inequities for lower-income New Yorkers seeking access to their records.

Provide Additional Clarity on Digitization

We applaud efforts to digitize and make accessible New York's vital records. Though the title of Part U is "Digitize Genealogical Records," no language in Part U addresses digitization of any type. Additional clarity is needed on how the title reflects the intention of Part U. What is the meaning of "Digitize Genealogical Records" in this context?

The NYG&B has connections and partnerships with nonprofit and commercial entities willing to fully digitize and index the records held by the DOH at no cost to New York State and its taxpayers. We would be happy to advise and work with the State on initiating conversations and facilitating next steps between the DOH and those organizations.

Conclusion

These are particularly urgent issues, and your leadership and action regarding them are necessary to ensure New Yorkers, genealogical and historical organizations, researchers, and the wider family history community have continued access to the State's vital records. Your consideration of these matters and solutions is very much appreciated, and I thank you for the opportunity to speak.

As it stands now, the budget proposal **reduces access, creates further inequalities, and puts up new barriers while doubling the costs for consumers—making it both punitive and retrogressive.**

New York State has continuously been an epicenter and crossroads for both U.S. immigration and emigration. And while many people set down roots in New York, it's also a state that people came through on their way to different parts of the country. If enacted, the bill's proposals would lead to insurmountable restrictions on record access that would harm the research abilities of generations of New Yorkers and those with New York ancestry.

For more than 155 years, the NYG&B has been in the vanguard of helping people from all walks of life trace their New York ancestors and uncover their stories. We stand ready to work with you and the DOH to ensure New Yorkers can continue to discover more about their New York family history and make meaningful connections to their past.

Thank you for your time and consideration.

Sincerely,

D. Joshua Taylor
President and CEO
New York Genealogical and Biographical Society