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**Report to  
The Vermont Legislature**

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**Fraud and Identity Theft Concerns  
with Vermont's Certified Copies of Birth and Death Certificates**

**In Accordance with Act 183 (2014),  
*An Act Relating to Gender-neutral Nomenclature for the  
Identification of Parents on Birth Certificates, Section 5***

**Submitted to:** House Committees on Judiciary and on Government Operations  
Senate Committees on Judiciary and on Government Operations

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**Fraud and Identity Theft Concerns with  
Vermont's Certified Copies of Birth and Death Certificates  
Act 183 (2014), Section 5  
January 15, 2015**

## **Executive Summary**

The Vermont statutes for vital records contain significant loopholes that create opportunities for identity theft and fraud using Vermont birth and death certificates. Vermont is one of the last states that allows any person (anywhere in the world) to request and receive a certified copy of a birth or death certificate with no questions asked and no tracking. Such a copy is can be used to obtain a Passport, driver's license, and access to other identification documents. As one of the last states with such unrestricted access to these legal documents, Vermont vital records are increasingly vulnerable to fraud and identity theft activities.

The solution adopted by the vast majority of states has been to close access to the birth and/or death certificates and limit the availability of certified copies to only the individual or immediate family member, and require personal identification from each requestor. Although this approach has worked well for other states and prevented numerous identity theft crimes, there are other options. This report contains a recommendation to limit who may obtain a certified copy, but still allow the public to access the original (historical) record and obtain an informational copy. This approach will not fully secure Vermont's vital records from fraud and theft, but it would create a stronger deterrent than what currently exists.

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January 15, 2015**

## **Introduction**

The purpose of this report is to respond to the requirement of Act 183 (2014 Session), which requires the Department of Health to submit recommendations that shall include:

- (1) persons to whom a certified birth or death certificate may be issued;
- (2) application requirements for a birth or death certificate;
- (3) requirements for the custodians of certified birth or death certificates;
- (4) proposed legislative changes necessary to implement any recommendation; and
- (5) any other information that the Commissioner determines is relevant.

## **Background**

Technological innovation, court rulings, government procedures and regulations, and public expectations have significantly changed the world of “vital records.” Over the past decade, the use (and misuse) of birth and death certificates has expanded significantly. The wide range of purposes for these legal documents has grown quickly, making it more challenging for vital records’ offices to adequately protect citizens’ personal information. Additionally, the national and global response to terrorism has created a need to strengthen and modernize the systems and business processes that involve access to birth and death certificates.

This report contains three sections:

**Section One** describes the current processes that exist based on the outdated Vermont statutes, many of which are over fifty years old.

**Section Two** describes the current weaknesses and limitations of our vital records' structure, and the business processes in regard to protections for personal identity and privacy.

**Section Three** provides examples of local, state and national fraud and identity theft events that utilized birth and death certificates.

The report closes with a recommendation that, if implemented, would significantly improve the protections for Vermonters and their families.

## **Section One: Vermont Vital Records**

### Vital Records Operations

Across the country, birth and death certificates are issued by more than 6,400 state and local vital records' offices, and are subject to varying processes and business controls, as determined by each jurisdiction's laws and State Registrar. In Vermont, the Office of Vital Records (Office) is located at 108 Cherry Street in Burlington, VT, within the Department of Health. The Vermont Office serves as one piece of a nationwide system of vital events' reporting to the Centers for Disease Control and Prevention (CDC). In 1979, the Office was reorganized to sit within the Health Department's "Center for Health Statistics" under Executive Order #35. This established the office as a recipient of federal funds, which today supports approximately 35% of the vital records' office operational budget. The remaining 65% is supported by state general funds.

The Office coordinates with the Vermont State Archives and Records Administration (VSARA) to ensure storage and access of all vital events' documents. Additionally, the Office works in conjunction with numerous reporting sources and partners. On a daily basis, the Office works directly with more than 900 statewide partners:

- 14 Hospitals
- 136 Funeral Directors
- 500 Physicians, midwives and other healthcare practitioners
- 246 City / Town Clerks

- 32 Courts (18 probate and 14 Family)
- Multiple Federal Agencies: Centers for Disease Control (CDC); Social Security Administration; Department of State; Veterans' Administration; Consumer Product Safety Board; etc.
- Multiple State Agencies: Department of Children and Families; Secretary of State's Office; Department of Public Safety; Department of Vermont Health Access; etc.

In addition to the statewide partners and organizations, the Office is contacted on a regular basis by researchers and interested members of the public that seek access to the birth and death certificates. Examples include: genealogists; academics; reporters/media; government officials; law enforcement investigators; community leaders; non-profit staff and activists.

The Office currently employs one supervisor and four (4) full-time support staff, for a total of five (5) state employees to handle approximately 22,000 vital record events per year. This is a rate of 4,400 events / documents per 1 FTE. We believe this is one of the highest ratios for events processed compared to number of staff in the country. Meaning, Vermont's Office processes more events and requests, with fewer staff and less technology, than most other states. For more detail about the organization and business processes of the state's vital records system, please refer to the *Vital Records Report 2010: Access to Birth and Death Certificates*, which is available on the Health Department's web site.

### **Birth and Death Certificates**

A core function of Vermont's Office is the oversight for the issuance of certified copies of birth and death certificates. The majority of certified copies of these certificates are created and issued by the city/town clerk. In a typical year, the cities and towns issue nearly 100,000 copies. VSARA issues approximately 6,500 copies from their facility in Middlesex, VT. The vital records' office issues approximately 2,000 copies. The Office provides the security paper to the towns and VSARA, and instructions for appropriate storage and usage of the materials.

The birth and death certificates are legal documents and utilized for several key purposes, mostly related to verifying citizenship, identity and eligibility for benefits. Therefore, everyone needs

access to their (or a family member's) certificate at some point in their life. The person requests the "certified" copy by mail, email, fax, etc. and charged a fee of \$10.00 (per statute).

The copies are created on special "security paper" and contain a seal and signature of the issuing office. The content is either photocopied from the original or printed from a database. In the case of older certificates, some items may be redacted, such as the word "illegitimate."

Therefore, a certified copy is not always an exact copy – rather, an attestation that the facts of the certified copy accurately represent the content of the original certificate.

It should be noted that a certified copy is different from an "informational copy." Informational copies cannot be used to fulfill legal requirements or meet federal regulations. These copies are usually requested by genealogists, reporters or community members. Informational copies are made on standard copier paper, clearly marked as informational, and do not contain a seal. Under current Vermont law, informational copies contain the same information that is provided on a certified copy. However, other states reduce the information to just a "fact" of birth or death.

Birth and death certificates are considered as "**breeder**" documents for the following reasons:

### **The birth certificate**

The birth certificate is the base document that establishes identity for the purpose of obtaining other identification documents or gaining access to benefits.

Certified copies of birth certificates, alone or in combination with additional information, enable citizens to:

- Obtain a Social Security card
- Obtain a U.S. Passport
- Obtain a driver's license
- Obtain government services / benefits
- Enroll in school and some sports teams

## The death certificate

The death certificate can be a “breeder” document, as well as evidentiary document for insurance, tax and other beneficiary purposes. The death certificate is often used by a spouse, close family member, legal guardian, and/or attorney to prove the event and circumstances of a death. Certified copies of death certificates are commonly used to:

- Obtain survivor payments from SSA, military and other government entities
- Obtain life insurance payments
- Remove a financial debt, lien or a judicial requirement
- Change or remove ownership on a property
- Inform the Internal Revenue Service for tax purposes

The primary concern for government and the public is that birth and death certificates have become widely used and distributed, thereby increasing the opportunity for theft and fraud. Birth certificates are typically the most commonly sought-after document. However, death certificates contain a vast amount of information listed on the document – much more than what is contained on a birth certificate. It can serve as one-stop-shopping for identity thieves; especially if it is obtained very soon after the death has occurred. The next section will discuss the security and privacy weaknesses within Vermont’s current system for access to birth and death records and the issuance of certified copies.

## Section Two: Weaknesses in Current Structure

There is significant concern about the opportunity for identity theft and fraud utilizing certified copies of birth and death certificates, **particularly from “open record” states.**

Vermont is one of the last remaining states that allows the certificates (both the originals and the certified copies) to be available without any safeguards. The majority of states have adopted the national “Model Law” to safeguard these legal documents and protect citizens’ identities.

In 1907, the first National Model State Vital Statistics Act was created. A revised Model Law has been prepared approximately every ten years. The 2002 Model Law strongly urged states to digitize their vital records and limit access to persons, family members, and others with a legal need. Since that version, over 45 states and territories adopted provisions from the Model Law. Vermont did not adopt any provisions from the 2002 Model Law.

The 2012 Model Law revision reaffirms the need for states to enact statutory protections that will limit access to these legal documents and reduce the potential for fraudulent activity. VT has not yet considered any of the 2012 revisions. The vast majority of the 57 states, territories and U.S. jurisdictions have established significant restrictions on who may obtain a copy of a birth or death certificate, and the evidence required to prove need for this legal document. Most of these jurisdictions consider the certificates to be “closed” records – meaning, only accessible by the individual, immediate family member, legal guardian, or other entity with a proven material need (e.g. family attorney). Even with the most restrictive access and best protections, identity theft and fraud can still occur with the certificates. However, those safeguards allow for more instances to be identified and prosecuted, while closing the loopholes in the law. Vermont lacks even the most fundamental limits and protections, such as the ability to require name and purpose from the requesting party.

As a result, a growing number of state and federal agencies are rejecting Vermont certified copies of birth and deaths certificates due to concerns about our state’s open record status and weak business controls. This can, and does, result in significant inconvenience and difficulty for Vermont citizens, especially when they have moved to another state and apply for a driver’s license.

In order for Vermont's birth and death certificates, and their certified copies, to be considered secure, accurate and consistent, there are two key areas of weakness that need to be addressed.

**A) Certified copies of existing Vermont birth and death certificates can be requested and obtained by anyone without providing a reason or any tracking information (e.g., name).**

Under current Vermont statutes, the vital records' Office lacks the authority to deny any request for a copy of a birth or death certificate or request proof of their need for the certificate. The reason is that the certificates are considered public records and to require the requesting party to provide their name, reason for the copy or to show identification would be considered an impediment to obtaining a public record. The overwhelming majority of states require the requestor to provide photo identification. This step by itself catches and prevents a significant amount of fraud. (If a requestor lacks a photo ID, there are acceptable alternatives.) This is considered the most significant weakness with Vermont's system by law enforcement agencies, such as the U.S. Passport's Fraud Office. The weakness here is threefold:

First, the certified copy can be modified slightly to create a new identity using cheap, easily available technology. Alternatively, someone could use the birth certificate without making any changes at all and simply adopt that individual's identity. (This can also be done with the death certificate.) With the certified copy, the person can then obtain a driver's license, Passport, or other identity documents under that assumed (stolen) or newly created identity.

Second, there is no system in place to track and identify unusual patterns of requests. The statutes do not allow for requestor information to be required and maintained, so there are no tools for determining whether someone is "shopping" around for particular certificates or whether unusually high volume is occurring for a particular person's certificate. There is no limit as to how many copies a person may obtain of a Vermont birth or death certificate.

Third, the requesting party does not need to provide a reason. There is no tracking system to consult for those with convictions for identity theft / fraud and no warnings if the person requests a copy of a birth certificate of a missing or kidnapped child.

**B) The Vermont statutes do not provide adequate and clear authority for the Office of Vital Records to implement tools and processes that will protect against fraudulent activity.**

It is very difficult to implement changes to business processes for vital records in Vermont due to the antiquated nature of the statutes, which require us to follow steps that are no longer necessary or can be performed more efficiently with new technology.

For example, the statutes require us to send a variety of documents to towns by mail when a court order is received. However, these documents can become lost in the mail. We have databases that are already setup and contain all of the information – mailing these documents is unnecessary and redundant, as well as a security threat. Vermont cannot stop the process without a change to the statutes granting authority for the Office to determine and implement the best method for conducting corrections and amendments to birth and death certificates.

In addition to limiting the ability of the Office to implement business processes that are safer and more secure, the current statutes also make it very difficult for Vermont to conduct audits essential to protecting personal information and restricting identity theft. There is no specific language that gives the Office a clear mandate to ensure that all birth and death certificates are accurate, complete and authentic. For example:

- A member of a hospital’s staff could create a birth certificate and submit to the Office when a birth did not actually occur. He/she could then use or sell that identity.
- A medical professional who delivers babies in homes could submit a report of a home birth directing the Office to create a birth certificate when a birth did not actually occur. That “birth” could then be used or sold.
- A staff member at a funeral home could use the Social Security Number of a deceased person before SSA notates it as inactive. Additionally, it can require months for the credit agencies to become aware that a person is deceased and not issue further credit cards, thereby allowing ample time to use the decedent’s credit.

- There are no background checks conducted on any of the individuals who are working with these legal documents and accessing the personal information. This creates a significant potential for those with criminal records to obtain and sell the personal information (e.g., Social Security Numbers). Nationally, we have seen a significant amount of fraud and identity theft occur from within by “trusted” staff. Vermont is not immune, as observed by the number of embezzlement cases in recent years.

By addressing these two areas of weakness –by imposing limitations on access to birth and death certificates and granting clearer responsibility and authority for the Office of Vital Records – Vermont would significantly reduce the potential for identity theft and fraud resulting from these documents. It has become increasingly important that Vermont consider taking steps to address these concerns as the black market value of legitimate certificates and their certified copies has continued to rise. In 2003/2004, the reported average value of a modified or an unused birth certificate was approximately \$2,000. By 2010, that had risen to \$10,000. Today, the average is now \$15,000 - \$20,000 depending on the characteristics of the person on the certificate (age, name) and whether it is a new identity (never used) or one that is already in use. At these values, Vermont becomes an increasingly attractive target.

### **Section Three: Identity Theft Examples with Birth / Death Certificates**

A birth certificate that contains name, date of birth, parents’ names (including mother’s maiden name), residence, and other information related to the birth can enable an individual to establish a false identity. A death certificate that contains name, Social Security Number, dates of birth and death, parents’ names, residence, and cause of death can accomplish the same, as well as redirect benefits and/or control over property. Persons and organizations that routinely utilize birth and death certificates of other people include identity theft criminals, drug and human traffickers, fugitives and child support evaders.

From the perspective of federal and other law enforcement agencies, there is no debate whether valid certified copies of birth and death certificates are stolen, counterfeited and/or sold, thereby allowing someone to adopt another person’s identity.

Federal and state agencies have identified many such events. As early as ten years ago (2003), the former U.S. Immigration and Naturalization Service (now U.S. Citizenship and Immigration Services) reported seizing 2,000 birth certificates **each month** from people whose citizenship claims were determined to be false. The U.S. Department of State calculated a similar rate for birth certificates used in passport fraud.

An important, though somewhat outdated, report was issued by the U.S. Office of the Inspector General on the growing issue of birth certificate fraud. The report (Sept. 2000) found that,

*between 85-90 percent of birth certificate fraud encountered by the Immigration and Naturalization Services and Passport Staff is the result of **genuine** birth certificates held by imposters – the most difficult fraud to detect*

Since that report was issued, the majority of states listed within it as “open” access and at serious risk for fraud have taken action on the findings. Additionally, the federal government included regulations regarding vital record certificates within two major laws: **Intelligence Reform and Terrorism Prevention Act of 2004** and **The Real I.D. Act of 2005**.

This report has described the areas of weakness and potential for abuse with our state’s birth and death certificates. In order to provide context, we have compiled a list of examples based on the experiences of other states – both “closed” and “open” records.

### **California**

On August 8<sup>th</sup>, 2014, eighty young athletes in the Milpitas Knights PAL Youth Football program had their certified copies of birth certificates stolen from the back seat of one of the team’s volunteers.

### **Colorado**

The State of Colorado implemented significant access controls on their birth and death certificates. The result was that their state dropped from #5 in the nation for ID theft to #11 (based on FTC estimates).

Also, the vital records' Office has experienced approximately 300 recent cases where applicants requested certified copies of birth certificates of deceased persons, claiming to be the person on the birth record.

### **Kansas**

As a result of their vital records' Office closing access to certified copies of certificates and tightening eligibility requirements to obtain such copies, their Office detected and verified 36 instances of fraud by persons attempting to request someone else's certificates in calendar year 2011.

### **Michigan**

In Michigan, an individual requested a certified copy of a birth certificate and stated that he was the person of record. At the time, Michigan was a closed record state, but did not require photo identification to prove eligibility for the certificate. Therefore, the requestor was sent a certified copy. He moved to Oregon and obtained a driver's license (using the Michigan birth certificate). After living in Oregon for two years, he was arrested and convicted of involvement with internet child pornography.. After his release from prison, he requested another copy of the same birth certificate from Michigan. Because the state had implemented centralized records, the authorities noticed that the birth certificate was flagged as deceased. They reported the request, and the individual was arrested again.

### **Missouri**

This state's vital records staff have several documented cases where mothers have used another name for insurance purposes, but were caught when they tried to obtain certified copies of the birth certificates under other names. Also, their staff have several cases of individuals requesting copies of birth certificates of deceased persons (e.g., pretending to be that person) and were prevented since they could not prove their identity.

### **New Jersey**

There are two jurisdictions – New Jersey and Puerto Rico – that serve as principle examples of how significant a problem identity theft becomes in a state with open access to birth and death certificates. New Jersey had significant problems for many years and their staff were overwhelmed with fraud investigations. For example, their staff was handling a dozen faxes each week to verify or investigate fraudulent use of NJ certificates in Guatemala. This was approximately 50 cases per month (600+ per year) from just one country.

After New Jersey closed access to their certificates for only the individual or family member, and required proof of eligibility, the fraud investigations related to Guatemala dropped to an average of two per month (95% reduction). Additionally, their Department of Motor Vehicles reported a significant reduction in fraudulent New Jersey birth certificates being presented as part of license applications.

### **Ohio**

Ohio is one of the few remaining “open” record jurisdictions that is similar in statute and business process to Vermont. Their vital records’ Office is limited in what they can do to prevent criminals and identity thieves from obtaining certified copies. Ohio had a recent case this year in which a man utilized both the birth and death certificate of a young boy and adopted his identity for approximately 15 years before he was caught.

Even more disturbing, Ohio had a request for 4,577 copies of birth certificates from one source and despite their suspicions, had to provide the copies under their statute. (Vermont is no different in this regard.)

## **Oklahoma**

Oklahoma has a long history (35 years) of significant restrictions on access to copies of birth certificates and strong collaboration with law enforcement agencies. One source of fraud that they have observed consistently is that performed by family members or former family members. (Not all identity theft and fraud is performed by a stranger.) Examples of family-fraud attempts that could be discussed publicly were:

- A man tried to obtain his brother's birth certificate. His alleged goal was to use it to obtain identification in his brother's name in a different state and obtain a car and apartment rental;
- A woman applied for her "husband's" birth certificate. In truth, they had been married but were divorced for many years. She allegedly tried to obtain his birth certificate to indicate that they were still married and support her immigration application claim.

Oklahoma recently closed access to their death certificates due to an increasing number of fraud cases. For example:

## **Puerto Rico**

As mentioned earlier, Puerto Rico was a significant source of identity theft problems prior to 2010. Fraud and identity theft were so common with their birth certificates that **all versions prior to July 1<sup>st</sup>, 2010 were invalidated**. It is estimated that over five million Puerto Ricans had to reapply for a birth certificate. Prior to this change, the U.S. State Department and Homeland Security Department estimated that 40% of all U.S. Passport fraud cases in recent years involved Puerto Rican birth certificates, though the exact number is unknown.

## **Texas**

In 1996, more than ten midwives in the Texas Rio Grand Valley were convicted of supplying false birth certificates to the parents of foreign-born children. In one instance, more than 3,400 false certificates were filed in a 19-year period.

It is difficult to quantify how much identity theft and fraud are occurring on an annual basis with Vermont birth and death certificates since we do not have safeguards in place to identify and stop such attempts. It has only been from a combination of luck, missteps by thieves, and occasional federal investigations that the Office is aware of events related to Vermont certificates.

However, the Office is aware of the following:

## **Vermont**

- The U.S. Passport Fraud Office (regional office) maintains 50 – 75 pending cases with possible fraudulent Vermont birth certificates;
- A director-level position at Land Border Integration at the Department of Homeland Security cannot provide specific numbers, but indicated that he believes some of the false identification papers they are seeing have been Vermont certificates;
- An analyst in the Office of Integrity and Internal Controls for the Consular Affairs Bureau said that there are cases of alleged fraud with Vermont certificates, but cannot share the details or numbers. We were informed that there is concern specifically about Vermont due to the unrestricted access;
- Social Security Administration has informed the Office that there are cases of Vermont residents with multiple Social Security Numbers and information that did not match the copy of the birth certificate. This may be due to tampering with the certificate, creation of a false certificate or use of someone else's certificate;
- Several years ago, a high-ranking police officer in a neighboring state sold at least 18 sets of phony Vermont birth certificates to persons seeking U.S. Passports;
- A resident of Texas, who was convicted of obtaining dangerous chemicals for the purpose of creating a dangerous weapon, was creating and selling false identification documents to persons in New York City. An intercepted package contained five false

- i.d.'s, including a phony Vermont birth certificate. It is unknown how many Vermont packages may have been created, but he used Vermont certified copies;
- The Office identified an attempt to register a fraudulent Delayed Birth Certificate by an out-of-state person who had multiple Social Security Numbers, including the use of an SSN for a living person in another location. This attempt to create a new identity would not have been prevented under our current statutes, but the Public Health Statistics Chief was suspicious of the evidentiary documents sent by the court and put a hold on the certificate. His research identified the fraud attempt to create a completely new identity, which was reported to the authorities.

Based on the information from federal agencies and other jurisdictions, it is clear that certified copies of Vermont's birth and death certificates are being obtained and utilized for fraudulent purposes. As restrictions to access continue to increase in other states, the criminal activity will more often choose easier sources. At this time, only a handful of jurisdictions (Ohio, Kentucky) make all of their certificates as easily available as Vermont.

## RECOMMENDATION

Vermont has a long tradition of open records for birth and death certificates. There are legitimate reasons that a member of the community may wish to know who was born or died in their community. The genealogical community has valid reasons to see older death certificates. The research community and/or concerned residents may wish to know causes of death for persons who live in their county or town. The title search companies need access for establishing or confirming property ownership. Therefore we do not recommend a complete restriction on access to birth and death certificates.

**Instead, the Department of Health recommends that the Vermont legislature consider restricting access to certified copies of birth and death certificates, and allow the public to continue to view the original documents and obtain informational copies. Additionally, The Department seeks changes to clarify the authority and responsibility of the vital records' Office to implement rules and processes utilizing the best methods and standards.**

This approach would do the following:

- 1) Limit the persons who may obtain a **certified copy** to the named individual and parties with a legitimate legal need;
- 2) Require identification to prove relationship for obtaining the certified copy;
- 3) Implement a statewide system for tracking all requests, flagging deceased records, and printing certified copies from one source with one standard format;
- 4) Allow for the issuing offices of certified copies to delay and/or deny issuance in cases of concern;
- 5) Improve coordination and collaboration with law enforcement and the judiciary on questionable requests and possible fraud;
- 6) Update the antiquated vital records’ statutes to allow for greater efficiencies of operation, protections for privacy, and oversight and management by the vital records’ Office.
- 7) This approach will preserve the public’s ability to view the certificates or obtain an informational copy of a certificate. An “informational” copy would be a reduced set of information from the original document and would not meet any of the state or federal standards for use in legal matters (e.g., proof of citizenship; obtaining driver license or passport; etc.) thereby preventing misuse. Potential parties that would be impacted are outlined in the table below.

**Access Limitations for Certified Copies: Impact**

<b>Stakeholders</b>	<b>Potential Impact?</b>	<b>Role or Access Changes?</b>
<b>Vermont public</b>	Positive (added protections)	Yes  (certified copies only if prove the relationship)
<b>City / Town Clerks</b>	Unclear	Yes  (additional review, tracking)
<b>Probate Courts</b>	Minor Change	Yes  (fewer court orders)

<b>Funeral Homes / Crematoriums</b>	Minor Change	Yes (change to requesting copies on behalf of families)
<b>Hospitals &amp; Physicians</b>	No Change	No
<b>Genealogists</b>	No Change	No
<b>VSARA (State Archives)</b>	Unclear	Yes (additional review, tracking)
<b>Vital Records' Office</b>	Positive	Yes (streamlined processes; additional review, tracking)
<b>Federal Agencies</b>	Positive	Yes (reduce # of investigations and/or reduce number of successful fraud cases)
<b>Other States' Agencies</b>	Positive	Yes (accept VT certified copies)
<b>Media</b>	No Change	No (still obtain informational copies)

The Department of Health has performed a review of the statutes related to vital records and the associated issuing offices (e.g., town clerks and VSARA). Extensive changes are needed to modernize the current statutes to address concerns of identity protection.

Prior attempts at a piece-meal approach have encountered significant challenges. The Legislature will want to consider whether a better approach would be to strike and replace current statutes with consideration of applying language from the national Model Law. The recommendation to implement these new protections, but still preserve a level of “openness” with Vermont birth and death certificates, is a compromise of safety, privacy and freedom of information. It does not fully meet the national standards as written in the 2002 or 2012 versions of the Model Law and adopted by most states. However, it does seek a middle ground between Vermont traditions, the need to protect the public’s personal information and the ever growing risks of identity fraud.