

Assistant Commissioner Kenneth R. Cobb,
Department of Records & Information Services,
City of New York
31 Chambers Street, Suite 305
New York, NY 10007

October 21, 2020

Re: Proposed Rules Relating to Municipal Archives and Municipal Reference Library

FamilySearch International is writing to express its concern about proposed rule changes regarding access and use of Municipal Archives and Library materials being considered by the Department of Records & Information Services (DORIS).

Family history is a community exercise as families learn more about each other, who they were, where they lived, and how they built strong, vibrant societies around them. This community is built upon sharing information with each other about the vital statistics of family members, the nature of their lives, and associations, all supported by government records which were created and maintained at taxpayer expense.

Your proposed rule, as written, would require family history researchers, biographers, historians, and other researchers to pay a licensing fee for each copy of a record they might share with members of their families, in genealogy conferences, in online blog posts, and in a myriad of ways which are used to share the stories of family and community. Your proposal to charge licensing fees for public records is not only onerous, but it would be impossible to enforce.

The onerous charges would reduce the ability to expand access to records and “foster civic life” by artificially restricting availability through extracting undue licensing fees from those using and sharing the records.

You cannot license public records any more than you can license the use of the alphabet. They are in the public domain, and except in the case of certain legal restrictions due to privacy regulations, need to be made freely available for all to view, download, and share with whomever they wish. Certified copies required for specific legal actions can be made available for reasonable cost-based fees.

FamilySearch International is a nonprofit family history organization *representing millions* of researchers dedicated to connecting families across generations. FamilySearch believes that families bring joy and meaning to life. With over 8 billion searchable names in our free online database we serve millions of people throughout the world and help them connect with each other.

FamilySearch is a sponsoring member of the Records Preservation and Access Coalition and supports comments regarding this most important matter made on behalf of the Coalition.

For the sake of millions of family history and other researchers throughout the world, **please do not implement the newly proposed rules** and instead work to ensure free and open access to these important genealogical and other records which have been created and paid for by the public.

Thank you, Sincerely,

John de Jong, AG®

North America Multi Area Manager, Records Access Division

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