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Exhibit A

COPY

THE GENEALOGICAL SOCIETY OF UTAH

50 East North Temple
Salt Lake City, Utah 84150
United States of America



9 December 1980

Commissioner Eugene Bockman
Department of Records and Information Services
The City of New York
31 Chambers Street
New York, New York 10007

Dear Commissioner Bockman:

When Wayne Morris and I originally met with you in your office in April 1980 we discussed the possibility of microfilming some of the early records in the New York City Municipal Archives which are of interest to the genealogist. As you will recall, you expressed your interest and willingness to cooperate with us at that time. Since then I have met with Idilio Gracia-Peña, the Director of the Municipal Archives, on a number of occasions, and we have fairly well studied out the collection with a view to our assisting you with the long-term preservation of the same. We have also examined your microfilm collection at Iron Mountain to determine if it would be possible to simply make copies of the films you already have, rather than going to the expense of microfilming the same records over again.

The records we are primarily interested in are:

1. All birth, death and marriage records for all five boroughs from the very first year they were kept through the year 1915.
2. Bastardy Case files up through 1915.
3. Coroners' Inquisitions up through 1915.
4. Minutes of the Health Commission (1798-1803) and Minutes of the Board of Health (1803-1915), selecting only those portions pertaining to vital events, if it is possible to separate them. Otherwise we would be interested in the entire series.
5. Alms House records, selecting only those portions pertaining to vital events up through 1915.
6. Naturalizations up through 1906.
7. Passenger lists up through 1915.
8. Civil War Enlistments.

Pending approval from our Board of Directors, we may also have interest in obtaining copies of the following records.

1. Police Census of New York City for 1890.
2. Selected New York City directories.
3. Land deeds from 1865-1885.
4. Other genealogical type records not yet discovered in the Municipal Archives holdings.

We realize that you may not have a complete series of all of these materials. Also, we may already have copies of a few of these items in our library, but a closer inspection of our holdings list would be necessary to determine the same. We therefore propose that the Genealogical Society of Utah obtain copies of the records in the first eight record categories named above which we do not already have--as well as any of the latter four if we are able to commit the funds for the same at a later date--by one of the following methods, taken in order of the preference shown:

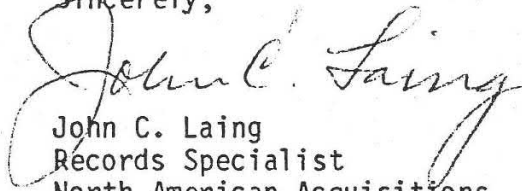
1. Purchase in printed form any of the items in question which have been published and are available for acquisition.
2. Borrow from the Municipal Archives the negative original of any microfilms which have already been made of the records in question. The Genealogical Society of Utah will, at its own expense: (a) Ship all said microfilms from their current location at Iron Mountain or other repository to its own microfilm laboratories in the Granite Mountain Records Vault near Salt Lake City, Utah, (b) Clean with its Lipsner-Smith ultra-sonic microfilm cleaner all microfilms received from the Municipal Archives, (c) Inspect each roll of film for density, resolution, clarity, and overall filming quality, (d) Print a direct duplicate silver negative of each acceptable roll of microfilm to be permanently deposited in the Granite Mountain Records Vault, (e) Print from the original negative one additional copy of the type to be selected by the Municipal Archives to be sent without charge to the Municipal Archives in New York City to use as it sees fit, and (f) Return ship all films received from the Municipal Archives back to the Director of the Municipal Archives when he is ready to receive them.
3. Microfilm the original documents on 35mm Kodak microfilm, permanently deposit the first generation film in the Granite Mountain Records Vault, and print, according to archival quality standards, one second generation copy of each microfilm, of the type to be selected by the Director of the Municipal Archives in New York City to use as it sees fit.

In the event that option one is not possible, we would work in accordance with option two, and in the event that option two is not possible, we would work in accordance with option three. Prior to filming any records under option three, it would be agreed that the Director of the Municipal Archives would review a detailed listing of the items to be filmed before

filming commences for each record category. In the case of either option two or option three the respective negative of the microfilms to be retained by the Genealogical Society of Utah will remain on a permanent basis in the Granite Mountain Records Vault, but one or more copies may be generated for exclusive use within the library system of the Genealogical Society of Utah. At no time would copies of the microfilms be allowed to be removed from the library facilities of the Genealogical Society of Utah, and no additional copies of any of the films would be made, loaned to or sold to any third part without the express written permission of the Director of the Municipal Archives.

As our microfilm camera operator assigned to this project is already in New York City ready to commence working, we would appreciate receiving your answer to the above proposal as soon as possible. If you have any questions, please do not hesitate to call me at (800) 453-3860, extension 2883. I will look forward to hearing from you.

Sincerely,


John C. Laing
Records Specialist
North American Acquisitions

ar

cc: Idilio Gracia-Peña ✓



DEPARTMENT OF RECORDS AND INFORMATION SERVICES
31 Chambers Street
New York, N.Y. 10007

EUGENE J. BOCKMAN, *Commissioner* Tel.: 566-5398

December 8, 1981

Mr. John C. Laing
Records Specialist
North American Acquisitions
The Genealogical Society of Utah
50 East North Temple
Salt Lake City, Utah 84150

Dear Mr. Laing:

This is a belated response to your letter of December 9, 1980 proposing that the Genealogical Society of Utah microfilm some of the early records in the Municipal Archives which are of interest to the genealogist. Unfortunately, it was not possible to respond until the New York City Law Department had reviewed and commented on your proposal.

However, it is now my pleasure to report that the Law Department has commented affirmatively on your proposal. Therefore, the Department of Records and Information Services (DORIS) herewith grants permission to the Genealogical Society of Utah to microfilm all archival records under its jurisdiction having genealogical value, with the understanding that the Genealogical Society has agreed to abide by those restrictions on use stated in your letter of December 9 as well as any other reasonable restrictions placed by DORIS on the dissemination of said records.

Since none of the records series listed in your letter of December 9 have been published, option one is not a practical possibility. Either option two or option three is acceptable, pending further discussion. The preferred format for prints is as follows:

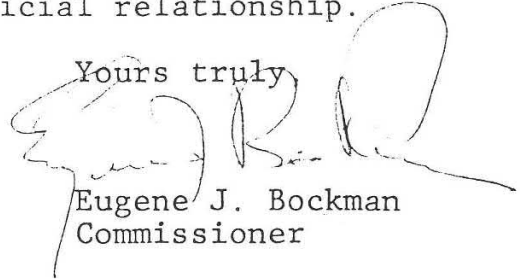
- (a) a polyester positive copy of microfilm now stored at the Iron Mountain facility (as described in your option 2, a cleaned, then newly printed silver negative).
- (b) a polyester positive of any new 35 mm. microfilm which you create from archival holdings of related genealogical interest.

Mr. John C. Laing

December 8, 1981

I appreciate the patience with which you have awaited the resolution of this matter, and look forward to the continuation of our mutually beneficial relationship.

Yours truly,

A handwritten signature in dark ink, appearing to read 'Eugene J. Bockman', is written over the typed name and title. The signature is fluid and cursive, with a large loop at the end.

Eugene J. Bockman
Commissioner

EJB:ra

cc: Mr. Idilio Gracia-Peña
Director, Municipal Archives

Philip Agree, Esq.
Assistant-in-Charge
Affirmative Litigation Division
City of New York Law Department

Exhibit B

Cobb, Ken (Records)

From: Velasquez, Lisa (Records)
Sent: Thursday, November 2, 2017 4:43 PM
To: cor-intellectualproperty@ldschurch.org
Cc: Pauline Toole; Cobb, Ken (Records)
Subject: Agreement Regarding Access to New York City Vital Records
Attachments: 11.2.17 Letter to FamilySearch re Access to NYC Vital recordsFINAL.pdf

Good afternoon,

Please see the attached letter in pdf format.

I can be reached at this email or the phone number below if you have any questions.

Thank you,
Lisa

Lisa Velasquez | Agency Attorney
P: 212-341-6036 C: 646-983-7436 | lvelasquez@records.nyc.gov

NYC Department of
Records

Follow us on:



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DEPARTMENT OF RECORDS & INFORMATION SERVICES
31 Chambers Street, Room 304, New York, NY 10007 (212) 341-6036
Lisa M. Velasquez, Agency Attorney lvelasquez@records.nyc.gov

November 2, 2017

Via Regular Mail and Email

Stephen T. Rockwood
President and CEO
FamilySearch International
50 East North Temple Street
Salt Lake City, UT 84150-0018
cor-intellectualproperty@ldschurch.org

Re: Agreement Regarding Access to New York City Vital Records

Dear Mr. Rockwood:

I am writing on behalf of the City of New York (the "City") and its agency, the Department of Records and Information Services ("DORIS"), from whom FamilySearch International ("FSI") obtained access to New York City birth and death records. As you are no doubt aware, FSI agreed to restrict access to digital copies of such records to in-library viewing by patrons of its library system and not to otherwise make digital copies available online.

This agreement was reaffirmed at a meeting in New York City on February 25, 2015, between Pauline Toole, the Commissioner of DORIS and Dennis Brimhall, and confirmed in an email from Dennis Brimhall to Pauline Toole dated March 9, 2015. In that email, Mr. Brimhall, who was then the Chief Executive Officer of FSI, stated in relevant part:

FamilySearch reaffirms our commitment not to publish online or otherwise distribute images obtained from the NYC Municipal Archives, whether to the general public or to members of the Church of Jesus Christ of Latter-day Saints. FamilySearch will continue to provide access to the images of records to patrons within our library system.

It has come to our attention that FamilySearch recently announced its plans to discontinue its microfilm distribution service and make images of many records accessible online. Articles posted by FamilySearch on its website in connection with such announcement have given us pause and concern regarding FamilySearch's intentions going forward.

The article "Finding Digital Images of Records on FamilySearch.org" contains a Note which states:

Note: Some digital images may have privacy, copyright, contractual, or other restrictions that limit access. For example, an item may require that you log in with a FamilySearch Account to view it or that you access it at a family history center. If such restrictions apply, a notification will appear.

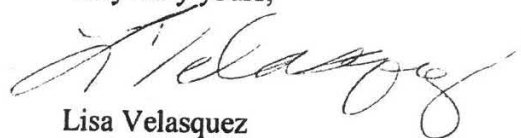
The UPDATE to the article "FamilySearch Digital Records Access Replacing Microfilm" states that "Affiliate libraries now have access to nearly all of the restricted image collections as (sic) family history centers."

In light of the foregoing statements, and in furtherance of the agreement between the parties, we request that you reconfirm to us in writing that FSI will continue to honor its agreement with the City by limiting access to digital copies of the NYC records it obtained from DORIS to in-library viewing by patrons at FSI family history centers and that access to such digital records will not be made available online to affiliate libraries. While patrons can make copies of the New York City records at family history centers, DORIS would like Family Search International to advise its patrons that high-quality, color copies may be obtained from the NYC Municipal Library for a modest fee.

The City agrees that the indexes of such records can be made available online, with an appropriate notation that access and copying of such records is restricted. We ask that you provide us with a listing of the names and addresses of the family history centers and the affiliate libraries.

We look forward to your prompt response and anticipate continuing cooperation.

Very truly yours,



Lisa Velasquez
Agency Attorney

cc: Pauline Toole

KIRTON | M^CCONKIE

Matthew K. Richards
mrichards@kmclaw.com
801.321.4873

November 13, 2017

Lisa M. Velasquez
Department of Records & Information Services
31 Chambers Street, Room 304
New York, NY 10007
lvelasquez@records.nyc.gov

Dear Ms. Velasquez:

Thank you for your inquiry made on behalf of the City of New York and the Department of Records and Information Services (DORIS). I have been asked to respond on behalf of Mr. Steve Rockwood, the President and CEO of FamilySearch International.

FamilySearch International continues to honor its agreement with the City of New York and DORIS by limiting access to digital copies of record images of the NYC records it has obtained from DORIS to in-library viewing by patrons at FSI family history centers. Access to such digital record images will not be available online to affiliate libraries.

The names and addresses of both family history centers and affiliate libraries are available on the FamilySearch website at FamilySearch.org in the "Find a Family History Center" interactive search tool located at the following URL: <https://www.familysearch.org/ask/help>. With the exception of the Family History Library in Salt Lake City, all of the entities given that contain the name "center" are part of our direct library system. Those sites not designated as "centers" are part of our affiliate library network and will not have access to the FamilySearch images of the NYC records.

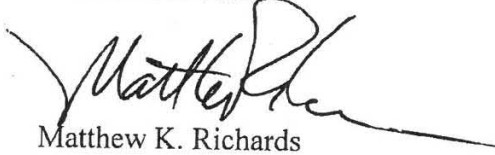
Only the FSI indexes created from the NYC record images are available at our affiliate libraries. The FamilySearch website gives attribution to the New York City Municipal Archives in the source citation section each time an index entry is viewed by a patron. A patron can use

that information to access the NYC archive site for additional information and services. There are also other limited options on FamilySearch to enabling linking to an archive site or providing additional information about the archive. If interested in further exploring these options, please contact Rod DeGiulio at degiuliorl@familysearch.org.

Thank you for your inquiry. Please contact us if you have additional questions. We appreciate our ongoing relationship and collaboration.

Sincerely,

Kirton McConkie

A handwritten signature in black ink, appearing to read "Matthew K. Richards". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Matthew K. Richards

Exhibit C



**Citywide Administrative
Services**

Edna Wells Handy
Commissioner

December 9, 2013

Robert J. Cleary
Acting Deputy Commissioner
Chief Acquisition Officer

Ken Cobb
Assistant Commissioner
Department of Records

Re: Registration of contract for Digitization of Vital Records
Contract Number: CT1 856 20145401231

1 Centre Street
18th Floor
New York, NY 10007

Ken,

212 386 0228 tel
212 669 7723 fax

Enclosed you will find the signed contract for your records. The contract was registered with the comptroller. The contract number is to appear on orders, contractor's invoices, etc. The contract amount is \$904,522.00

Should you have any questions, please don't hesitate to call me at 212-386-0426 or email me jbernabe@dcas.nyc.gov.

Best regards,

John K. Bernabé
Contract Manager, Agency Purchasing

**CITY OF NEW YORK
DEPARTMENT OF CITYWIDE ADMINISTRATIVE SERVICES
OFFICE OF CITYWIDE PURCHASING
AGREEMENT**

THIS AGREEMENT, dated for reference purposes only on this 28 day of **October**, 2013 ("Agreement"), made and entered into between the City of New York (the "City") acting through the Office of Citywide Purchasing, Department of Citywide Administrative Services (the "Department" or "DCAS" or "OCP"), with offices located at 1 Centre Street, New York, New York 10007 and New York State Industries for the Disabled, Inc. ("NYSID" or "Contractor"), with offices located at 11 Columbia Circle Drive, Albany, New York 12203; hereinafter collectively, the "Parties".

WITNESSETH:

WHEREAS, the City desires to digitize its Municipal Archives Collection of Vital Records ("Vital Records"); and

WHEREAS, the Contractor is capable of providing these digitization services in accordance with the City's specifications, via its approved member agency eDocNY, the Document Management Company of New York, an Arc of Westchester Company ("eDocNY" or "Member Agency"); and

WHEREAS, the New York State Finance Law, Article XI State Purchasing, Section 162 Preferred Sources, provides that selected providers shall have preferred source status from which procurements shall be exempted from competitive procurement statutes and pursuant to §162(6)(e), the New York State Commissioner of Education appointed NYSID as a Preferred Source for services to advance social and economic goals; and

WHEREAS, the Department has determined that the digitization of its Vital Records is such a service as described by State Finance Law §162, that there is a need for said services and thus desires to enter into this Agreement to purchase these services in accordance with the terms and conditions set forth below.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the Parties hereto agree as follows:

ARTICLE 1: TERM, TERMINATION, AND MODIFICATION OF AGREEMENT

- 1.1 **Term**. This Agreement shall commence on November 1, 2013 and terminate on July 31, 2014.
- 1.2 **Termination**. The Department may terminate this Agreement in writing with thirty (30) days' notice at any time throughout the Term.
- 1.3 **Modification**. This Agreement may only be modified through the mutual, written consent of both Parties.

ARTICLE 2: PAYMENT AND INVOICING

- 2.1 The Department shall pay the Contractor an amount not exceeding Nine Hundred Four Thousand, Five Hundred and Twenty-Two Dollars (\$904,522.00) for the services set forth in this Agreement. All payments shall be made in accordance with the prompt payment policies as stated in Section 4-06 of the New York City Procurement Policy Board Rules for the services set forth in this Agreement.

- 2.2 EDocNY shall invoice the City on a monthly basis, detailing the number of images scanned and indexed during the preceding month, and at the unit prices as submitted in the April 10, 2013 proposal from eDocNY, annexed hereto as Exhibit A and made a part hereof.

ARTICLE 3: CONFLICTS AND TERMS OF AGREEMENT

During the term of this Agreement, conflicts between the various documents shall be resolved in the following order of precedence, such documents constituting the entire Agreement between the Parties:

- This Agreement;
- Appendix A – General Provisions Governing Contracts for Consultants, Professional, Technical, Human and Client Services; and
- Exhibit A- April 10, 2013 Proposal from eDocNY.

ARTICLE 4: SCOPE OF SERVICES

4.1 The Contractor, through its approved member agency eDocNY, shall work with the Department of Records (“DOR”) to digitize approximately 10.5 million Vital Records, expected to yield approximately 17.3 million digital images. These records include, but are not limited to, birth, death and marriage certificates (collectively, “certificate(s)”) dating back to 1862.

4.2 All work will be completed onsite at DOR, in room B10 at 31 Chambers Street, New York, New York 10007 (“31 Chambers Street”).

4.3 *EDocNY* With the goal of ensuring both the fidelity of the electronic images to the original certificates, Contractor shall scan each document at an appropriate level of quality to achieve maximum legibility.

- Each certificate shall be scanned flat and shadow free;
- Every line and character and manual recording on the certificate shall appear on the electronic image;
- The image size shall be the size of the original certificate at the scan resolution;
- The angle of skew shall not be more than two percent (2%);
- Each image shall be right-reading when viewed on the screen and when printed;
- Images shall be corrected for brightness, contrast and sharpness as needed to optimize the legibility of certificates when viewed on screen and when printed; and
- Images shall be cropped to display and print only the scanned object.

4.4 eDocNY shall provide all the labor, hardware, technical services and management oversight necessary to perform the Scope of Services as described herein and further detailed in Exhibit A and Article 5: Work Procedure.

ARTICLE 5: WORK PROCEDURE

5.1 Project Set-Up and Testing. Contractor shall work with DOR staff, prior to any digitization activity, to:

- Establish the preferred standard for legibility of documents, including but not limited to standards for brightness, contrast and sharpness in order to optimize the legibility of certificates;
- Establish lines of communications between management of the two organizations;
- Deliver equipment and configure office environment to maximize staff comfort and efficiency;
- Customize eDocNY scanning software to automatically index digital image files;
- Configure eDocNY software to automatically reconcile certificate numbers to digital image files;
- Establish protocols and procedures for bind cutting and the reassembly of books;

- Conduct tests of the digital conversion operation;
- Establish procedures to handle exceptions;
- Establish production milestone schedules; and
- Hire and train additional staff, as necessary.

5.2 Imaging and indexing of records. Contractor shall follow the following procedures to digitize Vital Records.

5.2.1 Bind cutting and reassembly. Unbind approximately 14,000 – 20,000 books of records, to include:

- Removal of bind stitching;
- Separation of book covers that are glued;
- Cutting bindings as required to extract certificates; and
- Upon completion, wrap all the certificates in the original book covers and tie them up with archival cotton string, to be delivered back to DOR.

5.2.2 Scanning. Scan certificates and create color digital images of each record:

- Prior to scanning a book, enter book indexing information;
- Find the best edge to feed certificates;
- Identify if page images need to be auto-rotated 90, 180 or 270 degrees;
- Scan all paper 300 dpi color PDF;
- Ensure scanned image quality conforms to best possible image rule;
- Adjust scanner controls, if necessary, to improve image quality;
- Watch monitor to make sure no lines or streaks from a dirty scanner appear on the images; and
- Clean scanners as needed.

5.2.3 Indexing. Automatically index each certificate according to Certificate Type, Borough, Year, and Certificate Number.

5.2.4 Quality control. Quality check each book to ensure a digital image PDF file exists for each certificate:

- Enter book identification data and select automatic reconciliation;
- Utilize quality control software to identify if a PDF file is missing within the range of certificate numbers entered;
- Rotate, delete or replace digital images as required to fix scanning errors;
- Log records and delete digital image files that do not conform to DOR indexing requirements; and
- Identify, research, and process exceptions found during scanning or quality control.

5.2.5 Exception processing. The Parties hereby acknowledge the following:

- If at any time during the unbinding process a book is found to be missing a certificate, eDocNY staff will notify DOR for resolution;
- If no certificate is found, eDocNY will scan a piece of paper that states “no certificate image exists for that number”; and
- If during the quality control process a PDF image is found to be missing, eDocNY will log the missing certificate number and notify DOR for resolution.

5.2.6 Post processing. At a minimum, on a weekly basis, eDocNY will copy digital images to a USB hard drive according to the following standard. The Parties acknowledge that upon their mutual consent, this standard can be changed during the project setup and testing phase:

CT_BO_YR_NUMBER.pdf

CT: Certificate Type

BO: Borough

YR: Year

5.3 City Responsibilities

5.3.1 DOR will provide:

- Approximately 1000 square feet of office space to accommodate eDocNY bind cutter (220 Volt outlet required), scanners, PCs, file server and eDocNY Staff required to perform the required digitization services;
- Thirteen (13) workstations, eight (8) production tables (30" X 60") and a minimum of 21 chairs;
- Internet connectivity;
- Timely assistance and resolutions to exceptions found during the digitization project; and
- Reasonable accommodations for persons with disabilities.

5.3.2 DOR will obtain and /or arrange for:

- Building security passes, room keys or other required authorization for eDocNY staff to access 31 Chambers Street;
- At least 15 hours of eDocNY access to 31 Chambers Street on a daily basis, to accommodate up to two (2) shifts per day; and
- Saturday and holiday eDocNY access to 31 Chambers Street when needed and upon reasonable notice by Contractor. Reasonable notice shall be defined herein as that which is given by the Contractor no later than the preceding Wednesday and is to include the names of the people scheduled to work on Saturday and/or holiday.

ARTICLE 6: NOTICE

- 6.1 All notices required to be sent to the Member Agency pursuant to this Agreement shall be sent, by certified mail, to:

eDocNY, Arc of Westchester
10 County Center Road, Suite 100
White Plains, New York 10607
Attention: Director

With a copy to:

New York State Industries for the Disabled, Inc.
11 Columbia Circle Drive
Albany, New York 12203

- 6.2 All notices required to be sent by the Member Agency and/or Contractor pursuant to this Agreement shall be sent to the address(es) listed below:

City of New York, Department of Records
31 Chambers Street
New York, New York 10007
Attention: Director, Municipal Archives

With a copy to:

City of New York, Department of Citywide Administrative Services
Office of Citywide Purchasing
One Centre Street, 24th Floor
New York, NY 10007
Attention: Agency Purchasing

And: City of New York, Department of Citywide Administrative Services
Office of the General Counsel
One Centre Street, 19th Floor North
New York, NY 10007
Attention: General Counsel

- 6.3 All notices addressed to the Contractor and delivered to the Contractor's residence or place of business as given in Section 6.1 above, or deposited so addressed in a postpaid wrapper in any post office regularly maintained by the Post Office Department, shall be sufficient service thereof upon the Contractor for purposes of this Agreement. Personal service of communications upon the Contractor shall not be precluded or rendered inoperative by any provision of this Contract.
- 6.4 Either Party may amend or supplement the contact information established above upon five (5) working days prior written notice to the other Party.

ARTICLE 7: INSURANCE

The Contractor hereby acknowledges and agrees to the insurance requirements further detailed in Article 7 – Insurance of Appendix A, annexed hereto and made a part hereof. Certificates of Insurance or certified copies of policies for all insurance required by Article 7 of Appendix A must be submitted to and accepted by the DCAS Commissioner prior to or upon execution of this Agreement. The Contractor shall provide the City with a copy of any policy required under this paragraph upon the demand for such policy by the DCAS Commissioner or the New York City Law Department.

ARTICLE 8: INCORPORATION OF APPENDIX A

The New York City General Provisions Governing Contracts for Consultants, Professional, Technical, Human and Client Services, and all applicable Riders, is annexed hereto as **Appendix A** and incorporated into and made a part of this Agreement.

ARTICLE 9: ENTIRE UNDERSTANDING OF THE PARTIES

This Agreement contains all the terms and conditions agreed upon by the Parties hereto, and no other agreement, oral or otherwise, regarding the subject matter of this Agreement, shall be deemed to exist or to bind any of the Parties hereto, or to vary any of the terms contained herein.

END OF DOCUMENT

IN WITNESS WHEREOF, the Parties have executed this Agreement on the dates appearing by their respective signatures.

CONTRACTOR

Signature by Officer of NYSID or Designee:

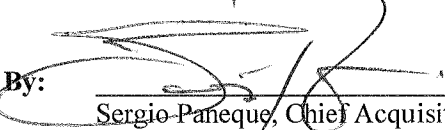
By: Kaun Tello

Federal Tax Identification No. 13-2841179

Title: VP Contract Admin & QM

Date: 10/28/13

**CITY OF NEW YORK
DEPARTMENT OF CITYWIDE ADMINISTRATIVE SERVICES
OFFICE OF CITYWIDE PURCHASING**

By: 
Sergio Paneque, Chief Acquisition Officer

Date: 10/31/13

Sergio Paneque
Department Commissioner - Chief Acquisition Officer
Office of Citywide Purchasing

Approved as to Form
Certified as to Legal Authority

Corporation Counsel

Date

ACKNOWLEDGMENT BY NYSID

STATE OF New York)

ss:

COUNTY OF Albany)

On this 28 day of October, 2013 before me personally appeared Karen DiBella, to me known, who, being by me duly sworn, acknowledged to me that s/he is the VP Contract Admin & QM of New York State Industries for the Disabled, Inc., the corporation described in and which executed the above instrument and that s/he is authorized to execute the foregoing instrument on behalf of said corporation, partnership or firm for the purposes therein mentioned.

Noreen Cronin
NOTARY PUBLIC OR COMMISSIONER OF DEEDS

NOREEN A CRONIN
Notary Public, State of New York
No. 01CR6255449
Qualified in Greene County
Commission Expires February 6, 20 14

ACKNOWLEDGMENT BY DEPUTY COMMISSIONER

STATE OF NEW YORK)

ss:

COUNTY OF NEW YORK)

On this 31st day of October, 2013, before me personally came SERGIO PANEQUE to me known and known to me to be THE DEPUTY COMMISSIONER AND THE CHIEF ACQUISITION OFFICER OF THE CITY OF NEW YORK, DEPARTMENT OF CITYWIDE ADMINISTRATIVE SERVICES, CITYWIDE PROCUREMENT LINE OF SERVICE, the person described in the foregoing instrument as such and who as such executed the same as Chief Acquisition Officer for the purposes therein mentioned.

Laurie K. Kaye
NOTARY PUBLIC OR COMMISSIONER OF DEEDS

LAURIE K. KAYE
Notary Public, State of New York
No. 31-4721931
Qualified in New York County
Commission Expires ~~Oct. 31, 2010~~
2014

Exhibit D

**CITY OF NEW YORK
DEPARTMENT OF RECORDS & INFORMATION SERVICES**

AGREEMENT

THIS AGREEMENT, dated for reference purposes only on this 1st day of July, 2015 (“Agreement”), made and entered into between the City of New York (the “City”) acting through the Department of Records & Information Services (the “Department” or “DORIS”), with offices located at 31 Chambers Street, New York, New York 10007 and New York State Industries for the Disabled, Inc. (“NYSID” or “Contractor”), with offices located at 11 Columbia Circle Drive, Albany, New York 12203, hereinafter collectively, the “Parties”.

WITNESS:

WHEREAS, the City desires to digitize its Collection of Vital Records; and

WHEREAS, the Contractor is capable of providing these services in accordance with the City’s specifications; and

WHEREAS, the New York State Finance Law, Article XI State Purchasing, Section 162 Preferred Sources, identifies NYSID as a Preferred Source for services to advance social and economic goals, and services offered from NYSID shall be exempt from the competitive procurement provisions of Section 163 of Article XI and other competitive procurement statutes; and

WHEREAS, the Department has determined that there is a need for said services and thus desires to enter into this Agreement to purchase these services in accordance with the terms and conditions set forth below;

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the Parties hereto agree as follows:

ARTICLE 1: TERM, TERMINATION, AND MODIFICATION OF AGREEMENT

- 1.1 Term. This Agreement shall commence on July 1, 2015 and terminate on June 30, 2016, with an option to renew at the same terms for two (2) succeeding years.
- 1.2 Termination. The Department may terminate this Agreement in writing with thirty (30) days’ notice at any time throughout the Term.
- 1.3 Modification. This Agreement may only be modified through the mutual, written consent of both Parties.

ARTICLE 2: PAYMENT

- 2.1 The Department shall pay the Contractor an amount not exceeding Six Hundred Sixty Five Thousand, and Thirty Five Dollars (\$665,035) for the services set forth in this Agreement. All payments shall be made in accordance with the prompt payment policies as stated in Section 4-06 of the New York City Procurement Policy Board Rules for the services set forth in this Agreement.

2.2 eDocNY shall invoice the Department on a monthly basis, detailing the number of images scanned and indexed during the preceding month, and at the unit price as submitted in the May 13, 2015 proposal from eDocNY, annexed hereto as Exhibit A and made a part hereof.

ARTICLE 3: CONFLICTS AND TERMS OF AGREEMENT

During the term of the Agreement, conflicts between the various documents shall be resolved in the following order of precedence, such documents constituting the entire Agreement between the Parties:

- This Agreement
- Appendix A – General Provisions Governing Contracts for Consultants, Professional, Technical, Human and Client Services
- Exhibit A- May 13, 2015, Proposal from eDocNY

ARTICLE 4: SCOPE OF SERVICES

- 4.1 The Contractor, through its approved member agency eDocNY, shall work with the Department of Records & Information Services (“DORIS”) to digitize 5,330,564 million Vital Records, expected to yield approximately 7,430,564 million digital images. These records include, but are not limited to, birth and death certificates (collectively, “certificate(s)”) dating back to 1862.
- 4.2 All work will be completed on-site at DORIS in room B10 at 31 Chambers Street, New York, New York 10007 (“31 Chambers Street”).
- 4.3 With the goal of ensuring both the fidelity of the electronic images to the original certificates, eDocNY shall scan each document at an appropriate level of quality to achieve maximum legibility.
- Each certificate shall be scanned flat and shadow free;
 - Every line and character and manual recording on the certificate appears on the electronic image;
 - The image size is the size of the original certificate at the scan resolution;
 - The angle of skew is not more than four percent (4%);
 - Each image is right-reading when viewed on the screen and when printed.
 - Images shall be corrected for brightness, contrast, and sharpness as needed to optimize the legibility of certificates when viewed on screen and when printed; and,
 - Images shall be cropped to display and print only the scanned object.
- 4.4 eDocNY shall provide all the labor, hardware, technical services and management oversight necessary to perform the Scope of Services as described herein and further detailed in Exhibit A and Article 5: Work Procedure.

ARTICLE 5: WORK PROCEDURE

5.1 Project Set-Up and Testing

eDocNY shall work with DOR staff, prior to any digitization activity, to:

- Establish the preferred standard for legibility of documents including, but not limited to standards for brightness, contrast and sharpness in order to optimize the legibility of certificates;
- Establish lines of communications between management of eDocNY and DORIS;

- Deliver equipment and configure office environment to maximize staff comfort and efficiency;
- Customize eDocNY scanning software to automatically index digital image files;
- Configure eDocNY software to automatically reconcile certificate numbers to digital image files;
- Establish protocols and procedures for bind cutting and the reassembly of bound certificates;
- Conduct tests of the digital conversion operation;
- Establish procedures to handle exceptions;
- Establish production milestone schedules ; and,
- Hire and train additional staff, as necessary

5.2 Imaging and indexing of records.

Contractor shall follow the following procedures to digitize Vital Records:

5.2.1 Bind cutting and reassembly. Unbind approximately 14,000 – 20,000 books of records, to include:

- Removal of bind stitching
- Separation of book covers that are glued
- Cutting bindings as required to extract certificates; and
- Upon completion of scanning and quality control, wrap all the certificates in the original book covers, tie with archival cotton string and return to storage carton.

5.2.2 Scanning. Scan certificates and create color digital images of each record

- Prior to scanning a book, enter book indexing information;
- Find the best edge to feed certificates;
- Identify if page images need to be auto-rotated 90, 180, or 270 degrees;
- Scan all paper 300 dpi color PDF.
- Ensure scanned image quality conforms to best possible image rule;
- Adjust scanner controls if necessary to improve image quality;
- Watch monitor to make sure no lines or streaks from a dirty scanner appear on the images; and
- Clean scanners as needed.

5.2.3 Indexing. Automatically index each certificate according to Certificate Type, Borough, Year, and Certificate Number

5.2.4 Quality control. Quality check each book to ensure a digital image PDF file exists for each certificate

- Enter book identification data and select automatic reconciliation;
- Utilize quality control software to identify if a PDF file is missing within the range of certificate numbers entered;
- Rotate, delete, or replace digital images as required to fix scanning errors;
- Log records and delete digital image files that don't conform to DOR indexing requirements;
- Identify, research, and process exceptions found during scanning or quality control.

5.2.5 Exception processing. The Parties hereby acknowledge the following:

- If at any time during the unbinding process a book is found to be missing a certificate, eDocNY staff will notify DORIS for resolution
- If no certificate is found, eDocNY will scan a target that states “no certificate image exists for that number”; and,
- If during the quality control process a PDF image is found to be missing, eDocNY will log the missing certificate number and notify DORIS for resolution.

5.2.6 Post processing. At a minimum, on a monthly basis, eDocNY will copy digital images to a USB hard drive according to the following standard (please note this standard can be changed during the project setup and testing phase):

CT_BO_YR_NUMBER.pdf

CT: Certificate Type

BO: Borough

YR: Year

5.2.7 Maintaining copies of digital files. For the period of the contract, eDocNY will maintain copies of the digital files. At the conclusion of the contract, eDocNY will delete/destroy all digital file copies.

5.3 City Responsibilities

5.3.1 DORIS to provide:

- approximately 1000 sq ft of office space to accommodate eDocNY bind cutter (220 Volt outlet required), scanners, PCs, file server and eDocNY staff required to perform the required digitization services;
- Thirteen (13) workstations, eight (8) production tables (30” X 60”), chairs (minimum 21);
- internet connectivity;
- Timely assistance and resolutions to exceptions found during the digitization project;
- Reasonable accommodations for persons with disabilities.

5.3.2 DORIS will obtain and /or arrange for:

- Building security passes / authorization / room keys for eDocNY staff to access 31 Chambers Street;
- At least 15 hours of access to 31 Chambers Street on a daily basis, to accommodate up to two (2) shifts per day; and,
- Saturday and holiday eDocNY access to 31 Chambers Street when needed and upon reasonable notice by eDocNY. Reasonable notice shall be defined herein as that which is given by eDocNY no later than the preceding Wednesday and is to include the names of the people scheduled to work on Saturday and/or holiday.

ARTICLE 6: NOTICE

6.1 All notices required to be sent to the Member Agency pursuant to this Agreement shall be sent, by certified mail, to:

eDocNY, Arc of Westchester

10 County Center Road, Suite 100

White Plains, NY 10607
Attn: Director of Business Services

With a copy to:

New York State Industries for the Disabled, Inc.
11 Columbia Circle Drive
Albany, NY 12203

- 6.2 All notices required to be sent by the Member Agency and/or Contractor pursuant to this Agreement shall be sent to the address listed below:

New York City Department of Records & Information Services
31 Chambers Street
New York, NY 10007
attn.: Director, Municipal Archives

- 6.3 All notices addressed to the Contractor and delivered to the Contractor's residence or place of business as given in Section 6.1 above, or deposited so addressed in a postpaid wrapper in any post office regularly maintained by the Post Office Department, shall be sufficient service thereof upon the Contractor for purposes of this Agreement. Personal service of communication upon the Contractor shall not be precluded or rendered inoperative by any provision of this Contract.
- 6.4 Either Party may amend or supplement the contact information established above upon five (5) working days prior written notice to the other party.

ARTICLE 7: INSURANCE

The Contractor hereby acknowledges and agrees to the insurance requirements further detailed in Article 7 – Insurance of Appendix A, annexed hereto and made a part hereof. Certificates of Insurance or certified copies for all insurance required by Article 7 of Appendix A must be submitted to and accepted by the DORIS Commissioner prior to or upon execution of this Agreement. The Contractor shall provide the City with a copy of any policy required under this paragraph upon the demand for such policy by the DORIS Commissioner or the New York City Law Department.

ARTICLE 8: INCORPORATION OF APPENDIX A

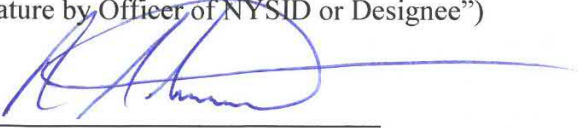
The New York City General Provisions Governing Contracts for Consultants, Professional, Technical, Human and Client Services, and all applicable Riders is annexed hereto as Appendix A and incorporated into and made a part of this Agreement.

ARTICLE 9: ENTIRE UNDERSTANDING OF THE PARTIES This Agreement contains all the terms and conditions agreed upon by the Parties hereto, and no other agreement, oral or otherwise, regarding the subject matter of this Agreement, shall be deemed to exist or to bind any of the Parties hereto, or to vary any of the terms contained herein.

END OF DOCUMENT

IN WITNESS WHEREOF, the Parties have executed this Agreement.

("Signature by Officer of NYSID or Designee")

By: 
Federal Tax Identification No.

13-2841179

Title: VP Contract Administration

Date: 12/29 /15

CITY OF NEW YORK
DEPARTMENT OF RECORDS & INFORMATION SERVICES

By: 

Date: 12/30/2015

Title: Commissioner

Date:

Approved as to Form Certified as to Legal Authority

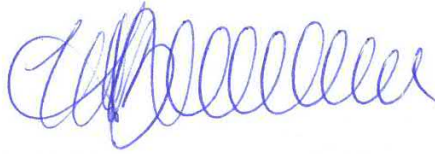
Corporation Counsel

Date

ACKNOWLEDGMENT BY NYSID

On this 29th day of December, 2015 before me personally came
Brian Schneider who being by me duly sworn, acknowledged to me that s/he is the
VP Contract Administrator of NYS Industries f/ Disabled, Inc. and that s/he is authorized to execute the foregoing
instrument on behalf of said corporation, partnership, or firm for the purposes therein mentioned.

Notary Public of Commissioner of Deeds



Heather Bushane
Notary Public, State of New York
Qualified in Albany County
No. 01BU6303044
Commission Expires May 12, 2018

Exhibit E

FOIL-2023-860-00016

Title: [Records of the missing scans of Manhattan deaths](#)

Description:

Emails, memos, and documentation of the disposition of the missing scans of Manhattan death certificates, efforts to remedy the data loss, and plans to rescan the certificates

Responsive Information supplied re FOIL-2023-860-00016 – 2023-07-24:

On September 8, 2015, Department of Records & Information Services (DORIS) Information Technology staff discovered that a “Drobo” digital file storage device had failed, resulting in the potential loss of pdf files. The files had been produced by a vendor contracted to digitize the Municipal Archives’ historical vital records collection. The files had been stored on the Drobo device pending installation of new data storage servers; there were not back-up or duplicate files.

Upon discovery, DORIS IT staff contacted the Department of Information Technology & Telecommunications (DOITT – now known as Office of Technology and Innovation). DOITT recommended Kroll Ontrack, a data restoration company. Kroll subsequently recommended another firm, Ess Data Recovery, Inc., with the necessary specialized experience with the DROBO device.

Ess Data Recovery Inc. began their assessment in late September 2015. Due to the sensitive nature of the data, and the unique nature of their services, DORIS determined that an emergency purchase from Ess Data Recovery, Inc. was appropriate. DORIS signed an agreement with the firm on November 12, 2015.

Ess Data Recovery Inc. supplied recovered files to DORIS in January 2017. Unfortunately, not all the corrupted files could be recovered. The unrecovered files generally pertained to certificates of death filed in the Borough of Manhattan. Subsequently, DORIS has incorporated re-scanning of the historical vital records into the workflow of the digital unit. This is an on-going process.

Records responsive to FOIL – 2023-860-00016 are appended.

Cobb, Ken (Records)

From: Akuesson, Adotey (Records)
Sent: Thursday, December 3, 2015 12:05 PM
To: Cobb, Ken (Records)
Subject: FW: Data Recovery

From: Bimonte, Michael [mailto:mbimonte@doitt.nyc.gov]
Sent: Thursday, September 10, 2015 1:04 PM
To: Akuesson, Adotey (Records)
Cc: Evan Hines (DoITT); Ivey, Jose; Heintz, Annette; AgencyRelations; Reynolds, Leigh; Latona, Michael; Oberlender, Ron; Frangella, Albert
Subject: Re: Data Recovery

My guys are suggesting Kroll..

<http://www.krollontrack.com/data-recovery/>
Mike Bimonte
Deputy Commissioner IT Services, NYC DoITT
mbimonte@doitt.nyc.gov
7184038100

From: Akuesson, Adotey (Records) [mailto:aAkuesson@records.nyc.gov]
Sent: Thursday, September 10, 2015 12:49 PM
To: Bimonte, Michael
Cc: Hines, Evan; Ivey, Jose; Heintz, Annette; AgencyRelations; Reynolds, Leigh; Latona, Michael; Oberlender, Ron; Frangella, Albert
Subject: RE: Data Recovery

We are talking to a couple vendor but the commissioner want to know if you can recommend a vendor we can trust

From: Bimonte, Michael [mailto:mbimonte@doitt.nyc.gov]
Sent: Thursday, September 10, 2015 12:36 PM
To: Akuesson, Adotey (Records)
Cc: Evan Hines (DoITT); Ivey, Jose; Heintz, Annette; AgencyRelations; Reynolds, Leigh; Latona, Michael; Oberlender, Ron; Frangella, Albert
Subject: RE: Data Recovery

Adotey,

Last I heard from my guys was you we're going to contract with some Data recovery specialists, did that not pan out ? let me know what you need...

mike

From: Akuesson, Adotey (Records) [mailto:aAkuesson@records.nyc.gov]
Sent: Thursday, September 10, 2015 10:48 AM

To: Bimonte, Michael

Cc: Hines, Evan; Ivey, Jose; Heintz, Annette; AgencyRelations; Reynolds, Leigh; Latona, Michael; Oberlender, Ron

Subject: Data Recorvery

Good Morning Michael

Do you know any third party vendor you can recommend. We need help to restore the Data we lost on our Drobo System.

Thank you

Adotey

718-757-0196

This e-mail, including any attachments, may be confidential, privileged or otherwise legally protected. It is intended only for the address(es) listed. If you received this e-mail in error or from someone who was not authorized to send it to you, do not disseminate, copy or otherwise use this e-mail or its attachments. Please notify the sender immediately by replying to this e-mail and delete the e-mail from your system.



**NEW YORK CITY DEPARTMENT OF RECORDS AND
INFORMATION SERVICES
ADMINISTRATION**

31 Chambers Street, Suite 305
New York, NY 10007
(212) 788-8622
FAX (212) 788-8614
napacheco@records.nyc.gov
www.nyc.gov/records

Naomi Pacheco, Director of Administration, Fiscal Officer

18 July 2016

To: File

From: Naomi Pacheco NP

Re: Restoration of Digital Files, E-PIN #86017N0001

This is to certify that sufficient funds, approximately \$65,000, are anticipated to be available in the DORIS FY 17 expense budget for the contract to restore digital files from the corrupted DROBO device, E-PIN #86017N0001,.

c: K. R. Cobb
A. Figueroa

Data Recovery Services Agreement

THIS AGREEMENT between ESS Data Recovery, Inc., headquartered at 110 N. Research Drive, Edwardsville, Illinois, hereinafter referred to as ESS, and

The City of New York
Department of Records & Information Services
31 Chambers Street, Suite 304
New York, NY 10007

hereinafter referred to as CLIENT is entered into as of November 9, 2015.

WITNESSETH: ESS and CLIENT agree that the data on the media, known to the parties as **Drobo RAID**, has been lost and that ESS agrees to attempt to recovery CLIENT's data on said media.

DATA RECOVERY SERVICES. There will be no services charge unless ESS recovers the data located on Client's medium. If only a portion of this specified data is recovered, ESS shall bill pro-rata. Determination of recovery success shall be at ESS's sole discretion. ESS agrees to use all resources and technology available (located at ESS's data recovery laboratory in Illinois) to attempt said recovery, and CLIENT agrees that ESS is in no way liable in the event ESS is unsuccessful in recovering CLIENT's data on the aforementioned medium.

SERVICES ESTIMATE. Data recovery has determined the cost of services to be \$65,000 (Sixty Five Thousand Dollars). This is a Not-To-Exceed (NTE) estimate. All amounts payable in United States Currency. Payment is due upon completion of services. Overdue Invoices may be subject to a 1.5% service charge per month. Accounts that are delinquent in payment by more than 30 days will result in the loss of any and all discounts applied to original invoice. Any discounts applied are revoked if payment becomes overdue.

CLIENT ERROR. If CLIENT sends the wrong medium to ESS for recovery, and ESS is successful in recovering the data, CLIENT is responsible for the recovery charges.

TURNAROUND TIME. ESS will attempt to complete the recovery within three weeks from the date of this executed agreement. Due to circumstances beyond its control, ESS does not imply, represent, guarantee or commit to a completion date. If completion time exceeds five weeks, client may abort the recovery attempt by making this request in writing and before CLIENT receives any recovered data.

OWNERSHIP. The CLIENT hereby represents, warrants, and affirms that he, she, or it is the owner or the authorized representative of the owner of the property and all of the information and data stored on said property. By asking ESS, Inc. to enter into this agreement with you, as CLIENT, you declare, under penalty of perjury, that the foregoing representations are true and correct. You agree to indemnify ESS, Inc. for any claims against ESS, Inc. related to this data recovery effort, in the event that your representation that you own the data and other information is incorrect.

CONFIDENTIALITY AND NON-DISCLOSURE. ESS, Inc. agrees not to disclose any and all information or data files supplied with, stored on, or recovered from client equipment except to employees, attorneys, or agents of ESS, Inc. subject to confidentiality agreements or as required by law. ESS and CLIENT agree and stipulate and the mutual promises contained in this section constitute full and adequate consideration for this provision of the Agreement. Both parties hereby stipulate and agree to entry of an Ex Parte Temporary Restraining Order to prevent any threatened, anticipated, or actual breaches of this section by either party.

PREPAYMENT AND FINAL PAYMENT. CLIENT agrees to pay ESS for all services provided to CLIENT as described above. All amounts are due upon completion of services and no data will be shipped to CLIENT prior to full payment. Any advance payment is to be applied to CLIENT's final bill which is due upon receipt of an invoice from ESS. Payment includes all applicable taxes (unless you provide proof of your tax-exempt status) including, but not limited to, sales and use, rental, excise, gross receipts and occupational or privilege taxes. If the original media remains unclaimed thirty (30) days after the recovery process has been ended by ESS or CLIENT, ESS reserves the right to securely destroy CLIENT's original media at no additional charge to CLIENT.

ENTIRE AGREEMENT AND ENFORCEMENT. This Agreement (including any Addenda) constitutes the entire agreement as to its subject matter and supersedes all prior and contemporaneous oral and written agreements. All changes to this Agreement must be made in writing and signed by both parties and, accordingly, any terms on your ordering documents shall be of no force or effect. Any action by either party to enforce this agreement shall be brought about only in the courts of the State of New York. Should any clause, provision, or sentence of this agreement be determined by a court to be invalid, that clause, provision, or sentence alone shall be invalid, and the remaining parts of this agreement shall be considered in full force and effect. In any action to enforce this Agreement, the prevailing party shall be entitled to recover its costs and expenses, including reasonable attorney's fees.

[Remainder of Page Intentionally Left Blank]

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed the day and year first above written.

Signed

CLIENT:




ESS:



New York City Department of Records

ESS Data Recovery, Inc.



(Name)



(Name)



(Position)



(Position)



(Date)



(Date)

Cobb, Ken (Records)

From: Chan, Ho Yin (Records)
Sent: Wednesday, January 18, 2017 10:31 AM
To: Cobb, Ken (Records)
Cc: Panchal, Praveen (Records)
Subject: Drobo data recovery

Ken,

We have received an external hard drive which contains the data recovered from the failed Drobo drive last year.

Here is the access link to those file: \\nas2012server13\Drobo_Recover

If you would like to assign others to review those data, please let me know as I need to assign permission for them to access. Thanks

Ho Yin Kenneth Chan | Computer Associate

P: (212)788-8606 | M: (646)522-4574

E-mail: hchan@records.nyc.gov



Follow us on:





DEPARTMENT OF RECORDS & INFORMATION SERVICES

31 Chambers Street, Suite 305
New York, NY 10007 (212)788-8607

Pauline Toole, Commissioner

ptoole@records.nyc.gov

December 15, 2016

Freddie Santiago

Contract Reviewer, Bureau of Contract Administration
Office of New York City Comptroller Scott M. Stringer
1 Centre Street, 7th Floor South, New York, NY 10007

Re: 20171411977 Late Registration Letter

Dear Mr. Santiago:

As per your request to DORIS Procurement Analyst Alejandra Figueroa, I am writing to provide background information regarding the late registration of our requested contract to purchase data recovery services from Ess Data Recovery, Inc. Please see the attached timeline summarizing the procurement.

On September 8, 2015, we learned that a "Drobo" digital file storage device had failed resulting in the potential loss of approximately 5 million pdf files. The files had been produced as part of a project to digitize the Municipal Archives' historical vital records collection. The files had been stored on the Drobo device pending installation of new data storage servers; there were not back-up or duplicate files.

The selected vendor, Ess Data Recovery, Inc. had been recommended by Kroll Ontrack, a data restoration company that had been suggested by colleagues at DoITT. Ess Data Recovery Inc. began their assessment in late September 2015 and informed us that the chances of recovery were good. Soliciting other vendors would have necessitated shipping the device around the country. This would have taken considerable time and might further damage the equipment and corrupt the files. Consequently, due to the sensitive nature of the data, and the unique nature of their services, we determined that an emergency purchase from Ess Data Recovery, Inc. was appropriate. We signed an agreement with the firm on November 12, 2015, and began the Emergency Declaration process.

The vendor subsequently reported that the data recovery was more difficult and time-consuming than anticipated. In mid-March 2016 we received assurance from the vendor that the data could be restored and we submitted the Emergency Declaration to the Comptroller on April 5, 2016. In lieu of the necessary approval, we revised the procurement as a negotiated acquisition, a lengthy process, finally submitting the registration package on November 29, 2016. Please let me know if any further information is required. Thank you for your assistance.

Sincerely,

Pauline A. Toole, Commissioner

Timeline for Data Recovery Procurement 20171411977

- September 8, 2015 DORIS technical staff discovers loss of data from the DROBO device.
- September 9, 2015 DORIS technical and procurement staff contact colleagues at DoITT who recommend Kroll Ontrack to recover data.
- September 22, 2015 DROBO device is received by Kroll for evaluation. Kroll determines that they do not have the expertise to restore the data and recommends Ess Data Recovery, Inc.
- September 30, 2015 DROBO device is received by Ess Data Recovery, Inc. (the vendor). Initial evaluation indicates recovery chances are "good," pending further analysis.
- November 12, 2015 Agreement is signed with vendor stating \$65,000 cost if data is recovered, and "no charge" if data cannot be recovered.
- December 2, 2015 DORIS requests assistance from Howard Friedman, Chief of Contracts, Law Department. He replies that Emergency Declaration must be submitted to both Law and Comptroller for approval.
- Jan.-Feb. 2016 Vendor informs DORIS that data recovery has been more difficult than anticipated. DORIS continues due diligence.
- February 27, 2016 DORIS receives price concurrence from DoITT (email from Albert Frangella, Director of Infrastructure, TechArch, DoITT): "... The price seems reasonable based on the work being performed...".
- March 11, 2016 Vendor informs DORIS that "... the data is recoverable, there is no question about that..." (email message from Ben Carmitchel, CEO, Ess Data Recovery, Inc.)
- March 2016 Agency prepares and finalizes Emergency Declaration.
- April 5, 2016 Emergency Declaration forwarded to Law and Comptroller.
- April 6, 2016 Comptroller's Office (C. Stover) submits follow-up queries to DORIS regarding the data loss and Emergency Declaration process.
- April 7, 2016 DORIS provides answers to C. Stover queries.
- April-May 2016 No further communication is received; Comptroller approval is not received.
- May-Nov. 2016 DORIS revises the procurement as "Negotiated Acquisition" in APT.
- November 29, 2016 DORIS submits registration package to Comptroller for approval.

Exhibit F

Peck Stacpoole Foundation

123 7th Ave, #196
Brooklyn, NY 11215
503-936-2421
peckstacpoole@comcast.net

June 14, 2023

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

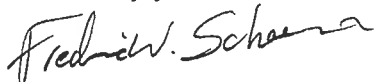
Dear Assistant Commissioner Cobb:

We are pleased to enclose the Foundation's check, payable to The New York Archival Society, in the amount of \$25,460, as a grant approved by our board at its recent annual meeting to complete the department's project to digitize, transcribe and index the 1890 New York City census, also known as the Police Census.

We are delighted to help expand access to and simplify investigation within this extremely important valuable asset for genealogical and historical research.

For our records we request a status report about the use of these funds within a year, or upon completion of the project if it takes longer.

Sincerely yours,



Frederic W. Schaen
President

encl.

The Peck Stacpoole Foundation provides financial and technical assistance for support, care and conservation of, and enhancement of access to genealogical, archival, library, museum, art, cultural, and historical collections, as well as historical sites.

Peck Stacpoole Foundation

123 7th Ave, #196
Brooklyn, NY 11215
503-241-0759

peckstacpoole@comcast.net

June 1, 2022

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

Dear Assistant Commissioner Cobb:

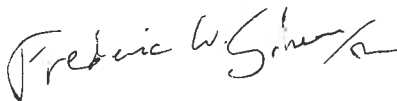
We are pleased to enclose the Foundation's check, payable to The New York Archival Society, in the amount of \$5,625, as a grant approved by our board at its recent annual meeting to fund a pilot project to begin digitizing and transcribing/indexing the 1890 New York City census, also known as the Police Census.

We are very pleased to support this project, which when completed will vastly expand access to and simplify investigation within this extremely important, but hitherto difficult to navigate, valuable asset for genealogical and historical research.

For our records we request a status report about the use of these funds within a year.

The Foundation is in the process of reviewing the best ways to meet the goals and fulfill the purposes set out for it as the legacy of its donor, the late S. Allyn Peck. The review will include an examination of the full range of methods for orderly, regular distribution of charitable nonprofit corporations' revenues and assets. We expect to complete this review by the end of our next fiscal year in June 2023.

Sincerely yours.



Frederic W. Schaen
President

encl.

Exhibit G

NEH Application Cover Sheet

Humanities Collections and Reference Resources

PROJECT DIRECTOR

Michael Lorenzini
Curator of Photography, Municipal Archives
New York City Department of Records
New York, NY 10007-1210
USA

E-mail: mlorenzini@records.nyc.gov
Phone(h): 212-788-8576
Phone(h):
Fax: 212-788-8614

Field of expertise: U.S. History

INSTITUTION

New York City Department of Records & Information Services
New York, NY USA

APPLICATION INFORMATION

Title: *New York City Police Department Photograph Collection, 1914-1975, Preservation and Access Project*

Grant period: From 7/1/2015 to 6/30/2016

Project field(s): U.S. History

Description of project: The Municipal Archives requests Endowment support for a project to re-house, describe, digitize, and make publicly accessible on the internet approximately 30,000 photographs (out of a collection totaling 187,000 images). The photographs comprise a substantial addition to the Archives??? collection of records pertaining to the administration of criminal justice. Their significance extends well beyond the simple documentation of criminal activity; they provide a unique visual perspective on numerous important themes in American history. The collection has been deemed a priority in order to prevent further deterioration from damaging storage materials and decaying negatives. There are four components to the proposed project: re-housing, description, digital re-formatting, and public access via the Internet. The proposed work plan specifies that all project activities will be performed in-house. The project timetable is twelve months, from July 1, 2015, to June 30, 2016.

BUDGET

Outright Request	144,487.00	Cost Sharing	146,863.00
Matching Request	0.00	Total Budget	291,350.00
Total NEH	144,487.00		

GRANT ADMINISTRATOR

Ms. Pauline A. Toole
Commissioner
31 Chambers Street

E-mail: ptoole@records.nyc.gov
Phone(w): 212-788-8609
Fax:

New York, NY 10007-1210
USA

NEW YORK CITY POLICE DEPARTMENT PHOTOGRAPHS, 1914–1975, PRESERVATION AND ACCESS PROJECT

DESCRIPTION OF THE PROJECT AND ITS SIGNIFICANCE

The Municipal Archives requests Endowment support for a project to re-house, describe, digitize, and make publicly accessible on the internet approximately 30,000 photographs (out of a collection totaling 187,000 images). Originally produced by the New York City Police Department's photography unit, they consist of 8x10-inch acetate, nitrate, and glass-plate negatives, dating from 1914 through 1975.

Accessioned from the NYPD in 2011, the collection has been deemed a priority in order to prevent further deterioration from damaging storage materials and decaying negatives. The original paper sleeves are highly acidic to all the materials and the acetate and nitrate negatives must be identified, separated and stored in freezers to prevent any further deterioration; the proposed digitization of the collection, and public access via the Internet, will greatly facilitate access.

The NYPD photographs comprise a substantial addition to the Archives' collection of records pertaining to the administration of criminal justice—arguably the most comprehensive in the English-speaking world. Like the paper-based text series, their significance extends well beyond the simple documentation of criminal activity; they provide a unique visual perspective on numerous important themes in American history, as seen through the microcosm of New York City, the nation's largest city. The Great Migration, Prohibition, the Great Depression, organized crime, anti-Communist activities, labor, and 1960s-era protests are just some of the major themes that historians and scholars can explore with the collection.

There are four components to the proposed project: re-housing, description, digital re-formatting, and public access via the Internet. The proposed work plan specifies that all project activities will be performed in-house. The project timetable is twelve months, from July 1, 2015, to June 30, 2016. The project manager will be Municipal Archives Curator of Photography Michael Lorenzini. He will be assisted by Conservator Ellen Chin.

The total amount requested from the NEH is \$144,487, approximately 50% of the project total project cost of \$291,350. The Department will make a significant in-kind contribution of \$146,863.

Provisions for use

The Archives will provide public access to the digital edition of the photographs via the LUNA web browser.

Comparison of purchasing equipment vs. leasing

The project requires a dedicated digitization workstation for a twelve-month period in order to meet our production goals. Leasing the equipment for the course of a year would be prohibitively expensive. As a result, purchasing the necessary equipment outright is a large part of the budget expense of this project. The Municipal Archives proposes to reduce the equipment cost by purchasing a refurbished digital back warrantied for the duration of the project.

○ **Work Plan**

The proposed work plan is to complete re-housing and description activities, to digitize selected images, and to provide public access in the LUNA image-management system on the Department of Records and Information Services' website.

Activities relevant to completing the processing of film negatives include copying any information on the original envelopes, entry of information from original sleeves and/or caption books, identifying or assigning unique image identification numbers and sub-numbers, identifying and separating nitrate negatives, identifying and separating prints, and rehousing the negatives in new archival sleeves. Activities relevant to the digitization of images will be thawing boxes of negatives, opening the MarvelSeal enclosures, selecting images for digitization, digitizing negatives, repackaging, and refreezing them in a timely fashion, and post-production on image files and uploading of the images to the LUNA system. Re-housed acetate negatives will be specially packaged and stored in freezers at approximately 0° Fahrenheit.

Schedule of work

Project timetable: July 1, 2015 through June 30, 2016 (twelve months).

Prior to the grant period:

Once notification of a grant award is received, project supervisors will begin to recruit staff (if necessary), purchase equipment, and purchase supplies. Project staff will adhere to all necessary personnel and procurement rules. Every effort will be made to engage the appropriate personnel and purchase the supplies prior to the grant period in order to keep the project on schedule. Project manager Michael Lorenzini (with assistance from the agency's administrative staff), will recruit, interview and begin the hiring process for the project technicians. He will identify the required supplies which will be purchased following City guidelines.

July-August, 2015:

When the grant commences, the project manager will complete hiring project staff.

Beginning August 2015:

Training and orientation of any new staff will commence. Staff will continue re-housing of negatives, metadata collection and verification, and the selection of images for digitization. Pre-digital capture activities begin.

September 2015:

Digital capture begins.

October 2015:

Quality Control and back-up to storage server will be underway.

January 2016:

Uploading of images to online gallery commences.

June 2016:

Digital capture will be completed. Uploading of digital files and metadata into LUNA and confirmation of metadata will be completed.

Quarterly Digitizing Benchmarks:

Quarter	Number of Images
July 2015 - September 2015	5,000
October 2015 - December 2015	10,000
January 2016 - March 2016	10,000
April 2016 - June 2016	5,000

○ **Staff**

1. Project Manager, Curator of Photography, Michael Lorenzini, 25% time, 12 months. [in-kind contribution]

Mr. Lorenzini has been a Municipal Archives photographer since 1997, and Curator of Photography since 2007. He is knowledgeable about both the intellectual content of the Municipal Archives photograph collections and the required handling guidelines. Mr. Lorenzini has considerable experience in scanning and digital camera technologies, and has attended the School for Scanning run by the North East Document Conservation Center. He has worked with the LUNA software since 2007 and is an expert in its operation. He managed the successful project to digitize 20,000 glass-plate negatives via vendor contract. In 2013 he completed an MLS thesis on the history of the NYPD photograph collection and of police photography.

As project manager, Mr. Lorenzini will recruit staff and procure the equipment and supplies. He will provide necessary training and immediate supervision of project technicians. He will oversee quality-control guidelines and project deadlines. He will be responsible for uploading completed scans to the Archives' storage server and for loading them into the LUNA system. He will be responsible for the development of the controlled set of name authorities and subject terms, making use of the Library of Congress Name Authorities file and their Subject Classifications and local authority names and subjects. In this work he will be guided by familiarity with the types of searches that have been attempted by researchers using the

FINAL PERFORMANCE REPORT

GRANT # PW-228185-15

“NEW YORK CITY POLICE DEPARTMENT PHOTOGRAPH COLLECTION, 1914-1975,
PRESERVATION AND INDEXING PROJECT”

PROJECT DIRECTOR: Michael Lorenzini

GRANTEE INSTITUTION: NYC DEP'T. OF RECORDS & INFORMATION SERVICES

June 29, 2017

Summary

The project objectives are to finish re-housing and describing a collection of 187,000 images, and to digitize and make publicly accessible on the internet approximately 30,000 photographs. Originally produced by the New York City Police Department's photography unit from 1914 to 1975, they consist of acetate, nitrate, and glass-plate negatives, in all sizes from 8x10 inches to 35mm, and vintage prints.

The plan of work is to accomplish project activities in-house.

A. PROJECT ACTIVITIES

JULY 2015 – JUNE 2016

With funding previously received from the New York State Library, re-housing and description of the images had been underway since January 2013. In July 2015, the New York State Archives contributed an additional \$74,997 to the project through the Local Government Records Management Improvement Fund (LGRMIF). At the commencement of the Endowment-funded grant period, Project manager Michael Lorenzini, archival technician Quinn Bolewicki, and archives interns continued to re-house and describe the images.

Ms. Denis Chavez joined the project staff as a project archivist on December 8, 2015, after delays due to changes to agency recruitment policies. To compensate for the delayed staff hiring, the Archives recruited a second archival technician to help finish the processing and cataloging activities. Kelli O'Toole, who had previously interned on the project, was added as an archivist in February 2016.

In January 2016, Mr. Lorenzini and other agency staff visited the New York City Police Department's Photography Unit offices at One Police Plaza and appraised additional historical photographic records that had been overlooked in the original 2011 accession and were eligible for transfer to the Municipal Archives. This resulted in a transfer of 60 cubic feet of prints, negatives and motion picture film. Approximately 15 cubic feet of this material pre-dated 1975 and was integrated into the original accession and processed.

Purchase of the necessary digital camera station experienced unexpected delays due to the City's procurement rules. In January 2016 the winning bid from Digital Transitions was

approved by the Comptroller. The camera system, a DTRcam with an 80 megapixel PhaseOne back, was installed in March 2016.

Although the delay in purchasing a digital workstation severely hampered productivity in the digitization of images, by the end of June 2016, over 16,000 images had been digitized. In June 2016, the Archives received approval for an extension of the grant period to complete the project with the remaining funding.

JULY 2016 – JUNE 2017

During the period July 2016 through June 2017, 14,947 images were digitized. Quality Control of those images was completed by June 2017. In addition, project staff completed rehousing and describing the negatives. Once the Endowment funding was depleted in September 2016, the Archives allocated resources to continue employment of Ms. Chavez through November 2016, and Ms. Bolewicki until January 2017.

The NEH's announcement of the grant award had generated considerable press interest in the Municipal Archives collection and the digitization project. On March 20, 2015, the *New York Times* featured the images and the project in an article, "Dusting Off a Photographic Trove to Rival Weegee's" (Michael Wilson, March 21, 2015). The story provided a glimpse into the unique nature of this collection and it in-turn generated inquiries from other newspapers and periodicals as well as publishers. In the *New York Review of Books*, Luc Sante praised the work of the archivists and the Endowment-supported project ("A Roomful of Death and Destruction," June 22, 2015). These articles and several other blog pieces have been uploaded to the eGMS website.

In May 2016, project director Michael Lorenzini participated in a conference on police photography in Sydney, Australia, sponsored by the Sydney Justice & Police Museum. He presented two public lectures and participated in a day-long conference on the ethics of repurposing police photography. Other panelists included Luc Sante and Australian author Peter Doyle.

In September 2016, the Archives exhibited images from the collection at the Photoville festival in Brooklyn NY. The exhibit was entitled *Pretty Girl Charged with Clever Swindle: Women and Crime in Early 20th-Century New York City*.

Project dissemination will continue as images are added to the Department's online gallery. Plans are underway to start releasing images via social media. Future books, exhibitions and conferences may be part of long-term public-programming activities.

B. ACCOMPLISHMENTS (quantitative and qualitative in terms of the objective)

In accordance with the work plan, project manager Mr. Lorenzini, Ms. Bolewicki, Ms. O'Toole and Ms. Chavez completed re-housing and describing the images. As of June 30, 2017, they rehoused and cataloged 200,115 negatives and prints, and the collection processing has been completed for images dated through 1975. During the period of the grant, from July 1, 2015 to June 30, 2017, the project team digitized 30,947 images.

Among the significant finds are a previously unknown full-length mugshot of a young Al Capone, graphic photographs of the 1920 Wall-Street bombing, enforcement of prohibition laws, Nazi and Communist Party rallies at Madison Square Garden in the 1930s, extensive coverage of anti-Vietnam War protests, the 1967 Central Park Easter "Be-In," Women's-Liberation and Gay-Liberation protests, Earth-Day demonstrations, police-brutality demonstrations, and narcotics raids. Notable figures such as Martin Luther King, Malcolm X, Abbie Hoffman, Pope Paul VI, President Lyndon B. Johnson, and Bobby Kennedy appear throughout the collection.

The collection is rich in documentation of the 1960s and 1970s-era cultural upheaval, including the 1964 Harlem riots, protests surrounding the 1964 integration of schools in New York City, crack-downs on Times Square porn establishments, Black Panther Party rallies, Civil Rights protests in support of the 1965 Selma march, student demonstrations at Columbia, protests over the Kent State massacre, the so-called "Hard Hat Riot," Attica prison demonstrations, tenant evictions in the 1970s, the 1970 Weather Underground townhouse explosion in Greenwich Village, protests against President Nixon, and Black Liberation Army arrests. Many international affairs are also documented, including rallies addressing anti-Semitism in the USSR, pro and anti-Castro movements, and the Chinese Cultural Revolution under Chairman Mao.

In addition, many photographs depict police investigative procedures, and several glass-plate negatives were identified as early Bertillon mug-shots taken by the NYPD in 1897, amending the start date of the collection from 1914 to 1897.

C. AUDIENCES

The project has resulted in significantly improved access to an important collection. It contains materials of interest to scholars researching a variety of topics in American history as well as family historians who have discovered ancestors involved in, or victims of, criminal activities. Although it is difficult to quantify these audiences, the availability of the easily searchable database inventory of the series will greatly facilitate research by members of these communities, especially those who are not in the metropolitan area.

The exhibition at Photoville 2016 was a pop-up exhibit for one week in DUMBO Brooklyn. Over 50,000 people attended the event. The exhibit is memorialized here:

<http://www.archives.nyc/photoville-2016/>

D. EVALUATION

This project has not been formally evaluated. However, there has been a great amount of interest from the public and from other institutions. On an institutional level, the Endowment-funding was instrumental in providing the resources to finish preserving a significant collection and to make it available to the public. Delays due to purchasing requirements did postpone the target end date, but all project goals were met at the conclusion of the grant period.

E. CONTINUATION OF THE PROJECT

The 2016 accession of additional NYPD photo unit material yielded 60 cubic feet of prints, negatives and motion picture films. Fifteen cubic feet of negatives and prints were processed as part of the project. The motion picture films, primarily surveillance of political protests from the 1960s and 1970s, are a rich source of cultural history. These were rehoused and inventoried by Archives interns as a separate project. Already several researchers have expressed interest in the films, and the Archives will explore options for digitizing selections. The remaining 33 cubic feet of photographs date from 1976-1984, or from series that were not part of the original grant project. They are loosely organized and can be searched on demand, but will be processed at a later date.

As increasingly more researchers discover this collection, more requests have come in for images not yet digitized. Digitization on demand will likely be ongoing for the foreseeable future. Dissemination of the collection has just begun, and will continue. The Archives is currently

planning an in-house exhibit for the fall of 2017 that will draw on the surveillance photographs of subversive and other political groups found in the NYPD Photo Unit Manhattan collection, and in the files of the Bureau of Special Services, which were accessioned from the NYPD in 2016.

Participation in the police photography conference in Sydney, Australia enabled the Municipal Archives to establish a relationship with the staff of the Sydney Living Museums consortium. They are continuing to work with their own police archives and are eager to participate in more joint projects. Interest in the collection has also been expressed by other institutions in New York City; the New York Historical Society has recently requested materials for a possible exhibit on Martin Luther King Jr.

F. LONG-TERM IMPACT

The newly created index to the NYPD Photograph Collection provides a significant addition to the Municipal Archives' collection of records pertaining to the administration of criminal justice. Over the last twenty years, the Municipal Archives has built its criminal justice collections to become one of the most comprehensive in the English-speaking world. With past Endowment support, the Archives' reformatting and indexing activities have made the information accessible, contributing to hundreds of studies, dissertations, books, articles, documentary films, and other scholarly works on the American historical experience. The NYPD photograph collection will enhance this impact.

The collection of NYPD Bureau of Special Services (BOSSI) investigations of political groups, accessioned in 2016, is intimately connected with the photograph collection. These files contain thousands of photographs taken by the NYPD photo unit. In some cases, the negatives are in the photo collection and the prints in the BOSSI files. In other cases, empty files in the photo unit collection indicate the photographs were "transferred to BOSSI." Both collections are greatly enhanced by this connection.

In addition, the digital camera workstation purchased through the grant will become a part of the Archives digitization lab, available for future projects. It has already been used to complete a project funded by another state grant involving the digitization of 10,000 images from the New York City Department of Housing Preservation and Development (HPD).

G. GRANT PRODUCTS

Over the course of the project, the Municipal Archives cataloged and preserved 200,115 photographs and created an inventory database. In addition, they digitized 30,947 images.

The finding aid for the collection will be ingested into the Archives Space platform, which the Municipal Archives plans to launch online in 2018.

Exhibit H



DEPARTMENT OF RECORDS & INFORMATION SERVICES

31 Chambers Street, Room 304
New York, NY 10007 (212) 341-6036 Fax (212)788-8625
Lisa M. Velasquez, Agency Attorney
lvelasquez@records.nyc.gov

August 18, 2023

Via NYSCEF

Hon. Laurence L. Love
Supreme Court of the State of New York
County of New York
60 Centre St., Courtroom 355
New York, NY 10007

Re: *Reclaim the Records et al v. The City of New York et al., No 151337/2022*

Dear Judge Love:

In Petitioner's August 4, 2023 letter to this Court, Petitioner alleges that Respondents have not produced all responsive records. The Petitioner alleges that Respondents have not included metadata files for 17 specific record collections (list appended).

This is simply untrue. All the listed records have text metadata available online. Metadata is a set of data that describes and gives information about other data. The Society of American Archivists defines metadata as a characteristic or description documenting the identification, management, nature, use or location of information resources.¹ Metadata is simply data about data.² A finding aid is metadata. Catalog entries are metadata. Respondents have already made the metadata associated with the records Petitioner requested accessible online.

The table/list appended to this letter provides further detail for each of the 17 record collections Petitioner alleges Respondents have withheld along with hyperlinks to the exact

¹ See webinar about Collection Management of historical records posted on the New York State Archives web page here: <https://www.archives.nysed.gov/workshops/description/dhpsny-metadata>

The webinar was produced through the State Archives Documentary Heritage and Preservation Services for New York program. Metadata is defined and discussed at 1:27 of the 37:58-minute video.

² See "Metadata in Electronic Records Management" by the National Archives and Records Administration, November 21, 2026, last accessed August 11, 2023, at

<https://records-express.blogs.archives.gov/2016/11/21/metadata-in-electronic-records-management/>.

This video also describes metadata text files in spreadsheets. DORIS has already made metadata text files in spreadsheets available on the City's Open Data website and listed the websites and links to those spreadsheets in both our previous June 21, 2023 letter to Petitioner (See DKT. 51.) and June 22, 2023 letter to this Court. See DKT. 50.

locations on the Department of Records and Information Service's (DORIS) websites where relevant metadata can be found and accessed. Everything on the webpages cited in the table and hyperlinked is metadata.

The metadata for each collection is unique to that collection; there often are similarities, among metadata from different collections, but no two collections' metadata will be identical. The metadata associated with each collection is made available online. DORIS and the Municipal Archives strive to present our collections and associated metadata in a uniform manner that is easily accessible. There may be some variation in how the metadata is hyperlinked or presented depending on when the collection was digitized and processed and by which archivist. However, all available, verified and quality-assured metadata is presented online. Variation in the metadata from collection to collection is simply a variation and does not instead represent a decision or action by DORIS to withhold metadata from the public. If the specific type of metadata a patron is looking for is not available online, then it either does not exist or is still being processed.

With respect to the 17 records collections Petitioner specifically points to in their letter, all metadata is already available online for 12 of them. If a specific type of metadata is not online for these 12 collections, then it does not exist, because nothing is currently being processed for those 12 collections. They have already been fully verified and processed and all metadata is already available online. But the fact that four collections have additional metadata currently being processed does not make Respondents' fulfillment of Petitioner's request incomplete. This metadata either had not been created, and/or fully processed at the time of Petitioner's request. We are providing details of metadata currently in process to provide maximum information and access. A description of how to navigate Respondents' LUNA imaging website to find the metadata for the 17 collections Petitioner listed in their letter to this Court, and the subject of this response letter, is appended to this letter following the table/list of 17 collections.

For the four remaining records collections of the 17 listed in Petitioner's letter, each collection and corresponding metadata is detailed below:

1. "41 volumes of the New York City Board of Estimate"

For these 41 volumes of Board of Estimate records, all metadata might be online. Petitioner's record description is not specific enough for our staff to ascertain what is being referenced and so we cannot be certain. There are 1,092 different "Board of Estimate" collections produced in a search of our digital records. We have included instructions on the attachment as to how Petitioners may locate Board of Estimate metadata and accession inventories.

To be clear, there is metadata for Board of Estimates records available online. But Petitioners *new* reference to 41 volumes is not clear enough for our staff to make additional representations as to whether all the metadata for the "41 volumes" is available online. To the extent that there is any metadata not currently available online for any of the "41 volumes", then it is being processed and will be made available online once it is fully processed and quality assurance checked.

2. New York County District Attorney “Records of Cases”

As stated in the attachment, there are two accessions of DA Records of Cases dating 1952-1975. Select cases have finding aids available [online](#).³ A collection level finding aid is currently queued for processing. An index for this collection is also queued for processing. This additional metadata will be made available online as soon as it is fully processed, and a quality-assurance check is completed.

3. Old Town Records

Parts of the Old Town Records collection are currently being processed and rehousing as part of a federally-funded grant project. An updated finding aid will be published once finalized and a quality assurance check is completed.

4. Tax Photos

The finding aid for this collection is incomplete. A finding aid will be published once finalized and quality assurance checked.

5. Maritime Birth, Death, and Marriage Registrations

The index for this one volume in the New York City Historical Vital Records Collection is queued for archival review and will be published after a quality assurance check is completed.

For any of the requested records collections, should the Petitioner want the metadata in excel spreadsheets, rather than how it is displayed on our website, Respondents already made excel spreadsheets accessible online on the City’s Open Data portal. Respondents provided Petitioner and their counsel with links to those spreadsheets in our last letter to Petitioner’s counsel dated June 21, 2023 (See DKT. 51.) and attached to our letter to this Court dated June 22,2023. See DKT. 50. In Petitioner’s original request letter, they requested “copies of all the metadata that goes along with these digitized images. For example, the Archives has a database of the transcribed names and dates and places and file numbers from its newly-scanned vital records collection.” See DKT. 2. A responsive spreadsheet of the “New York City Historical Vital Records-Digitized Certificates” is available here: <https://data.cityofnewyork.us/City-Government/New-York-City-Historical-Vital-Records-Digitized-C/xdc2-zgy3> . We previously referenced this in our June 21, 2023 letter; however, we are including it again to make clear that all parts of this request have been made available online to Petitioners. See DKT. 51.

Given DORIS’ fulfillment of Petitioners’ voluminous request, which included more than 10 million historical vital records, two million photographs, as well as multiple document collections, we respectfully submit that FOIL-2020-860-00296 has been completely fulfilled. Should Petitioner have difficulty locating any of the requested records or metadata, Petitioner, may and *should* contact the Municipal Archives Reference Desk for assistance by emailing research@records.nyc.gov. The reference staff provides reference support services via email, phone and scheduled appointments during which patrons receive exceptional research assistance from one of our professional archivists.

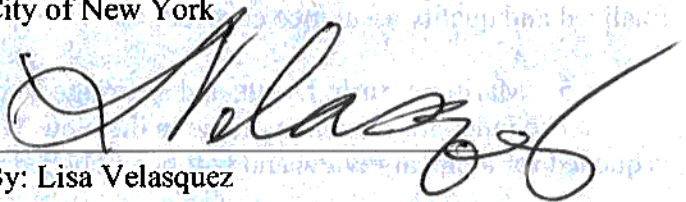
³ <https://a860-collectionguides.nyc.gov/search?utf8=%E2%9C%93&op%5B%5D=&q%5B%5D=district+attorney&commit=Search>

DORIS respectfully requests that this Court conclude that the agency has fulfilled FOIL-2020-860-00296 *and* deny Petitioners' request to reopen their Article 78 petition *and* all of Petitioners other requests.

Dated: August 18, 2023
New York, NY

Respectfully submitted,

HON. SYLVIA O. HINDS-RADIX
Corporation Counsel of the
City of New York



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Resource Identifier		Links to Text metadata
REC0052	Text metadata file for the "Bodies in Transit registers"	Finding aid with volume-level descriptions available online ⁴ in the External Documents section
REC0008	Text metadata file for the "Almshouse ledgers collection"	Finding aid and volume-level descriptions available online ⁵ in Collection Organization and External Documents sections
REC0055	Text metadata file for the "New York County jury census"	Finding aid and volume-level descriptions available online ⁶ in Collection Organization and External Documents sections
MSS0040	Text metadata file for the "New Amsterdam records"	Finding aid and volume-level descriptions available online ⁷ in Collection Organization and External Documents sections
REC0058⁸	Text metadata file for the "Manhattan and Brooklyn liquor licenses"	Finding aid and Series level descriptions available online⁹ in Collection Organization and External Documents sections.
MSS0004-1	Text metadata file for the "Bronx Old Towns records"	Finding aid and item-level descriptions available online ¹⁰ in Collection Organization and External Documents sections. Parts of this collection are currently being processed and rehoused as part of a grant project. Updated finding aid will be published once finalized.
MSS0004-2	Text metadata file for the "Brooklyn Old Town records"	
MSS0004-3	Text metadata file for the "Queens Old Town records"	
REC0051	Text metadata file for the "Maritime birth, death, and marriage registrations" ¹¹	This represents one volume in the NYC Historical Vital Records Collection, a collection of over 6,000 cubic ft. Metadata for this volume is available here ¹¹ and separately on the Digital Gallery site . ¹² The index is queued for archival review and QC before publishing.
REC0040-1, REC0040-2, REC0040-3, REC0040-4, and	Text metadata files, one per borough, for the 1940s DOF (Department of Finance) Tax Photos (Metadata about each one of the hundreds of	Item-level metadata is available on the Digital Gallery site: Bronx ¹³ Brooklyn ¹⁴ Manhattan ¹⁵

⁴ <https://a860-collectionguides.nyc.gov/repositories/2/resources/13>

⁵ <https://a860-collectionguides.nyc.gov/repositories/2/resources/24>

⁶ <https://a860-collectionguides.nyc.gov/repositories/2/resources/21>

⁷ <https://a860-collectionguides.nyc.gov/repositories/2/resources/25>

⁸ REC0058 is listed twice on Petitioner's list of records that Petitioner alleges no metadata was provided for. Each of those listings is bolded on the chart. They are the same records collection.

⁹ <https://a860-collectionguides.nyc.gov/repositories/2/resources/23>

¹⁰ <https://a860-collectionguides.nyc.gov/repositories/2/resources/61>

¹¹ https://a860-collectionguides.nyc.gov/repositories/2/digital_objects/22

¹² <https://nycma.lunaimaging.com/luna/servlet/NYCMA~22~22>

¹³ <https://nycma.lunaimaging.com/luna/servlet/NYCMA~6~6>

¹⁴ <https://nycma.lunaimaging.com/luna/servlet/NYCMA~7~7>

¹⁵ <https://nycma.lunaimaging.com/luna/servlet/NYCMA~5~5>

REC0040-5	thousands of 1940s Tax Photos. Including twelve different fields of data for the unique image, including the block number, lot number, year built, frontage, and lot size)	Queens ¹⁶ Staten Island ¹⁷ Finding aid available online . ¹⁸ The Department of Finance also has block and lot information searchable and available online ¹⁹ and additional information available on the City's Open Data website here: https://data.cityofnewyork.us/browse?q=Tax%20block%20lot%201940s&sortBy=relevance
REC-0058 ²⁰	Fully digitized collection of Manhattan and Brooklyn liquor licenses and associated rebate documents, which Respondent's website states are available for onsite viewing only ²¹	Finding aid available online ²² and on the Digital Gallery site . ²³
Unknown	Text metadata files, likely five of them (one per borough), for the 1980s DOF (Department of Finance) Tax Photos (metadata for each image taken in the 1980s, but these also include the name of each building's owner as of 1990)	Item-level metadata is available on the Digital Gallery site: Bronx ²⁴ Brooklyn ²⁵ Manhattan ²⁶ Queens ²⁷ Staten Island ²⁸ Finding aid for this collection is incomplete and not yet published. The Department of Finance also has block and lot information searchable and available online ²⁹

¹⁶ <https://nycma.lunaimaging.com/luna/servlet/NYCMA~9~9>

¹⁷ <https://nycma.lunaimaging.com/luna/servlet/NYCMA~8~8>

¹⁸ <https://a860-collectionguides.nyc.gov/repositories/2/resources/64>

¹⁹ <https://a836-pts-access.nyc.gov/care/search/commonsearch.aspx?mode=address>

²⁰ REC0058 is listed twice on Petitioner's list of records that Petitioner alleges no metadata was provided for. Each of those listings is bolded on the chart. They are the same records collection.

²¹ Language stating that the documents are available for onsite viewing only is outdated and inaccurate. When the digital records were made available online the archivist forgot to remove all outdated references. The incorrect language is being updated. The metadata is available online as detailed and hyperlinked to in the table above.

²² <https://a860-collectionguides.nyc.gov/repositories/2/resources/23>

²³ <https://nycma.lunaimaging.com/luna/servlet/NYCMA~16~16>

²⁴ <https://nycma.lunaimaging.com/luna/servlet/RECORDSPHOTOUNITBRO~4~4>

²⁵ <https://nycma.lunaimaging.com/luna/servlet/RECORDSPHOTOUNITBRK~1~1>

²⁶ <https://nycma.lunaimaging.com/luna/servlet/RECORDSPHOTOUNITMAN~2~2>

²⁷ <https://nycma.lunaimaging.com/luna/servlet/RECORDSPHOTOUNITQUE~1~1>

²⁸ <https://nycma.lunaimaging.com/luna/servlet/RECORDSPHOTOUNITSTA~1~1>

²⁹ <https://a836-pts-access.nyc.gov/care/search/commonsearch.aspx?mode=address>

Unknown	Text metadata files of the "Old Town Kings County Microfilm" collection, describing each of the 164 rolls of microfilm, and what is on each of them (i.e., the specific town(s), the main subject matter in each reel)	The index for the microfilm is available by clicking on the link in the Digital Gallery site . ³⁰ Original volumes of this collection have recently been digitized and are available online- on the same site . ³¹ The collection finding aid is available online . ³² Parts of this collection are currently being processed and rehoused as part of a grant project. An updated finding aid will be published once finalized.
Unknown	41 volumes of the New York City Board of Estimate	This request requires more specificity. The Municipal Library and the Municipal Archives have Board of Estimate calendars, journals of proceedings, calendar papers, etc. A search for "Board of estimate" in the digital online gallery, yields 1092 results (accessed 8/9/2023). Where Accession inventories are available, they will be found under "External Documents". Click on the search result/collection you want to learn more about, and that will bring you to a new screen containing meta data. When the page opens, scroll down to External Documents, and click on "Accession Inventory." This should result in the download of an excel spreadsheet containing the Accession Inventory.
Unknown	New York County District Attorney "Records of Cases"	There are two accessions of DA records of cases dating 1952-1975. Select cases have finding aids online . ³³ A collection level finding is queued for processing. An index for this collection is queued for processing.
Unknown	Bertillon Card Index	The inventory for this collection is available online . ³⁴ under External Documents.
Unknown	Marriage Contract Index	This index is available online . ³⁵ under External Documents and is part of the NYC Historical Vital Records Collection.

³⁰ <https://nycma.lunaimaging.com/luna/servlet/NYCMA~17~17>

³¹ <https://nycma.lunaimaging.com/luna/servlet/NYCMA~29~29>

³² <https://a860-collectionguides.nyc.gov/repositories/2/resources/61>

³³ <https://a860->

[collectionguides.nyc.gov/search?utf8=%E2%9C%93&op%5B%5D=&q%5B%5D=district+attorney&commit=Search](https://a860-collectionguides.nyc.gov/search?utf8=%E2%9C%93&op%5B%5D=&q%5B%5D=district+attorney&commit=Search)

³⁴ <https://a860-collectionguides.nyc.gov/repositories/2/accessions/3783>

³⁵ https://a860-collectionguides.nyc.gov/repositories/2/archival_objects/917128

Instructions for navigating Respondents' LUNA imaging website to find the metadata for the 17 collections Respondents listed in their letter to this Court.

To illustrate how to locate metadata, these instructions will focus on the first of the 17 records collections listed by Respondent.

For REC0052, Text metadata file for the "Bodies in Transit registers", a finding aid with volume-level descriptions is available [online](#)³⁶ accessible through the blue hyperlink. (The weblink address is also pasted into the footnote following each hyperlink.) Once the collection guides page opens for the Bodies in Transit register, scroll down to the bottom of the page, and click on the External Documents section. Click on "Printable (PDF) Finding Aid. On the third page of the guide, under Summary, scroll down to the text, "**Existence and Location of Copies:** The entirety of this collection has been digitized and is available online." Click the blue hyperlink which will open the Bodies in Transit registers collection in our Luna gallery. When hovering over each image, metadata automatically pops up. By clicking on "Browse All" then all the images will pop up with the metadata printed below each image. Click on a volume and Luna will open a page with just that volume on it. The metadata will be on the left-hand side of the screen. The metadata will be the same for every page in the register. Further, on page 6 of the finding aid, under the heading "Arrangement," there is a blue hyperlink to each volume. Each of those hyperlinks opens to the specific place in the finding aid where the metadata for that volume is located. To view multiple pages or thumbnails at once with metadata on the same screen, click "open book in mirador" and then click the icon of four boxes in the lower far right corner of the page. This will open to a page with thumbnails while keeping the metadata on the left-hand side of the page. All of this is metadata.

This process can be used to access all the collections online. The metadata and finding aids will be largely formatted the same or in a very similar way. The finding aids will also be found in the same places on the Collection Guide page for each collection.

³⁶ <https://a860-collectionguides.nyc.gov/repositories/2/resources/13>

Exhibit I

NEH Application Cover Sheet

Humanities Collections and Resources

PROJECT DIRECTOR

Ms. Leonora A. Gidlund
Director, Municipal Archives
NYC Municipal Archives
31 Chambers Street
New York, NY 10007
UNITED STATES

E-mail: lgidlund@records.nyc.gov
Phone(W): 212 788-8585
Phone(H):
Fax: 212 788-8583

Field of Expertise: History - American

INSTITUTION

New York City Department of Records
New York, NY UNITED STATES

APPLICATION INFORMATION

Title: *New York City Felony Indictment Records, 1878-1893, Microfilming and Digitizing Project*

Grant Period: From 7/2010 to 6/2012

Field of Project: History - American

Description of Project: The Municipal Archives requests Endowment support for a project to microfilm and digitize 267 cubic feet of New York City felony indictment records, 1879-1893. In 1995, the Endowment supported a project to humidify and flatten the originally tri-folded materials, and to create a database searchable by name of defendant, date of indictment, and criminal offense. The resulting index of more than 47,000 defendants, and 70 criminal offenses, greatly increased scholarly use of the series. This level of demand now threatens the physical integrity of the material. The records consist of indictment files created by the New York County District Attorney's office for felony trials in the Court of General Sessions. The proposed microfilming will ensure long-term preservation, and digitization of the microfilm will significantly facilitate access. The proposed re-formatting activities will take place in-house over twenty-four months beginning July 2010.

BUDGET

Outright Request	\$180,374.00	Cost Sharing	\$157,725.00
Matching Request		Total Budget	\$338,099.00
Total NEH	\$180,374.00		

GRANT ADMINISTRATOR

Ms. Eileen M. Flannelly
Deputy Commissioner, Dept. of Records
NYC Dept. of Records
31 Chambers Street, Suite 305
New York, NY 10007
UNITED STATES

E-mail: eflannelly@records.nyc.gov
Phone(W): 212 788-8610
Fax: 212 788-8614

Supplementary Cover Sheet for NEH Grant Programs

1. Project Director * Major Field of Study

2. Institution Information * Type

3. Project Funding

<i>Programs other than Challenge Grants (\$)</i>	
Outright Funds	<input type="text" value="180,374.00"/>
Federal Match	<input type="text"/>
Total from NEH	<input type="text" value="180,374.00"/>
Cost Sharing	<input type="text" value="157,725.00"/>
Total Project Costs	<input type="text" value="338,099.00"/>

Challenge Grants Applicants Only (\$)

Fiscal Year #1	<input type="text"/>
Fiscal Year #2	<input type="text"/>
Fiscal Year #3	<input type="text"/>
Fiscal Year #4	<input type="text"/>
Total from NEH	<input type="text"/>
Non-Federal Match	<input type="text"/>
Total	<input type="text"/>
Matching Ratio	<input type="text"/> to 1

4. Application Information

* Will this proposal be submitted to another NEH division, government agency, or private entity for funding? Yes No

If yes, please explain where and when:

* Type of Application New

Supplement If supplement, list current grant number(s).

* Project Field Code

**NEW YORK CITY FELONY INDICTMENT RECORDS, 1879-1893
MICROFILMING AND DIGITIZING PROJECT**

DESCRIPTION OF THE PROJECT AND ITS SIGNIFICANCE

The Municipal Archives requests Endowment support for a project to microfilm and digitize 267 cubic feet of New York City felony indictment records, 1879-1893. In 1995, the Endowment supported a project to humidify and flatten the originally tri-folded materials, and to create a database searchable by name of defendant, date of indictment, and criminal offense. The resulting index of more than 47,000 defendants, and 70 criminal offenses, greatly increased scholarly use of the series. This level of demand now threatens the physical integrity of the material. The proposed microfilming will ensure long-term preservation of the series, and digitization of the microfilm will significantly facilitate access.

The felony indictments are a key series in the Municipal Archives collection of records pertaining to the administration of criminal justice, one of the most comprehensive collections of such material in the United States. The searchable index to the indictments has already spurred considerable scholarly use of the material resulting in seminal works by legal, social, cultural, political, and urban historians. The index has also opened the records to new audiences, such as family historians and film documentarians, who can now easily identify individual case files.

The records to be reformatted consist of the indictment files created by the New York County (Manhattan) district attorney's office for felony trials in the Court of General Sessions, 1879- 1893. They total 267 cubic feet. They include the "files" or papers, produced over the course of the felony indictment process, comprising documents such as coroner's inquests, witness testimony, trial transcripts, plea statements, correspondence, as well as detailed information as to the circumstances of the criminal offense and the defendant.

The project objectives are 1) to microfilm the documents to ensure their long-term preservation, and 2) to digitize the microfilm in order to expand access. Digitization of the microfilm will take advantage of the already-produced database, greatly reducing labor costs. The result will be approximately 464 rolls of 35mm microfilm, and on-line access to documents in more than 47,000 felony cases.

The proposed work plan is to accomplish project activities in-house. The project timetable is twenty-four months, from July 1, 2010, through June 30, 2012. The project director will be Municipal Archives Director Leonora Gidlund. Paper conservator Ellen Chin will undertake any necessary materials preparation, and microfilm laboratory chief Mohsen El-Fishawi will supervise two camera operator and a quality-control specialist who will produce the microfilm. Digital conversion of the microfilm will also take place in-house, under the supervision of Mr. Frederic Grevin.

The total amount requested from the NEH is \$180,374. The Department will make a significant in-kind contribution of \$157,743. The total project budget is \$338,099.

SEMI-ANNUAL PERFORMANCE REPORT

GRANT # PW-50579-10

“NEW YORK CITY FELONY INDICTMENT RECORDS, 1878-1893,
MICROFILMING AND DIGITIZING PROJECT”

PROJECT DIRECTOR: Leonora A. Gidlund

GRANTEE INSTITUTION: NYC DEP'T. OF RECORDS & INFORMATION SERVICES

January 23, 2013

PW-50579-10 SEMI-ANNUAL PERFORMANCE REPORT

The project objectives are to microfilm a significant series of felony indictment records to ensure their long-term preservation, and to digitize the microfilm in order to expand access. The total quantity of material to be re-formatted is approximately 267 cubic feet. The plan of work is to accomplish project activities in-house.

*PROJECT ACTIVITIES JUNE – DECEMBER 2012**Conservation Treatments*

In accordance with the workplan, conservation laboratory supervisor Ellen Chin completed reviewing the indictment documents prior to microfilming. She made necessary repairs so that the items could be safely handled during the filming process. She also compared the film target information with the original documents.

Microfilming

Project staff completed reformatting the felony indictment records on silver-halide microfilm. During the period June to December 2012, under the supervision of microfilm laboratory supervisor Moshen El-Fishawi, camera operators Urmi Udeshi and Charles Morio filmed 20,740 documents on 19 rolls of 35mm silver halide microfilm. The total productivity for the project is 506,329 documents on 503 rolls of film, slightly exceeding the original estimate of 464 rolls.

Quality specialist Asha Kapadia inspected each roll of film. She checked for density, resolution, physical damage, image orientation and target accuracy. Ms. Kapadia also produced one silver duplicate and one diazo service copy of each roll of camera film. Laboratory supervisor El-Fishawi shipped the camera negatives to Iron Mountain in Pennsylvania, for permanent off-site storage.

Microfilm Digitization

During the reporting period project staff member Mr. James O'Malley continued the microfilm digitization. He will finish digitizing the remaining 85 rolls within the next two months. In the final months of the grant extension period, project staff will provide access to the digitized edition of the felony files on-line via the agency website.

FINAL PERFORMANCE REPORT

GRANT # PW-50579-10

***"NEW YORK CITY FELONY INDICTMENT RECORDS, 1878-1893,
MICROFILMING AND DIGITIZING PRJOECT"***

PROJECT DIRECTOR: Leonora A. Gidlund

GRANTEE INSTITUTION:

NYC DEP'T. OF RECORDS & INFORMATION SERVICES

September 25, 2013

The NYC Department of Records/Municipal Archives proposed to microfilm a significant series of felony indictment records to ensure their long-term preservation, and to digitize the microfilm in order to expand access. The total quantity of material is 267 cubic feet. The plan of work specified that project activities would be completed in-house.

The original grant period extended from July 1, 2010, through June 30, 2012. On June 13, 2012, at the request of the institutional grant administrator, the Endowment extended the grant period one year, to June 30, 2013.

A. Project Activities, July 1, 2010 – June 30, 2013

Conservation Treatments

The Municipal Archives received official notification of the grant award via letter from the Endowment, dated March 24, 2010. In accordance with the workplan, conservation laboratory supervisor Ellen Chin reviewed the indictment documents prior to microfilming. She made necessary repairs so that the items could be safely handled during the filming process. She also compared the film target information with the original documents.

Microfilming

Project camera operators Urmi Udeshi and Charles Morio reformatted the felony indictment records on 35mm silver-halide microfilm. They filmed 543,712 documents on 546 rolls of film, exceeding the original estimate of 464 rolls.

Quality specialist Asha Kapadia inspected each roll of film. She checked for density, resolution, physical damage, image orientation and target accuracy. Ms. Kapadia also produced one silver duplicate and one diazo service copy of each roll of camera film. Laboratory supervisor Mohsen El-Fishawi shipped the camera negatives to Iron Mountain in Pennsylvania, for permanent off-site storage.

Microfilm Digitization

Project staff member James O'Malley completed the microfilm digitization. It had been started by staff member Moises Colon who resigned from the project in November 2010. Over the course of the project, all 543,712 images pertaining to the 47,152 case files were digitized.

Extension

The delay in hiring Mr. O'Malley as a replacement for Mr. Colon resulted in the extension request. On June 13, 2012, at the request of the institutional grant administrator, the Endowment extended the grant period one year, to June 30, 2013.

B. Accomplishments

The Municipal Archives is pleased to report that the entire series of felony prosecution records dating from 1879 through 1893, totaling 267 cubic feet, have been reformatted to silver-halide microfilm and the digital edition has also been produced. Patrons can search the entire series of 47,152 cases based on the name of the defendant, type of offense, and date of indictment via a search tool available on the Department of Records website (www.nyc.gov/records). Patrons can view the relevant case file documents on-site at the Municipal Archives, or can request copies via email, or request diazo microfilm via ILL. The Archives is currently working towards providing on-line access to the case file images.

C. Audiences

The project has two primary audiences: the scholarly community researching topics in American nineteenth century history, and family historians who have discovered ancestors involved in criminal activities via digitized newspapers and other sources. Although it is difficult to quantify these audiences, the availability of the microfilm and digital editions, along with the searchable database inventory of the series will greatly facilitate research by members of these communities, especially those who are not in the metropolitan area.

D. Evaluation

The project has not been evaluated.

E. Continuation of the Project

As noted above in project accomplishments, the Municipal Archives is working toward on-line access to the case file document images. This is expected to be completed by the end of 2013. In addition, Municipal Archives staff continue to preserve, reformat and index NYDA case files. Currently, they are humidifying and flattening case files dating from 1894 and 1895 and re-housing them in new acid-neutral folders and boxes. Once these activities are completed, the documents will be microfilmed, the inventory database will be amended, and the films will be digitized.

F. Long Term Impact

Creation of the microfilm and digital edition, and the associated index to the felony indictments records provide a significant addition to the Municipal Archives' collection of records pertaining to the administration of criminal justice. Over the last twenty years, the Municipal Archives has been able to build its collection to become one of the most comprehensive in the English-speaking world. And with Endowment assistance, the Archives' reformatting and indexing activities have made the information remarkably accessible, contributing immeasurably to hundreds of studies, dissertations, books, articles, documentary films, and other scholarly works on the American historical experience.

G. Grant Products

Over the course of the project, the Municipal Archives produced 546 rolls of silver halide microfilm, as well as a digital edition of the microfilm, and a database of over 47,000 entries. The microfilm will be available for purchase, or loan via the ILL system.

Exhibit J

Chapter 2: Municipal Archives Research Service and Copy Fee Schedule

§ 2-01 Certified Records.*

\$18.00	Certified copy of a vital record when the certificate or record number is provided.
\$25.00	When the certificate or record number is not known, a search for one name in 5 boroughs, and all years available for the vital record type, and issuance of search result (certified copy, transcript or "not found" statement).
\$18.00	Certified copy of any library or archival record (other than vital records).
\$12.00	Letter of Exemplification.
\$12.00	Certified letter stating a vital record cannot be amended.
\$5.00	Raised seal applied to any individual library or archival record.

* A certified record is a true and complete copy of the original record held by the Department of Records and Information Services and includes a signature and/or seal of an attesting official.

(Amended City Record 4/5/2022, eff. 5/5/2022)

§ 2-02 On-Site Self Service Reproductions.

No charge	Use of personal hand-held devices.
\$0.25	Paper photocopies or printed pages 8 1/2" 11" or 11" x 14", per page.

(Amended City Record 4/5/2022, eff. 5/5/2022)

§ 2-03 Reproduction Services – Printed and Text-Based Documents.

No charge	Watermarked, low-resolution digital file of a previously digitized item.
\$0.25	Low resolution watermarked file digitized on demand from original print materials in a condition suitable for high speed scanning per page.
\$60.00	High-quality non-watermarked digital files of original print materials, per hour of digitization time. Minimum charge \$15.00.
Ask for quote	Duplication of microfilm, per roll.

(Amended City Record 4/5/2022, eff. 5/5/2022)

§ 2-04 Reproduction Services – Still Images and Graphic Materials.

No charge	Watermarked, low-resolution digital file of a previously digitized item.
\$45.00	High-quality non-watermarked digital file of a still image up to 28" x 36".
\$65.00	High-quality non-watermarked digital file of a still image larger than 28" x 36".
\$45.00*	8" x 10" hard copy print of a single still image.
\$60.00*	11" x 14" hard copy print of a single still image.
\$120.00*	16" x 20" hard copy print of a still image.

* Additional shipping, handling and credit card processing fees may apply.

(Amended City Record 4/5/2022, eff. 5/5/2022)

§ 2-05 Reproduction Services – Audio-Visual Materials.

No charge	Low-resolution digital file of any moving image or sound recording previously digitized, per title.
\$50.00	Low-resolution digital file of a moving image or sound recording digitized on demand, per title.
\$100.00	High-resolution non-watermarked digital file of a moving image or sound-recording, digitized on demand, per title.
Ask for quote	Digitization of motion picture film, videotape, sound recording or other analog format when in-house reformatting is unavailable.

(Amended City Record 4/5/2022, eff. 5/5/2022)

§ 2-06 Conservation Services for Exhibition.

\$125.00	Conservation services for exhibition loan preparation, per hour. Additional charges apply for materials.
Ask for quote	Materials required to conserve items for exhibition loan.

(Amended City Record 4/5/2022, eff. 5/5/2022)

§ 2-07 Licensing Fees.

Commercial use of print archival or library item

\$25.00	Book, catalog, catalog or serial publication print run 1 – 10,000, non-exclusive, one-time use, world-wide, in perpetuity, includes promotional products, per item.
\$50.00	Book, catalog, catalog or serial publication print run 10,001+, non-exclusive, one-time use, world-wide, in perpetuity, includes promotional products, per item.
\$15.00	Brochure, flyer, or pamphlet, one-time use, per item.
\$25.00	Website, social media, blog, or web application per item.
\$50.00	Motion picture film, television, documentary, or online streaming production, non-exclusive, one-time use, world-wide, in perpetuity, includes broadcast, dvd, and theatrical release, film festival, and promotional products, per item.
\$50.00	Exhibition or public display, per item.
Ask for quote	Other products.

Commercial use of a moving images

\$40.00	Motion picture film, television, documentary, or on-line streaming production, non-exclusive, one-time use, world-wide, in perpetuity, includes broadcast, dvd, and theatrical release, film festival and promotional products, per second.
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Commercial use of sound recordings

\$10.00	Radio, television, podcast, or on-line streaming production, non-exclusive, one-time use, world-wide, in perpetuity, includes broadcast, dvd, and theatrical release, film festival and promotional products, per second.
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Additional shipping, handling and credit card processing fees may apply to all payment transactions.

(Amended City Record 4/5/2022, eff. 5/5/2022)

Chapter 3: Municipal Archives Guidelines Regarding Access to Archival Material

§ 3-01 Governing Use of Municipal Archival and Library Materials.

The New York City Municipal Archives and Municipal Library, divisions of the Department of Records and Information Services, are open to the public subject to the following regulations:

A. Access to Materials.

- (1) All persons using Municipal Archives and Library materials must agree to follow posted guidelines.
- (2) All researchers requesting Municipal Archives and Library materials must complete a registration form indicating name, contact information, affiliation, if any, the research subject and purpose. Researchers must provide acceptable identification upon request.
- (3) Municipal Archives and Library materials may not be removed from the premises.
- (4) The physical condition of an item may prohibit access.
- (5) In accordance with laws and regulations related to personal privacy, health information, and minors, certain records may be subject to redaction or other special access restrictions and procedures.

B. Reproductions and Licensing Services.

- (1) The Department of Records and Information Services facilitates access to Municipal Archives and Library materials by providing reproduction and licensing services.
- (2) Copies of historical vital records obtained directly from DORIS or through professional research services are exempt from licensing requirements.
- (3) Non-commercial uses of Municipal Archives and Library materials are exempt from the licensing requirement.
- (4) All other publication and commercial uses of Municipal Archives and Library materials may be granted subject to the conditions listed in the Publish/Use Contract form (MA-45). License fees will apply to commercial uses; non-profit entities are exempt from licensing fees. Acknowledgment is required for all published use of Archives and Library materials: Item Name, Collection, Courtesy of the Municipal Archives, City of New York or Item Name, Courtesy of the Municipal Library, City of New York.

(Amended City Record 4/5/2022, eff. 5/5/2022)

§ 3-02 Municipal Archives Guidelines for Archival Use of Board of Education "Anti-Communist" Case Files.

A. The Municipal Archives preserves and makes available for research historical records of the New York City Board of Education ("the Board"). This collection includes several records series (nos. 590, 591, 593, 594, 595, 596 and 597) that pertain to the "anti-Communist" activities of the Board from the 1930s through the 1960s. They contain personal and confidential information relating to teachers and other school personnel investigated and/or questioned by the Board for alleged support of or association with the Communist Party. The individuals who are the subject of these files have a privacy right regarding information of a personal nature contained in them; this includes a privacy right regarding the fact that the subject case file exists.

B. The regulations governing public access to all archival material are set forth in 49 RCNY § 3-01. In addition to those regulations, public access to the "anti-Communist" case file series is governed by the following additional regulations and/or procedures:

- (1) Researchers who request access to a specific file for the purpose of researching the views or activities of the individual who is the subject of that file or of another individual named in that file must obtain permission for such access from the subject individual and from the named individual, as applicable. If the subject or named individual is deceased or unable to give or deny permission, such permission must be obtained from the individual's legal heirs or custodians, as specified in forms MA-101A, MA-101B, and MA-101C.
- (2) Researchers engaged in more general research not limited to a particular individual or individuals may access files in the restricted series upon certifying that they will neither record nor use any names or personally identifiable material obtained from such files, form (MA-101D).
- (3) When a researcher accesses a file with permission from the individual who is the subject of that file, the Archives will redact the names of other individuals in the file whose permission has not been obtained.
- (4) Self-service photocopying is not available for anti-Communist case file documents. All photocopies will be redacted to remove information identifying any individual whose permission has not been obtained.
- (5) Published materials and materials created for general distribution, such as newspaper clippings and press releases, are not subject to the restrictions set forth in this section.

§ 3-03 Municipal Archives Guidelines for Archival Use of District Attorney Records.

A. The Municipal Archives preserves and makes available for research the closed case files of the five New York District Attorneys. In accordance with the duly promulgated record retention schedule for this series, the closed case files are transferred to the Municipal Archives for permanent preservation twenty-five years after the date (year) of indictment.

B. The regulations governing public access to all archival material are set forth in 49 RCNY § 3-01. In addition to those regulations, public access to District Attorney case files that are less than fifty years old (from the year of indictment) are governed by the following regulations and/or procedures:

- (1) For requests to examine records in case files that are less than fifty years old (from the date of indictment), the Municipal Archives Director, or an authorized staff member, will submit to the office of the District Attorney which created or completed the records ("DA") the following information: name of researcher and affiliation, if any, subject and purpose of Research, case file number(s) and name(s) of defendant(s). The Municipal Archives Director or authorized staff member will submit this information to the DA prior to granting the researcher access to the requested records. The DA will be permitted to examine the material in the requested file(s) and separate any items as to which (a) public disclosure is prohibited by statute or court order (e.g. minutes of Grand Jury proceedings); or (b) disclosure would threaten the life or safety of any person, such as information about confidential informants or undercover law enforcement personnel. The Municipal Archives will not permit access to any items separated by the DA from other items in the file. The DA will have five business days (from the date of notification that the case file is available) in which to conduct a case file review. If the DA declines to conduct a review, the requested case file materials will be made available to the researcher in accordance with regulations governing public access to all Archival material set forth in 49 RCNY § 3-01.
- (2) For all case files regardless of age, the Municipal Archives will not permit access to minutes of Grand Jury proceedings or any other records when disclosure is prohibited by statute or court order. The Municipal Archives will also consider requests by the DA to maintain the confidentiality of records whose age is greater than 50 years when exceptional circumstances warrant granting such request.

(Amended City Record 4/5/2022, eff. 5/5/2022)

§ 3-04 Municipal Archives Guidelines for Archival Use of World Trade Center-Related Materials.

Several series of historical records related to the September 11, 2001 attack on the World Trade Center and subsequent recovery and rebuilding efforts are preserved and available for research at the Municipal Archives. Some of the series comprise materials that are fragile and/or contain personal and confidential information relating to the victims of the attack and their families. The Municipal Archives will evaluate requests for access to these materials considering its paramount responsibility to protect and preserve them. Consequently, the Municipal Archives may limit or forbid handling, duplication, or casual inspection of materials deemed highly sensitive, or fragile.

(Added City Record 4/5/2022, eff. 5/5/2022)

§ 3-05 Municipal Archives Guidelines for Archival Use of New York City Police Department Crime Scene Photographs and Surveillance Records.

The Municipal Archives preserves and makes available for research historical records of the New York City Police Department Inspectional Services Bureau ("ISB") and more than 100,000 historical crime scene photographs. The ISB and crime scene collections contain records that relate to minors, crime victims, under-cover police officers, and/or informants that may have personal privacy concerns. The Municipal Archives will make these materials available for research, but may restrict access to, reproduction or publication of personally-identifiable information in the research product.

(Added City Record 4/5/2022, eff. 5/5/2022)

Exhibit K

The City of New York

The Department of Records and Information Services certifies that this is a true copy of a historical record in the custody of the New York City Municipal Archives, 31 Chambers Street, New York, NY 10007.

In issuing this exact copy of the record, the Department of Records and Information Services does not certify to the truth of the statements made thereon, as no inquiry to the facts has been provided by law.



Pauline Toole
Commissioner
Department of Records and Information Services



Sylvia Kollar
Director
NYC Municipal Archives

Exhibit L

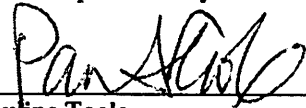
NEW YORK CITY DEPARTMENT OF RECORDS AND INFORMATION SERVICES

MUNICIPAL ARCHIVES

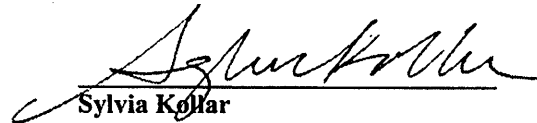
**31 Chambers Street
New York, N.Y. 10007**

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**Pauline Toole
Commissioner, Department of Records**



**Sylvia Kollar
Director, Municipal Archives**