



December 30, 2019

Samantha Deshommès, Chief
Regulatory Coordination Division
Office of Policy and Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security
20 Massachusetts Avenue NW, Mailstop #2140
Washington, DC 20529-2140

**RE: DHS Docket No. USCIS-2019-0010
USCIS Genealogy Records Program**

Ms. Deshommès:

The Society of American Archivists, which represents more than 6,000 professional archivists and archives organizations throughout the United States, was dismayed to learn of the proposed changes in fees for accessing the public records of the United States Citizenship and Immigration Service (USCIS).

As outlined in the agency's proposed rulemaking under Department of Homeland Security (DHS) Docket No. USCIS-2019-0010, USCIS proposes significant increases in two fees: The fee for the agency to search the Master Index of the Genealogy Program would increase from \$65 to \$240 (269%) and the fee to request a record would increase from \$65 to \$385 (492%). The current fees already were significantly increased from their 2016 levels of \$20 and \$35, respectively.

Based on our significant concerns about diminished access to these records, SAA opposes the increases and proposes that USCIS instead transfer these public records to the National Archives and Records Administration (NARA). Through NARA these records can be managed more efficiently, accessed more freely, and reproduced more economically, as preserving and providing access to historical records of the federal government is one of NARA's core missions and areas of expertise.

Prior to 2008, the USCIS's public records were accessible via Freedom of Information Act (FOIA) request for the cost of photocopying. In that year the Genealogy Program was

created, with increased copying costs and an additional new cost to search the index to discover if records even exist. The current fees are higher than DHS's own fees for FOIA requests, and the proposed fees are substantially higher than those charged by other federal agencies (including NARA and DHS), as well as state government agencies, for similar access, searching, and records reproduction. A charge of \$240 merely to search an index is unacceptably high. Compared to standard DHS costs and timeframes for FOIA requests (which, at the most, are \$10.25 for 15 minutes of managerial staff time), this fee would be equivalent to 6 hours of searching the Master Index. Most index searches can be completed within an hour or less.

Although SAA understands and appreciates the challenges associated with maintaining a large, complex set of records and recovering the costs to reproduce those records for public access, we believe that the proposed fees would undercut the intent of FOIA and limit access to these records by those without the significant financial means to afford them.

SAA urges USCIS to reconsider the proposed fee increases. We believe that fees of this magnitude do not support government accountability and public access. Further, we urge USCIS to work with NARA to transfer its historical records to the National Archives, which has a clear statutory mandate and the expertise to effectively and efficiently preserve and provide access to USCIS records.

Thank you for the opportunity to submit these comments.

Sincerely,



Nancy P. Beaumont
Executive Director

The Society of American Archivists is the oldest and largest national professional association of archivists in North America, representing more than 6,000 archivists employed by businesses, universities, governments, libraries, and historical organizations. Archivists are the professionals who collect, preserve, and make available for research historically significant documents, vital records, and other materials. Read more at www.archivists.org.