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April 7, 2020

The Honorable Andrew Cuomo  
Governor, State of New York  
Capitol Building  
Albany, NY 12224

Re: Requesting an Executive Order to waive or reduce the OCA criminal history fee during the state of disaster emergency

Dear Governor Cuomo,

On behalf of the Consumer Data Industry Association (CDIA), which includes several New York-based companies, thank you for your leadership during this unprecedented time in New York State. As you are keenly aware, New York remains in a state of disaster emergency, yet there are many functions that must go on to keep New Yorkers safe, protected, and secure. To help nonprofits, volunteer organizations, health care providers, and businesses put people to work for New Yorkers in this time of urgent need, and to keep New Yorkers safe and secure, we ask that you consider temporarily waiving or reducing the background check fee collected by the Office of Court Administration (OCA) for the provision of criminal history searches for the duration of NY PAUSE and the state of disaster emergency.

The Consumer Data Industry Association (CDIA) is the voice of the consumer reporting industry, representing consumer reporting agencies including the nationwide credit bureaus, regional and specialized credit bureaus, background check and residential screening companies, and others. Founded in 1906, CDIA promotes the responsible use of consumer data to help consumers achieve their financial goals, and to help businesses, governments and volunteer organizations avoid fraud and manage risk. Through data and analytics, CDIA members empower economic opportunity all over the world, helping ensure fair and safe transactions for consumers, facilitating competition and expanding consumers' access to financial and other products suited to their unique needs.

Many nonprofits, volunteer organizations, health care providers, and businesses conduct background checks through the Office of Court Administration's Criminal History Record Search to keep New Yorkers safe and secure. Our members conduct background checks on volunteers who work with vulnerable populations, health care providers, and delivery people, among others. With money in short supply and the great need to get

people working, it would be a tremendous help to the non-profits and other businesses providing essential to New Yorkers to waive the criminal history fees during the state of disaster emergency.

The criminal history search fee was raised in 2019 from \$65 to \$95 per search. During this crisis, the current fee is a barrier to volunteers lending aid to the most vulnerable residents. The fee also can limit New Yorkers getting the work opportunities they need when they need it the most. The \$95 fee could mean fewer background checks for people that care for New Yorkers' health and safety, and those that deliver their food, groceries, and prescriptions. Suspending the \$95 fee during this disaster emergency would help keep New York moving. We respectfully request that you issue an Executive Order to waiving or reducing the OCA fee during the state of disaster emergency.

Please let us know if you have any questions or comments, or need additional information.

Sincerely,



Eric J. Ellman  
Senior Vice President, Public Policy & Legal Affairs