



Brooklyn Navy Yard
Development Corporation
BrooklynNavyYard.org

Building 77
141 Flushing Ave, Suite 801
Brooklyn, NY 11205

BNYDC Archives

Policy on Access and Use

Approved: September 2016
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Introduction

The Brooklyn Navy Yard Development Corporation (BNYDC) Archives provides both access and reproduction services for the materials contained within its holdings for educational, cultural, and personal use to the extent permitted by U.S. Copyright Law, other applicable law, and BNYDC policies. This Policy sets forth the terms and conditions under which the BNYDC Archives will permit its holdings to be accessed and used.

Users who request reproduction of archival material agree to be bound by the terms and conditions set forth in this Access and Use Policy. Failure to comply with this Access and Use Policy shall result in immediate revocation of the permission for reproduction granted and require surrender of all reproductions of archival material. If an applicant acts on behalf of a third party, this Access and Use Policy shall apply to both the applicant and the third party.

The BNYDC Archives reserves the right to modify this Access and Use Policy from time to time without notice.

General Policy on Access

The BNYDC Archives is committed to providing open access to its holdings within the limits of privacy and confidentiality. Most of the material held by the BNYDC Archives are subject to access restrictions. Some of these restrictions are mandated by law, while others are determined by the BNYDC Archives in conjunction with the records-creating department and General Counsel.

Classifications of BNYDC Holdings

Architectural Plans and Maps of the Brooklyn Navy Yard

Plans and maps fall into two general chronological categories: Naval Era (1801-1966) and Industrial Park Era (1966-present). Plans and maps created during the Naval Era were commissioned by the Bureau of Yards and Docks and are the property of the United States Government. As such, they are not subject to copyright, but may be restricted by the caveat listed below. Plans and maps created during the Industrial Park Era are under copyright and will only be made available to staff and third parties under contract with BNYDC.

Records of Concern

Recognizing that it is appropriate to protect information that could enable someone to succeed in causing harm to BNYDC facilities, staff, and tenants, records deemed to provide relatively current, accurate, or detailed information on structures and facilities will not be made available to users.

Records of concern include material related to power plant operations and underground utilities, such as steam, water, sewers, and electric power.



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Manuscript and Special Collections

Restrictions to manuscript and special collections are informed by the need to balance access and confidentiality. Often this is stipulated in the terms of the donor agreement governing the donation of the material. In negotiating these agreements, the BNYDC Archives seeks to secure the greatest access possible and will stipulate a set period for any restrictions to expire so that materials may be available for use. Records that contain Personally Identifiable Information (PII) that can be used to distinguish or trace an individual's identity shall be restricted for 75 years from the date they were collected by the BNYDC Archives.

Remote Reference Procedures

The BNYDC Archives provides remote reference services to its users – this service is facilitated by the BNYDC Archives staff via E-mail or telephone, at the request of an outside party.

- Users are encouraged to E-mail the Archives (archives@bnydc.org), instead of leaving a voicemail message.
- Please be as specific as possible as to what information you are researching.
- The default turnaround time for an initial response to a query is two weeks.
- Remote reference is capped at 60 minutes per inquiry, though the limit may be extended at the discretion of the Archivist.
- There is no fee for remote reference services.

General Policy on Reproduction and Use

The Archives is responsible for safeguarding and preserving collections for both their physical and intellectual posterity. In order to ensure this, as well as provide a balance between the needs of users and the rights of the copyright holder, the BNYDC Archives provides reproductions, otherwise known as Use Copies, of its materials to facilitate construction projects within the Brooklyn Navy Yard undertaken by tenants or other authorized parties; private study; and research. **The Archives welcomes the use of materials in its holdings that are in the [public domain](#) and to make [fair use](#) of copyrighted materials as defined by [copyright law](#).**

No permission is needed to use materials in the public domain. Using copyright protected materials for teaching, scholarship, research, criticism, commentary, and news reporting is considered Fair Use under US copyright law. The user is solely responsible for determining whether use is fair and for responding to any claims that may arise from such use.

Plans and maps commissioned by the Bureau of Yards and Docks are the property of the United States Government and are not subject to copyright. For all other material, the BNYDC Archives **does not** own the copyright, except where it has been explicitly transferred to the BNYDC. **The user is solely responsible for obtaining permission to use material from the copyright holder.** The BNYDC Archives cannot provide permission to publish when BNYDC is not the copyright holder.

Copyright Notice

The copyright law of the United States (Title 17 United States Code) governs the making of reproductions of copyrighted material. Under certain conditions specified in the law, libraries and archives are authorized to furnish a reproduction. One of these specified conditions is that the reproduction is not to be “used for any purpose other than private study, scholarship, or research.” If a researcher uses a reproduction for purposes in excess of “fair use,” that researcher may be liable for copyright infringement.

Requests for Use Copies

Requests to reproduce material of the BNYDC Archives constitutes an agreement that the user will not reproduce, transfer, distribute, broadcast, publicly display, offer for sale, or otherwise use or publish any material subject to copyright, or a portion thereof, in excess of fair use, as defined by copyright law, without the express permission of the [copyright holder](#).



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Classifications of BNYDC Holdings

Architectural Plans and Maps of the Brooklyn Navy Yard

Architectural drawings will be made available in the form of Use Copies as outlined above—we provide drawings unequivocally to all staff and third parties under contract with BNYDC, while architectural drawings from the Naval Era are open for use by the public. Requests for drawings that do not fall within these parameters will be reviewed on a case-by-case basis by the Archivist.

Manuscript and Special Collections

Collection material that is not otherwise restricted is available in the form of Use Copies for private study, scholarship, or research. Requests for collection material that fall outside these parameters will be reviewed on a case-by-case basis by the Archivist.

Use Copy Procedures

- In order for a Use Copy to be furnished, users are required to submit a Reproduction Request Form.
- The BNYDC Archives will strive to respond to reproduction requests within a reasonable time frame, variant on the size of the request and labor involved.
- In the interest of physical preservation, all requests are subject to the condition of the original material. Use Copies will not be made which may damage, endanger, or alter the original material in any way.
- Use Copy fees vary, as outlined in the Reproduction Request Form.
- All material held by the BNYDC Archives that is in the public domain will be furnished to users free of charge.
- Use Copies will be furnished to tenants of the Brooklyn Navy Yard free of charge.
- Use Copies will be furnished to third parties under contract with BNYDC free of charge.
- Production of Use Copies is done by BNYDC Archives staff only. Use Copies will be furnished digitally. If necessary, a physical copy may be mailed to the user.
- The BNYDC Archives reserves the right to limit the number of copies made and to deny a request because of copyright regulations, privacy rights, donor-imposed regulations, or other legal requirements.
- Use Copies of material under copyright are provided for one-time personal or research use and are not to be reproduced, nor used for publication of any other public purpose, without the express written permission of the BNYDC Archives.
- As a matter of good scholarly practice, users are required to cite the BNYDC Archives, as directed by the Archivist.