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Surveillance Technology Oversight Project • Timber**

December 17, 2024

Kathy Hochul
Governor of New York

VIA EMAIL

Re: Please strengthen FOIL in your FY 2026 budget proposal

Dear Governor Hochul,

We need your help. New York's Freedom of Information Law is faltering. The law is perforated with loopholes, and the process is crushed by large numbers of requests and inadequate agency staffing, and mired in endless delays.

We urge you to use your budget to strengthen FOIL in two ways:

1. Create a grant program for local governments to improve Freedom of Information Law (FOIL) administration, and prioritize improvements to FOIL in your FY 2026 budget. Such a program could also be funded by tweaking grants already in place for records management.
2. Include these four FOIL bills in your Article VII proposals:
 - a. **Report FOIL Activity** ([S8671-A \(Hoylman-Sigal\) / A9621-A \(McDonald\)](#)) – Passed the Assembly.
 - b. **Strengthen FOIL Attorneys' Fees** ([A5357-A \(Steck\) / S5801-A \(Liu\)](#)) – Passed the Senate.
 - c. **Reduce Agency FOIL Response Time** ([S8128 \(Skoufis\) / A8586 \(Raga\)](#)) – Advanced to third reading in the Senate.
 - d. **Limit Commercial FOIL Exemption** ([S3257 \(Hoylman-Sigal\) / A9975 \(Rosenthal L\)](#)) – Passed the Senate.

We appreciate your administration's work on transparency in the FY 2023 budget, which allowed for hybrid public meetings and struck a sensible balance on public access and accountability for public officials. However, improvements to the Open Meetings Law (OML) since have been largely nonexistent (aside from a small change, the FY 2023 changes were simply extended in the FY 2025 budget). The last major budget changes to

FOIL were made in [FY 2020](#). The only FOIL bill you signed in calendar year 2024 was one [viewed by advocates as a step back](#).

Some local governments have raised concerns about the cost of FOIL. We believe that funding from the state would go a long way towards building support among local governments for better FOIL administration. Therefore, we ask that your FY 2026 budget include a grant program for local governments to provide greater resources to improve FOIL administration, including for use of technology and hiring of additional staff.

Sincerely,

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