



STATE OF NEW YORK
EXECUTIVE CHAMBER
ALBANY 12224

ANDREW M. CUOMO
GOVERNOR

March 16, 2015

Senator Dean Skelos
New York State Senate Majority Leader
Legislative Office Building, Room 909
Albany, New York 12247

Assemblymember Carl Heastie
New York State Assembly Speaker
Legislative Office Building, Room 932
Albany, New York 12248

Senator Andrea Stewart-Cousins
New York State Senate Democratic
Conference Leader
Legislative Office Building, Room 907
Albany, New York 12247

Assemblymember Brian Kolb
New York State Assembly Minority Leader
Legislative Office Building, Room 933
Albany, New York 12248

Senator Jeffrey Klein
New York State Independent Democratic
Conference Leader
Legislative Office Building, Room 913
Albany, New York 12247

Honorable Thomas DiNapoli
New York State Comptroller
110 State Street
Albany, New York 12236

Honorable Eric Schneiderman
New York State Attorney General
120 Broadway
New York, New York 10271

Re: *Uniform New York State Email Retention and FOIL Policy*

Dear Majority Leader Skelos, Speaker Heastie, Democratic Conference Leader Stewart-Cousins, Independent Democratic Conference Leader Klein, Minority Leader Kolb, Attorney General Schneiderman and Comptroller DiNapoli,

As you know, the subject of email retention and FOIL has come to the forefront in recent weeks. Last week, Governor Cuomo announced that we would bring together representatives from the legislature, the Attorney General and the Comptroller's office to formulate one uniform policy for email retention and FOIL that will apply to all state officials and agencies. While this has

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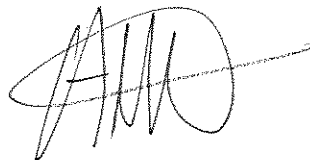
been a contentious issue publicly, our administration sees the debate as an opportunity to dramatically increase transparency for all branches of state government.

To that end, we will convene the first meeting on this subject in the next two weeks. As a threshold matter, the Legislature currently has not adopted FOIL. As you know, this FOIL statute dates back to 1974 in New York, and is a rudimentary starting point. If emails or documents are not available to the public, the question of retention is moot.

Please let me know who your representative will be for this meeting. We can then engage further with your representative on arranging the meeting.

I look forward to your response.

Sincerely,

A handwritten signature in black ink, appearing to read 'A. David', with a long horizontal stroke extending to the right.

Alphonso B. David