Reinvent Albany Supports Select Recommendations By Governor Cuomo and the Committee on Open Government to Strengthen Freedom of Information and Open Meetings Laws

Reinvent Albany appreciates Governor Andrew Cuomo and The Committee on Open Government identifying their priorities for strengthening the state's Freedom of Information Law (FOIL), Open Meetings and Open Data policies in 2018. We support select recommendations highlighted by the Governor and COOG:

- **Apply FOIL to the Legislature.** The Committee on Open Government (COOG) led by Executive Director Bob Freeman in its recently released annual report recommended making the legislature subject to FOIL and the Open Meetings Law. Governor Cuomo proposed in his State of the State last week that "FOIL apply equally to the Legislature." Reinvent Albany recognizes Governor Cuomo, despite his reservations, rightly imposed greater transparency on executive agencies by recently signing into law a bill which makes it easier to win attorneys' fees when an agency is sued for denying records and has no reasonable basis for its denial. It is now time for the legislature to, in turn, shine a light on itself by allowing for legislative FOIL. Local legislatures are already subject to FOIL and there is no reason the Senate and Assembly should be exempt.

- **Apply FOIL to JCOPE and the LEC.** Governor Cuomo also recommended "both FOIL and the state's Open Meetings Law apply to both the JCOPE as well as the Legislative Ethics Commission." Reinvent Albany agrees, and believes JCOPE should immediately vote on a resolution to make itself subject to FOIL and the Open Meetings Law. While legislation is welcome requiring this change, JCOPE should act administratively to make the change supported by Governor Cuomo.

- **Proactive Disclosure of Frequently Requested Records.** Governor Cuomo also recommended "requiring proactive disclosure of certain records" by the executive branch. COOG also supports proactive disclosure of records by

leveraging technology. Reinvent Albany encourages executive agencies to do as directed by the Governor and proactively make certain records available. We suggest each agency start by making the 10 most FOILed records available online. This can be done administratively, or required via executive order or legislation. It will reduce administrative burdens on state agencies while increasing transparency.