



FOIL Fail: NYS Agencies Not Using GovQA Software Tools that Make FOIL Easier for the Public

Governor Hochul promised “New Era of Transparency,” but NYS agencies neglect to use key features of \$650k/year software

May 7, 2026

Reinvent Albany looked at 72 New York State agencies’ use of the Freedom of Information Law (FOIL) software, GovQA, to see whether they are using features that make it easier for the public to access government records. Unfortunately, the majority of agencies are failing to use GovQA appeals and archiving tools that would simplify the FOIL process for both the public and agency staff.

The state agencies reviewed previously submitted [transparency plans](#) to Governor Hochul, either in 2021 or 2024. While this was a step in the right direction, Reinvent Albany’s [2024 report on the plans](#) found them to be underwhelming; our [2022 report on the transparency plans](#) found agencies’ submissions to be inconsistent and missed the opportunity to require reporting of agency FOIL data.

While most state agencies have since transitioned to the GovQA software – 63 of 72 agencies or 88% use it as of May 1, 2026 – most are not taking advantage of all of its features to better serve the public.

- The state’s [\\$650,000/year contract with Granicus](#) requires the GovQA software to allow for appeals, but few agencies are using this feature – only 11%. Overall, only 35% of agencies allowed any form of electronic appeal, through email or GovQA.
- Additionally, only 14% of agencies publish any frequently requested records through GovQA or their FOIL website, and only one agency appeared to intentionally use the “archives” feature in GovQA to publish public records.

Given these failures, Reinvent Albany recommends that the State Legislature pass these bills:

- [S9607 \(May\) / A11143 \(Kassay\)](#) – Requires agencies to allow FOIL appeals be done electronically, either through FOIL software or email.
- [S9739 \(Kavanagh\) / A2321 \(McDonald\)](#) – Requires agencies to submit FOIL logs to the Committee on Open Government. **This bill has passed the NYS Assembly.**

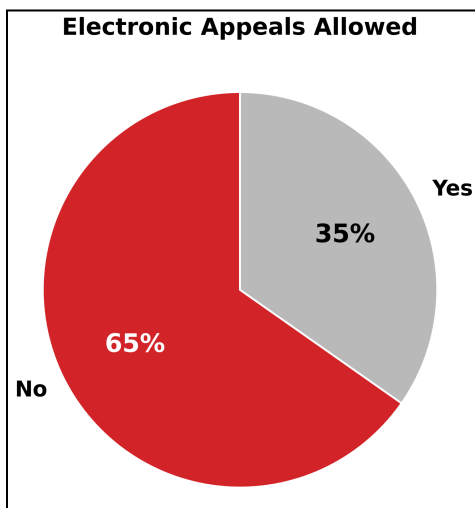
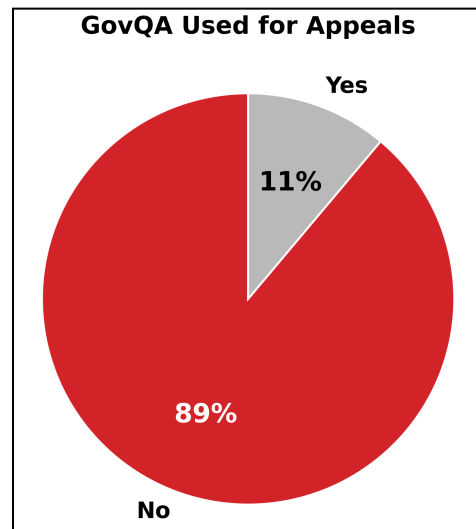
Our analysis of state agency use of GovQA is below.

Failure to Accept Electronic Appeals through GovQA or Email

When an agency denies a records request, or only provides some documents and redacts others, under the Freedom of Information Law requesters are able to submit an appeal within 30 days to the agency. While New York State requires that all agencies allow FOIL requests to be filed electronically, a loophole in state law makes it so that agencies may require appeals to be done by mail, creating an onerous and wasteful roadblock to public access to records.

89% of state agencies – 56 out of 63 – accepting FOILs through GovQA don't use it for appeals.

Only seven out of the 63 agencies allow appeals to be accepted through their GovQA portal. As noted above, the state's contract that purchased GovQA specifically requires this functionality.



Nearly two-thirds of state agencies (65%) require appeals to be sent via snail mail.

Forty-seven of 72 agencies failed to allow any form of electronic appeals – either via email or GovQA. This means that they direct FOILers to send appeals via snail mail, which is unacceptable in 2026, and is perceived as a way to intentionally increase the burden on FOILers. Further, it is more work for agency staff, who have to process this paperwork.

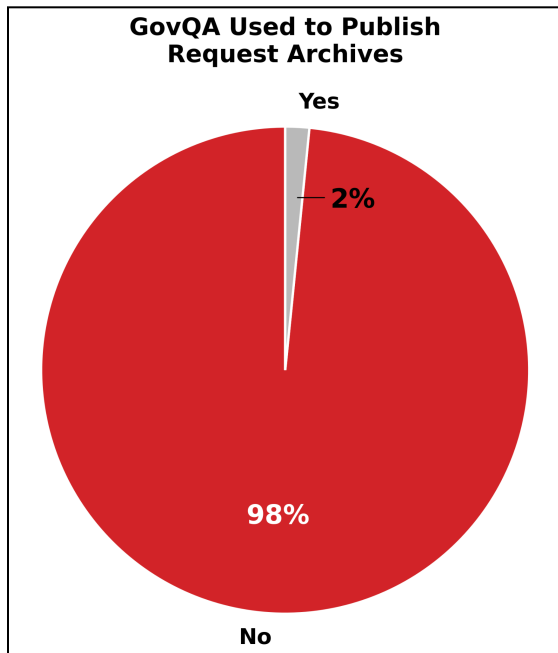
Failure to “Release to One, Release to All,” and Publish Records Online

Governor Hochul [lauded the GovQA contract](#) as a way to "accelerate and streamline the State's process for receiving, processing, and responding to FOIL requests." In her [2021 transparency plan directive](#), she instructed agencies to tell her how they were going to improve FOIL –

including through “proactively posting frequently requested records or completed requests online.”

While GovQA allows for archives of records requests to be published – a feature used in other jurisdictions, like by the [Oregon Secretary of State](#) – only one New York State agency intentionally published any of its requests.

98% of state agencies do not use GovQA to publish frequently-requested records already released through FOIL.

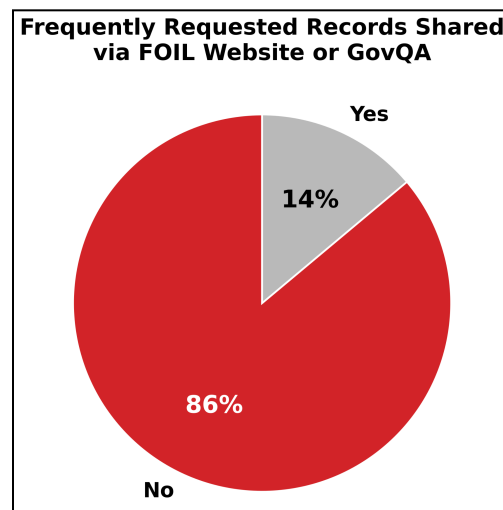


Only one of the 63 agencies using GovQA uses the “Request Archive” feature to publish frequently-requested records. The [NYS Department of Health’s request archive](#) includes three requests for contracts; the records that were released for these requests are also published on the portal.

Three agencies appeared to erroneously publish requests through the archive feature. In each case, a single request was published involving requests for very specific or local information: an application for an RV park, a permit for a gas main on one street, and any public portions of one employee’s personnel file.

Frequently-requested information is rarely provided on either the agency FOIL website or the GovQA portal request archive.

Sixty-two of the 72 agencies failed to use either their FOIL website or GovQA portal to share any frequently-requested records.



Please see our website for the full list of agencies, as shown below.

Reinvent Albany Review of NYS Agencies Use of GovQA and Online FOIL Tools

As of May 1, 2026

Agency ▲	Uses GovQA?	Request archive or frequent records posted?	GovQA appeals?	Email appeals?
Adirondack Park Agency (APA)	Yes	No	No	No
Battery Park City Authority (BPCA)	No	No	No	No
Board of Elections (SBOE)	Yes	No	No	No
Bridge Authority	Yes	No	No	Yes
Canal Corporation	Yes	No	No	No
City University of New York (CUNY)	Yes	No	Yes	Yes
Council on Children and Families	No	No	No	No
Council on Developmental Disabilities (CDD)	Yes	No	No	No
Council on the Arts (NYSCA)	Yes	No	No	No
Department of Agriculture and Markets	Yes	No	No	No
Department of Civil Service	Yes	No	No	No

Additional 61 rows not shown.

Table: Reinvent Albany • Source: Reinvent Albany Review of NYS Agency FOIL Practices • Created with Datawrapper

[Click here to see additional data from this report.](#)