



Testimony to the NYS Committee on Open Government

October 22, 2026

Good morning, members of the Committee on Open Government. My name is Alicia Abramson, and I am a Policy Analyst for Reinvent Albany. We advocate for a more transparent and accountable government in New York.

Today, we provide legislative recommendations for the Committee's [annual report](#) regarding New York's Freedom of Information Law (FOIL), which the Committee is currently working to finalize. FOIL is grounded in the people's right to know the process of governmental decision-making, a right that is fundamental to a free and democratic society. FOIL's intent is to ensure that public access to information about government decision-making is not "shrouded with the cloak of secrecy or confidentiality."

Unfortunately, the state of FOIL today falls far short of that goal. New Yorkers seeking basic information about government decisions that affect their everyday lives face a slew of obstacles: indefinitely delayed responses, overly broad exemptions, limited accountability, outdated administrative requirements, and barriers to legal recourse. Legislative action is needed to ensure FOIL serves its fundamental purpose of enabling New Yorkers to meaningfully scrutinize government actions and decision-making.

We urge you to unequivocally support five key bills in your annual report – [as also supported by transparency advocates per the letter sent to the Committee earlier this week](#) – that would strengthen New York's Freedom of Information Law:

1. [S9607 \(May\) / A11143 \(Kassay\)](#) is a common-sense reform that requires agencies to allow electronic FOIL appeals instead of relying on outdated, paper-based procedures that only serve as a roadblock to public access to records – while also being cumbersome for agency staff, who routinely use email for FOIL communications.
2. [S9777 \(Sepúlveda\) / A1410-A \(Rosenthal\)](#) would end the indefinite commercial FOIL exemption by requiring companies to re-apply for it periodically, preventing private companies from shielding publicly held records from scrutiny.
3. [S9739-A \(Kavanagh\) / A2321-A \(McDonald\)](#) requires agencies to report FOIL activity, an essential mechanism to expose agency delays, identify failures in implementation, track compliance, and ensure FOIL works as intended.

4. [**S1418-A \(Liu\) / A950-A \(Steck\)**](#) removes barriers to FOIL lawsuits by eliminating the overly restrictive requirement that requesters must “substantially prevail” in order to recover attorneys’ fees, bringing New York’s transparency laws up to par with other states.
5. [**S10098 \(Skoufis\) / A10759 \(Raga\)**](#) requires agencies to respond to FOIL requests within set time frames, which is critical to fixing the months- and years-long delays that plague New York FOIL and undermine the public’s right to know.

New York must live up to its stated commitment to transparency and open government, which cannot occur so long as these barriers to disclosure continue to exist. These bills eliminate common obstacles requesters face, promote greater agency transparency, and modernize the FOIL process for the public and agency staff. We urge the Committee to definitively support these bills in its 2026 annual report as essential reforms that uphold the public’s right to know and bring New York closer to fulfilling the promise of FOIL.

Thank you for considering our recommendations. I welcome any questions you may have.