



December 23, 2015

Via Email: elena@judgewatch.org

Elena Sassower
Center for Judicial Accountability, Inc.
P.O. Box 8101
White Plains, NY 10602

Dear Ms. Sassower:

This letter responds to your correspondence dated October 30, 2015, which pursuant to FOIL, requested:

all publicly-available records that the Commission on Legislative, Judicial and Executive Compensation was established on June 1, 2015, as required by Part E of Budget Bill #S.4610-A/A.6721-A (Chapter 60 of the Laws of 2015) - and, specifically:

- (1) records establishing who are the three members of the Commission that the Governor was required to appoint and the dates of their appointments, including the Governor's signed/certified appointment letters and any public announcement or press release with respect thereto;
- (2) records establishing who is the one member of the Commission that the Temporary Senate President was required to appoint and the date of the appointment, including the Temporary Senate President's signed/certified appointment letter and any public announcement or press release with respect thereto;
- (3) records establishing that the Assembly Speaker appointed Roman Hedges as the one member he was required to appoint and the date of the appointment, including the Assembly Speaker's signed/certified appointment letter and any public announcement or press release with respect thereto;
- (4) records establishing the date on which the Chief Judge appointed Sheila Birnbaum and Barry Cozier to be the two members of the Commission he was required to appoint - including the Chief Judge's signed appointment letters;

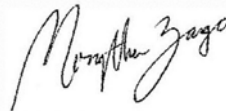
(5) records establishing that the Chief Judge's designation of Sheila Birnbaum as Commission chair is consistent with the statute, namely, that it vests him with the power to designate which of his two appointees "shall serve as chair", rather than vesting it in the seven appointed Commissioners - or all four of the Commission's appointing authorities;

(6) records establishing that the Commission is operational and has funding, staff, an office, phone number, e-mail, and website for discharging its statutory duties.

We have performed a diligent search for the records you requested and have located four (4) pages that respond to your FOIL request. The pages are being provided to you electronically, as you requested. They are attached to the email transmitting this letter. Please be advised that the Executive Chamber does not possess records responsive to items (5) and (6) of your FOIL request.

Pursuant to Public Officers Law § 89(4)(a), you have thirty (30) days to take a written appeal of this determination. You may make an appeal by writing: FOIL Appeals Officer, Executive Chamber, State Capitol, Albany, New York, 12224.

Very truly yours,

A handwritten signature in black ink, appearing to read "Mongthu Zago", is centered within a light gray rectangular box.

Mongthu Zago
FOIL Counsel
Records Access Officer