



July 3, 2019

Via Email: elena@judgewatch.org
Elena Sassower
Center for Judicial Accountability, Inc.
PO Box 8101
White Plains, NY 10602

FOIL Request: #2529

Dear Ms. Sassower:

This letter responds to your correspondence dated June 20, 2019, which seeks:

access to the Committee's records, pursuant to Public Officers Law Article VI [Freedom of Information Law (F.O.I.L.)], Senate Rule XIV ["Freedom of Information"], Assembly Rule VIII ["Public Access to Records"].

Please be further advised that at some point after January 1, 2019, the VIDEO of the Committee's November 28, 2018 public hearing, accessible from its website: <https://nyscompensation.ny.gov/>, ceased to be accessible. The direct link to the Committee's posting of the VIDEO for the November 28, 2018 public hearing is here: https://players.brightcove.net/2886492229001/default_default/index.html?videoId=5972684677001.

To the extent your correspondence is a Freedom of Information Law (FOIL) Request pursuant to Article 6 of the Public Officers Law, the New York State Executive Chamber does not maintain or possess the records that you seek.

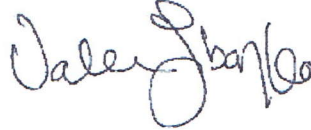
Furthermore, the Executive Chamber does not have the authority to compel the Committee on Legislative and Executive Compensation to produce records pursuant to FOIL, nor does it have the authority to render an opinion regarding another state agency's or committee's decision to except documents from production pursuant to FOIL.

Finally, the Executive Chamber does not maintain the website referenced in your correspondence.

EX K-46

Pursuant to Public Officers Law § 89(4)(a), you have thirty (30) days to take a written appeal of this determination. You may 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 "Valerie Lubanko". The signature is written in a cursive, flowing style.

Valerie Lubanko
FOIL Counsel
Records Access Officer