

## 15.4: FOIL

FOIL is an acronym for the Freedom of Information Law. (Public Officers Law §§ 87-90.) Passed in 1974 by the NYS Legislature, FOIL provides public access to NYS government documents, statistics, and records. In other words, while citizens have a right to privacy, the government generally does not. The purpose of the law is set out in the statute. (Public Officers Law § 84)

### Legislative declaration.

The legislature hereby finds that a free society is maintained when government is responsive and responsible to the public, and when the public is aware of governmental actions. The more open a government is with its citizenry, the greater the understanding and participation of the public in government.

As state and local government services increase and public problems become more sophisticated and complex and therefore harder to solve, and with the resultant increase in revenues and expenditures, it is incumbent upon the state and its localities to extend public accountability wherever and whenever feasible.

The people's right to know the process of governmental decision-making and to review the documents and statistics leading to determinations is basic to our society. Access to such information should not be thwarted by shrouding it with the cloak of secrecy or confidentiality. The legislature therefore declares that government is the public's business and that the public, individually and collectively and represented by a free press, should have access to the records of government in accordance with the provisions of this article.

The law requires all NYS agencies to keep FOIL request for six months, and to make them available to the public, unless doing so would violate the privacy of the FOIL requester. NYS agencies subject to a FOIL request are not allowed to ask why the information is being requested.

CC licensed content, Shared previously

- Adaptation of Understanding New York Law, 2013-14 Edition. **Authored by:** Michael H. Martella, Esq., David Pogue, Elizabeth Clifford and Alan L. Schwartz. **Provided by:** published by Upstate Legal Publishers. **License:** [CC BY: Attribution](#).  
**License Terms:** Adapted and republished with permission

---

15.4: FOIL is shared under a [not declared](#) license and was authored, remixed, and/or curated by LibreTexts.