FOI #15419

Torres Rojas, Genara

From: Andrea Bernstein [mailto:abernstein@wnyc.org]
Sent: Wednesday, October 22, 2014 11:18 AM
To: Duffy, Daniel
Subject: FOIL Request

Dear Mr. Duffy,

Under the Freedom of Information Law of the State of New York and the Open Public Records Act of the State of New Jersey, I hereby request any and all records of emails, text messages, and other communications sent concerning either the Special Oversight Committee or the Special Panel on the Future of the Port Authority to or from: Commissioners Scott Rechler, Rich Bagger, John Degnan or former Commissioner David Samson, and staff members Sean Fitzpatrick, Phillip Danielides, and David Garten from February 1 2014 through the present date, inclusive.

I request the records whether they exist in paper or electronic form, in "written or printed book, document, drawing, map, plan, photograph, microfilm, data processed or imaged processed document, information stored or maintained electronically or by sound recording or in a similar device, or any copy thereof, that has been made, generated, maintained, received in the course of transacting official business and kept on file." Moreover, I request the documents whether they were sent from official Port Authority accounts, phones, computers or devices or personal devices, accounts or computers, given that messages sent from personal devices may constitute public business.

This request is made pursuant to the resolution by the Board of Commissioners of the Port Authority of New York and New Jersey approved on 3/29/2012 and the follow up resolution set to be approved today, which states that "as a public sector entity playing a pivotal role…the Port Authority must conduct its business in the public interest in a transparent manner that will maintain and bolster public knowledge of, and confidence in, the agency and its activities;" and the Port Authority by-laws, which state that the Port Authority shall abide by a freedom of information code consistent with the freedom of information laws of New York and New Jersey.

Clear, the activities of the Special Oversight and Special Panel on the Future fall square within business that is "in the public interest" and should be conducted in a transparent manner.

As I am a journalist and working on deadline, I would prefer that you release any records in electronic form in the most timely manner possible.

Moreover, if any portion of the documents releasable under this request shall be redacted, you must supply reasons under the Port Authority code and/or FOIL for the specific redaction.

Sincerely

Andrea Bernstein (by electronic signature)

Andrea Bernstein, Senior Editor, Politics & Policy
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THE PORT AUTHORITY OF NY & NJ

FOI Administrator

November 26, 2014

Ms. Andrea Bernstein
WNYC New York Public Radio
160 Varick Street
New York, NY 10013

Re: Freedom of Information Reference No. 15419

Dear Ms. Bernstein:

This is a response to your October 22, 2014 request, which has been processed under the Port Authority's March 29, 2012 Freedom of Information Code, (the "Code"), for copies of "any and all records of emails, text messages, and other communications sent concerning either the Special Oversight Committee or the Special Panel on the Future of the Port Authority to or from: Commissioners Scott Rechler, Rich Bagger, John Degnan or former Commissioner David Samson, and staff members Sean Fitzpatrick, Phillip Danielides, and David Garten from February 1 2014 through the present date, inclusive."

The materials responsive to your request are exempt from disclosure pursuant to Exemption (5) of the Code as they are inter-agency or intra-agency advisory, consultative or deliberative records.

Very truly yours,

Daniel D. Duffy
FOI Administrator

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