

**WHITEMAN
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Via Email (cam@govjustice.org)

Mr. Cameron Macdonald
The Empire Center
30 South Pearl St., Suite 110
Albany, New York 12210

Dear Mr. Macdonald:

I am writing in response to your FOIL request of April 8, 2021, the Empire Center's improper inclusion of information about HRI's federally funded employees on its SeeThroughNY site, and the misrepresentations made by the Empire Center in its June 21, 2021 press release.

First, with regard to the Empire Center's request for information from HRI, we have attached hereto the information requested. As you know, it is our position that HRI, as a private sector not for profit, is not properly subject to FOIL. However, as I have told you since our very first communication, notwithstanding and without waving its objections, HRI's consistent practice has been to respond to requests for information in a way that satisfies the requester while protecting HRI's and its employees' rights. As you will see, we have provided the information you have requested as promised in my email to you dated June 17, 2021.

Second, we want to reiterate our objection to the Empire Center's use of HRI employee information on its SeeThroughNewYork site, which gives "...New Yorkers a clearer view of how their state and local tax dollars are spent."

You are aware that HRI administers federal public health and scientific research grants and that its employees on those grants are, by definition, federally funded. The Empire Center's inclusion of HRI's federally funded employees on its site mischaracterizes the true source of

salary- funding for HRI's federally funded employees and misleads New Yorkers into thinking that (1) their state and local tax dollars are being spent to fund those employees' salaries and (2) HRI properly falls into the category of employers SeeThroughNewYork purports to include on the site, neither of which is true.

Lastly, with regard to the Empire Center's repeated references to HRI as a "shadowy" not for profit or "shadow government", etc.: HRI is a not for profit under federal and state law that serves the public health and scientific research purposes for which it was created. As an administrator of federal grants, HRI is highly regulated, audited and accountable. These are facts. HRI operates within a highly regulated realm as an administrator of federal grants and HRI has legitimately added profound value to the public health needs of the citizens of the state of New York over the past 68 years.

Yours Truly,

Heather D. Diddel

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