



## New York State Commission on Ethics and Lobbying in Government

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### **SUBSTANTIAL ACHIEVEMENTS IN ETHICS AND LOBBYING EDUCATION AND INVESTIGATIONS IN COMMISSION'S FIRST FULL YEAR**

In its first full year, the Commission on Ethics and Lobbying in Government (COELIG) and its agency partners achieved the first of the Commission's targets by providing instructor-led (by videoconference and in-person) comprehensive ethics training to more than half of the state's 330,000 executive branch officers and employees. In addition, the Commission provided on-demand ethics training to another 15,736 state employees, through Feb. 1, 2024, and supplied on-demand online lobbying ethics training to more than 80% of state and local lobbyists and clients.

In that same period, COELIG's ethics and lobbying units responded to 39,000 workforce, user, and public inquiries and requests for guidance and assistance. Further, as the agency strengthened its investigations and enforcement staff, the unit commenced a significant number of new matters and completed and resolved a substantial number of investigations of pending matters, many of which had carried over from the prior agency.

"These statistics document COELIG's achievement, through the extraordinary efforts of our staff and our partner agencies, to exceed not only statutory requirements but our own aspirational goals as well," **Executive Director Sanford N. Berland** said. "As we reach robust staffing levels across the agency, I know that, in the year ahead, COELIG will build on our strong foundation of an exceptionally motivated, dedicated, knowledgeable, and effective staff to achieve the agency's even more ambitious future goals."

"At its core, the Commission is wholly committed to fulfilling its mission to foster public confidence that our state's government is working in the public's interest," **Chair Frederick A. Davie** said. "The achievements quantified in this analysis show that through effective education and training, strict compliance, and vigorous enforcement of the state's ethics and lobbying laws, we are closer than ever to achieving that undertaking."

#### **Ethics and Lobbying Education**

COELIG is responsible for administering comprehensive ethics training to approximately 330,000 officers and employees at nearly 400 state agencies and departments, as well as to over ten thousand lobbyists and clients. The Commission developed the [New York State](#)

[Ethics Training Initiative](#) to fulfill the unprecedented and nationally unique program of mandatory annual ethics training set forth in the Ethics Commission Reform Act (ECRA).

As of February 1, 2024, more than 166,000 executive branch officers and employees have received instructor-led comprehensive ethics training in person or by videoconference and an additional 15,736 have taken the on-demand iteration of the comprehensive ethics training course. More than 120 state agencies have already enrolled employees for on-demand training, which COELIG introduced in November 2023.

The Commission's comprehensive education and training plan calls for half of all eligible employees to receive one training by December 31, 2023, and for all eligible employees to receive at least one ethics training by the end of the current calendar year. Ethics training provides the state workforce with an understanding of the state's ethics laws they must abide by so they can safely navigate potential conflicts of interest.

More than 8,600 lobbyists and clients, representing approximately 83% of those who are required to receive online lobbying ethics training in the current biennial lobbying cycle, have done so.

### **Ethics and Lobbying Guidance**

The Commission regularly provides advice, guidance, and assistance to state officers and employees, and lobbyists and clients concerning ethics and lobbying laws. On a daily basis, the Commission's teams of knowledgeable staff and counsel answer questions and address issues in both formal and informal communications.

Notably, Commission staff responded to 38,269 lobbying inquiries and processed over 60,000 lobbying filings in 2023. COELIG anticipates lobbying registrations, reports, and amendments will continue to be filed at historically high rates. In addition, the staff provided ethics guidance on nearly 700 requests on such topics as outside activities, post-state service employment, and conflicts of interest, including issuing over 400 informal letter opinions.

### **Investigations and Audits**

The Commission continues to receive tips, complaints, and reports that are reviewed for possible violations of New York's ethics or lobbying laws. To do so more effectively and to ensure compliance, COELIG implemented its expanded staffing plan, adding uniquely qualified employees and allowing for more expeditious handling of new and existing matters. If the preliminary review of information warrants a formal investigation, the subject of the investigation receives a written notice of allegations, often referred to as the "15-day letter," to which they may respond within 15 days. The Commission opened 11 investigations in 2023 and is continuing to investigate 32 matters opened by its predecessor. In addition, the Commission closed 111 matters last year.

## **2023 INVESTIGATIONS**

<b>Tips, Complaints, and Reports Received</b>	<b>Notice of Allegations Letters Sent</b>	<b>Investigations Opened</b>	<b>Matters Closed</b>	<b>Guidance Letters Sent</b>	<b>Matters Pending</b>	<b>Open Investigations</b>
156	11	11	111	6	147	43

The Commission conducts a Random Review Program for Financial Disclosure Statements (FDS) and a Random Audit Program for reports and registration statements filed by lobbyists and their clients to ensure accuracy and compliance with statutory requirements and to provide guidance when necessary. In 2023, COELIG completed 700 random audits of lobbying filings and 914 random FDS reviews. As a result of these reviews, the Commission issued 376 Requests for Additional Information Letters (RAILs). COELIG’s Audit and Review Unit also conducted 359 targeted reviews of Financial Disclosure Statements filed by statewide elected officials, members of the legislature and senior state government officials, resulting in 98 additional RAILS. In total, the Unit’s work resulted in 838 amendments to financial disclosure statements and 236 amendments to lobbying filings.

<b>2023 AUDITS AND REVIEWS</b>				
<b>Random Audits of Lobbying Filings Completed</b>	<b>Random FDS Reviews Completed</b>	<b>Requests for Additional Information Letters (RAILs) Sent After Random Review</b>	<b>Targeted FDS Reviews Completed</b>	<b>RAILS Sent After Targeted FDS Reviews</b>
700	914	376	359	98

**Public Records Access**

The Commission is the first New York State ethics agency subject to the Freedom of Information Law (FOIL). Members of the public may request access to lobbying filings, financial disclosure statements, and other records filed with the Commission but not otherwise available online. In 2023, COELIG received 203 unique record access requests and responded to 198 requests, in satisfaction of our requirements under FOIL.

**Next Steps**

These and other preliminary statistics will be reviewed, finalized, and published in COELIG’s 2023 Annual Report. That report will feature further highlights of the Commission’s work to fulfill its mission to exemplify the highest ethical standards and restore public trust in government through education, compliance, and vigorous enforcement of the state’s ethics and lobbying laws.

**About COELIG**

Created by New York State Law effective July 2022, the [Commission on Ethics and Lobbying in Government’s](#) charge is to foster public trust in government by ensuring compliance with the state’s ethics and lobbying laws and regulations. It has jurisdiction

over more than 330,000 officers and employees at state agencies and departments, including commissions, boards, state public benefit corporations, public authorities, SUNY, CUNY, and the statutory closely affiliated corporations; the four statewide elected officials; members of the Legislature and candidates for those offices; and state and local lobbyists and their clients.

The Commission interprets, administers, and enforces New York's ethics and lobbying laws, providing information, education, and guidance on the ethics and lobbying laws and regulations; promoting compliance through audits, investigations, and enforcement proceedings; issuing formal and informal advisory opinions; and promulgating regulations to implement the laws under its jurisdiction.

The Commission also promotes transparency by conducting its proceedings publicly to the fullest extent permitted by law and by making publicly available the financial and other disclosures filed by those subject to the Commission's regulatory authority. These disclosures include, but are not limited to, annual financial disclosure statements filed by over 36,000 individuals, and registrations and periodic reports filed by more than 7,700 lobbyists and over 4,000 of their clients.

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