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SANFORD N. BERLAND
EXECUTIVE DIRECTOR

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October 24, 2025

Mr. Blake G. Washington
Director of the Budget
New York State Division of the Budget
Agency Building 4, 13th Floor
Albany, New York 12224

Dear Mr. Washington:

On behalf of the New York Commission on Ethics and Lobbying in Government (“COELIG”), enclosed is a response to your letter of October 9, 2025.

COELIG’s management team has worked diligently to meet the agency’s statutory mandates with available resources, and it will continue to do so to the best of its ability, while also recognizing that robust resources are necessary to fulfill our agency’s statutory obligations. In support of the State’s commitment to controlling spending and achieving greater efficiency in government, as well as to restoring the public’s faith in the integrity of our State government and ensuring strict compliance with the State’s ethics and lobbying laws and regulations, and respectful of your request, COELIG is submitting a no-growth budget request of \$9,160,000 for Fiscal Year 2026-2027. Doing so is not without pain for our agency – among other things, it means that, absent additional funding, COELIG will be deferring or rescaling the replacement of certain key data systems, replacements aimed at improving the effectiveness and efficiency of our operations and enabling our agency to fulfill its legislative mandate to strengthen its capacity and capabilities in all key areas, especially in administering ethics training for the entire executive branch work force; regulating and overseeing the disclosure of lobbying activity; and ensuring compliance with the financial disclosure mandates of the Public Officers Law. .

Thank you for your consideration. We are prepared to answer any questions you may have and to provide any additional information you or your staff may require.

Very truly yours,

Sanford N. Berland
Executive Director

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POLICY ADVICE ON REQUEST

New York State Division of the Budget All Funds Budget Request FY 2026-2027 Statement of the Chair

Agency: **New York State Commission on Ethics and Lobbying in Government**

The Commission on Ethics and Lobbying in Government (“COELIG” or the “Commission”) oversees and regulates ethics and lobbying in New York State. The Commission has broad oversight over 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 and members of the Legislature (and candidates for those offices), employees of the Legislature, certain political party chairpersons, and registered lobbyists and their clients.

The Commission provides information, education, training and advice regarding current ethics and lobbying laws, and promotes compliance with these laws through audits, investigations, and enforcement proceedings. Further, the Commission promotes transparency by making publicly available the disclosures required to be filed by the individuals and entities under its oversight. These disclosures include, but are not limited to, the 35,000 Financial Disclosure Statements (“FDSs”) filed by State officers and employees subject to the Commission’s jurisdiction, as well as tens of thousands of activity and expenditure reports filed by the more than 12,500 registered lobbyists and lobbying clients who spent more than \$382 million to influence both State and local public officials in 2024. Indeed, the more than 190 million lobbying records the Commission has made available on the Open NY data platform constitute the largest dataset made publicly available in that platform’s history.

To streamline operations and improve the Commission’s efficiency and effectiveness, and to comply with statutory requirements, the Commission’s mission is carried out by five principal divisions and one shared unit, structured to evenly distribute responsibilities and best manage agency resources: the Ethics, Lobbying, Investigations and Enforcement, Communications and Public Information, and Administration Divisions, and the Training and Audit Unit. The Commission’s advisory and financial disclosure functions are within the Ethics Division. The Commission’s Lobbying guidance and filings programs constitute the Lobbying Division. The

Restoring public trust in state government

POLICY ADVICE ON REQUEST

Commission's education, auditing, and training functions are shared between the Ethics and Lobbying Divisions in its Training Unit. Staff are assigned accordingly throughout. The Commission's organizational structure allows it to allocate staff as needed to handle critical functions and meet its mandates.

The Commission generates revenues from lobbying registration fees, filing fees, late fees and fines, and monetary penalties, which are deposited into the State General Fund. In State Fiscal Year ("SFY") 2024-2025, which included the start of a biennial lobbying registration cycle, the Commission assessed or collected approximately \$2,178,000 in such revenues; to date in SFY 2025-2026, which does not include the start of a biennial cycle, over \$600,000 in such amounts has been collected. By statute, the current registration fee schedule requires a fee of \$200 to be paid for a biennial registration period, and a prorated fee of \$100 when registering during the second year. Lobbying clients submit a filing fee of \$50 with each of their semi-annual filings. The Commission estimates that at least 70% of its revenues come from lobbying fees over a typical biennial period. As the first half of the biennial registration cycle runs from January 2025 through December 2026, with a new cycle beginning in January 2027, the Commission projects that its total revenue collections will be approximately \$2,200,000 in the 2026-2027 fiscal year, with lobbying filing late fees accounting for approximately 25% of that figure. Additionally, to date in SFY 2025-2026, several investigative and enforcement actions have been settled, totaling \$6,900.

COELIG administers and provides mandatory ethics training programs to State officers and employees, directly and through the employing agencies, including programs specifically tailored to the needs of individual agencies. In accordance with the requirements of the Ethics Commission Reform Act of 2022 ("ECRA"), these programs, previously mandated only for executive branch FDS filers, are being extended to all state executive branch officers and employees going forward, *a more than ten-fold increase in the number of state employees who will be receiving mandatory ethics training annually*. Furthermore, the mandatory training cycle has been accelerated, so that the live comprehensive ethics training course ("CETC") must be administered to each employee biennially, with annual online refresher training in the intervening year (previously, such training was administered on a triennial cycle and only to FDS filers). The aggregate effect of these changes is a thirty-fold increase in the number of state officers and employees receiving mandatory ethics training annually. COELIG also administers a mandatory online lobbying ethics training program, which has been expanded pursuant to ECRA. This requirement applies to lobbying clients, currently numbering over 4,300, who must also receive ethics training. To meet these substantially increased requirements, the Commission added two associate counsels to its Ethics Division and expanded its training staff, tripling the number of trainers, creating and, most recently, filling the positions of Deputy Director of Training Management and Assistant Director of Education (onboarding pending), and augmenting the number of training associate positions in its Training Unit. The Commission has also projected the need for leasing a modest amount of additional Training Unit office space in Albany to expand the number of simultaneous live-online ethics trainings, which will help meet the challenge, shared with executive branch agencies, of providing such training to over 160,000 state officers and employees annually. In addition, we have worked with the Office of Information Technology Services to develop and implement a Statewide Ethics Training Application that, among other things, monitors training compliance at the individual employee level to create, for the first time, a record of each of the more than approximately 320,000 state officers and employees required to complete ethics training. The application went live in mid-June 2024, and when fully populated – the process is ongoing – it will identify, schedule, track, and report ethics training compliance at the individual employee level across the more than 380 departments, commissions, and agencies that make up the state's executive branch.

POLICY ADVICE ON REQUEST

Commission staff members continue to identify measures to enhance the Commission's efficiency and accountability to New Yorkers, as well as to demonstrate its leadership in ethics and lobbying compliance. To that end, the Commission created and filled the position of Assistant Director in our Compliance Audit and Review Unit, added an additional compliance auditor and a compliance analyst to that Unit, upgraded the Unit's auditing software, and established the position of Assistant Director in our FDS unit. As we noted in connection with our submissions over the last two years, the Commission's website replaced the site used by our predecessor agency, and our two aging online filing applications – FDS and lobbying – have been undergoing improvements aimed at affording greater public access to information and to streamline as best can be done with these increasingly outdated systems, the reporting processes for filers and staff. Also, as noted above, we have made the entire lobbying database publicly available on the OpenNY data platform. The maintenance and interim upgrading of these systems, both to meet new statutory requirements and to address heightened security concerns – particularly in the wake of a systems attack in 2022 – has required, and continues to require, significant staff and technological resources.

Demands for lobbying staff resources continue to grow, driven by historically high and ongoing industry activity. As noted above, over \$382 million in lobbying industry spending was recorded last year, marking the highest amount in the history of New York State lobbying regulation. As a result, Commission staff were tasked with processing registration statements and activity reports for 12,500 registered lobbyists and their clients. For this reason, the Commission added and filled three assistant filing specialist/filings examiner positions last year and another this year to facilitate the timely processing of statutory reports. Additionally, it previously added and filled an additional Deputy Director position in its Lobbying Division.

In the wake of the decision of the New York Court of Appeals in favor of the Commission in *Cuomo v. New York State Commission on Ethics and Lobbying in Government*, 2025 NY Slip opinion 00902 (February 18, 2025), the number and breadth of investigations and enforcement matters being pursued by the Commission have increased. Thus, the Commission's previously formalized expansion of its Investigation and Enforcement Division, which added two investigative counsel, two confidential investigators and an electronic discovery specialist position to the Division to address these growing needs, as well as the replacement of its outmoded case management and litigation support system, have proved to be indispensable to the Commission's fulfillment of its responsibility to monitor compliance with and to enforce the state's ethics and lobbying laws.

Respectful of the Budget Director's October 9, 2025, letter, the Commission has submitted a proposed budget for SFY 2026-2027 of \$9,160,000, which assumes no growth over the SFY 2025-2026 Enacted Budget. Operating within such limits will not be without pain for the Commission. Among other things, it means that absent additional funding, COELIG will be deferring or rescaling the replacement of certain key data systems, replacements aimed at improving the effectiveness and efficiency of our agency's operations and enabling it to achieve full implementation of its legislative mandate, embodied in ECRA, to strengthen its capacity and capabilities in all key areas, especially in administering ethics training for the entire executive branch work force; regulating and overseeing the disclosure of lobbying activity; and ensuring compliance with the financial disclosure mandates of the Public Officers Law.

The Commission acknowledges the financial situation in which the State finds itself and is committed to doing its part to address this challenge. Nevertheless, the Commission remains concerned about its ability to continue to meet its mandates without additional support in the future.

POLICY ADVICE ON REQUEST

Adequate funding is crucial for this Commission to succeed in administering training, providing ethical advice and guidance, monitoring compliance, and enforcing the ethical standards mandated by the Public Officers Law and the Lobbying Act, thereby ensuring transparency and continuing to rebuild trust in the State government. The Commission looks forward to the Division of Budget's support in this endeavor.

**New York State
Division of the Budget
All Funds Budget Request FY 2026-27
Agency Summary
Recapitulation of Current Year Adjusted Appropriations
and Requested Changes for the Next Fiscal Year**

Agency: NYS Commission on Ethics and Lobbying in Government

(A)	(B)	(C)	(D)
Appropriation Category/Fund Type	Adjusted Appropriations 2025-26	Requested Change	Total Request (Column B+C) 2026-27
State Operations			
General Fund	9,160,000	-	9,160,000
Special Revenue - Federal			-
Special Revenue - Other			-
Enterprise			-
Internal Service			-
Private Purpose Trust			-
Subtotal	9,160,000	-	9,160,000
Aid to Localities			
General Fund			-
Special Revenue - Federal			-
Special Revenue - Other			-
Enterprise			-
Subtotal			-
Capital Projects			
Capital Projects Fund			-
Special Revenue - Other			-
Enterprise			-
Internal Service			-
Subtotal			-
Debt Service			-
Agency Total	9,160,000	0	9,160,000

STATISTICAL TABULATION

**New York State
Division of the Budget
All Funds Budget Request FY 2026-27
Program Recapitulation
of Current Year Adjusted Appropriations
and Requested Changes for the Next Fiscal Year**

Agency: NYS Commission on Ethics and
Lobbying in Government

Category:

State Operations

(A)	(B)	(C)	(D)
Program/Fund Type	Adjusted Appropriations 2025-26	Requested Change	Total Request (Column B+C) 2026-27
Program			
General Fund	9,160,000	-	9,160,000
Special Revenue - Federal			-
Special Revenue - Other			-
Enterprise			-
Internal Service			-
Private Purpose Trust			-
Program Total	9,160,000	-	9,160,000
Program			
General Fund			-
Special Revenue - Federal			-
Special Revenue - Other			-
Enterprise			-
Internal Service			-
Private Purpose Trust			-
Program Total	-	-	-
Program			
General Fund			-
Special Revenue - Federal			-
Special Revenue - Other			-
Enterprise			-
Internal Service			-
Private Purpose Trust			-
Program Total	-	-	-
All Program Recapitulation			
Program	9,160,000	-	9,160,000
Program			-
Program			-
Agency Total	9,160,000	-	9,160,000

NYS Division of the Budget Miscellaneous Receipts BRM Report

Receipt Name	Fund	Subfund	Account	Product Code	Periodicity	Fee/Fine	Fee/Fine Unit Desc	2024-25 Revenue Amt Distributed	Indicator	Law/Section
Agency : 3810000 - Ethics and Lobbying, Independent Commission on										
1	Administrative Late Fees	003	10050	31131	201050	As Necessary	\$100.00	Fee assessed to	Statutory	Public Officers Law section 73-
2	Client Filing fee	003	10050	31301	201051	Six Months	\$50.00	Client semiannual	\$365,200.00	Statutory Lobbying Act 1-j(c)(3)
3	FOIL Fees	003	10050	31301	300077	As Necessary	\$0.01 - \$0.25	Copying fees for	\$0.00	Statutory Freedom of Information Law
4	Lobbying Late Fees	003	10050	31406	201055	Daily	\$10.00 - \$1,000.00	late filing fee for	\$686,917.84	Statutory Lobbying Act 1-e(e)(iii), 1-
5	Lobbyist Civil Penalty Fine	003	10050	31406	201054	As Necessary	\$2,000.00 - \$50,000.00	Fine for various violations of the Lobby Act	\$7,050.00	Statutory Lobbying Act 1-o(b)(i),(ii),(iii),(v),(vi)
6	Lobbyist Registration Fee	003	10050	31301	201053	Two Year	\$100.00 - \$200.00	Lobbyist registration	\$1,117,100.00	Statutory Lobbying Act Section 1-e(e)(iii)
7	Public Officers Law Civil Assessment Fee	003	10050	31406	201056	As Necessary	\$0.01 - \$40,000.00	civil penalty assessed for violations of POL &	\$1,750.00	Statutory Executive Law section 94(14)

New York State
Division of the Budget
All Funds Budget Request FY 2026-27
State Operations and Aid to Localities
Recapitulation of Current Year Adjusted and
and Requested New Year Appropriations

Agency: NYS Commission on Ethics and Lobbying in Government
 Program:
 Division/Institution:

Fund Type: General
 Fund: General
 Subfund:

(A)	(B)	(C)	(D)
Object and Subobject of Appropriation/Aid Purpose	Adjusted Appropriations 2025-26	Change	Requested Appropriations (Column B+C) 2026-27
State Operations			
Personal Service			0
Personal Service -- Regular	7,676,000	218,500	7,894,500
Temporary Service			0
Holiday/Overtime Compensation	10,000		10,000
Total PS	7,686,000	218,500	7,904,500
Nonpersonal Service			
Supplies and Materials	80,000	(10,000)	70,000
Travel	40,000	(20,000)	20,000
Contractual Services	1,304,000	(168,500)	1,135,500
Equipment	50,000	(20,000)	30,000
Fringe Benefits			0
Indirect Costs			0
Total NPS	1,474,000	(218,500)	1,255,500
Maintenance Undistributed			
Personal Service -- Regular			0
Temporary Service			0
Holiday/Overtime Compensation			0
Supplies and Materials			0
Travel			0
Contractual Services			0
Equipment			0
Fringe Benefits			0
Indirect Costs			0
Total MU	0	0	0
Total State Operations	9,160,000	0	9,160,000
Aid to Localities			
Purpose:			
--			0
--			0
--			0
--			0
--			0
Total Aid to Localities	0	0	0
Grand Total SO and ATL	9,160,000	0	9,160,000

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October 24, 2025

BY EMAIL

Mr. Blake G. Washington
Director of the Budget
New York State Division of the Budget
Agency Building 4, 13th Floor
Albany, New York 12224

Dear Mr. Washington:

I write on behalf of the Commission on Ethics and Lobbying in Government (“COELIG” or “the Commission”). In response to your request, we are submitting separate zero-growth budget documents for Fiscal Year 2026-2027. Those documents, however, do not reflect the full amounts required by our agency to fully execute all of its duties and pursue its mission with the thoroughness, breadth, and precision expected of the agency. Therefore, I am submitting this letter to supplement the Commission’s submission and to request additional funding in the amount of \$750,000 in 2026-2027, to replace our old, outdated and incomplete/never completed New York State Office of Information Technology Service-developed systems for our Lobbying Application and Public Search Query, and our Financial Disclosure Statement systems. That will bring our total budget request for State Fiscal Year 2026-2027 to \$9,910,000. Further, to the extent the Division of Budget intends to hold back any portion of our ultimate SFY 2026-2027 appropriation, we ask that it not do so and that if it will be doing so nonetheless, that our appropriation be increased in an amount that will assure that we will have sufficient cash in SFY 2026-2027 to meet our Personal Services and Non-Personal Services costs.

Under the Ethics Commission Reform Act of 2022 (“ECRA”), the Commission is charged with restoring public confidence in the integrity of state government by assiduously administering, interpreting, and enforcing New York’s ethics and lobbying laws. Accordingly, the Commission has been granted broad regulatory and enforcement jurisdiction over the Executive and Legislative branches of state government, as well as over lobbying activity at both the state and local levels. Among other things, the Commission promotes compliance with the state’s ethics and lobbying laws through audits, investigations, and enforcement proceedings. The Commission is also responsible for administering and making publicly available the disclosures required to be filed by the individuals and entities under its oversight, including the more than 35,000 annual Financial Disclosure Statements (or “FDSs”) submitted by Executive and Legislative Branch elected

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officials, officers and employees pursuant to Section 73-a of the Public Officers Law, as well as the more than 70,000 registration statements and activity and expenditure reports, and amendments, required to be filed by the more than 12,500 registered lobbyists and lobbying clients who spent more than \$382 million to influence both state and local public officials in 2024, with 2025 filings and expenditures on course to exceed those figures. Indeed, the more than 226 million lobbying records the Commission makes accessible constitute one of the largest publicly available datasets in the state.

OITS created the Lobbying Application and FDS systems in 2019 and 2013, respectively. Both systems were considered antiquated by comparison to the systems used by other government agencies at the time of their introduction. Today, their functionality remains extremely limited, and the systems are not considered “user-friendly” to the public, our regulated communities, and staff. Indeed, state legislators, stakeholders, and members of our regulated communities, as well as the general public, have all expressed concerns about the difficult-to-navigate platforms and have repeatedly asked us to prioritize updating the systems. The Lobbying Application/PSQ is often plagued by slowdowns or interruptions that render the platforms useless for hours at a time, impeding transparency. The FDS system is complicated and confusing for filers, and it lacks essential functionality for agency use, particularly in communicating with filers and identifying deficiencies and inconsistencies in filings. In addition, neither of these systems is accessible to individuals with disabilities such as the visually impaired. Our long-running efforts to have OITS address these concerns have been a source of both frustration and consternation.

The full functionalities of both the Lobbying Application/PSQ system and the FDS system have never been realized because of persistent delays by OITS on when the work would or could be completed. Given the new method for determining costs for OITS to complete these projects, OITS has just informed us that under their recommended approach, it would cost COELIG and the state an additional \$2.9 million and, after a protracted delay to allow OITS to recruit and train new staff, take at least 16 months to add the functionalities to the systems as they were originally designed years and years ago. It would be both economically and functionally senseless to allocate such a huge amount of money, and to tie up agency and state resources, for the sake of continuing to work on completing long-outdated and archaic systems, when procuring state-of-the-art systems, each equipped with markedly greater functionality and utilizing modern technology on par with the much more capable systems used by similar agencies around the country, could be implemented more quickly and at a fraction of the cost through the procurement process.

The Commission has benchmarked itself against other ethics and lobbying regulatory agencies in other states and cities, and we have had initial meetings with a number of vendors to determine the range of possibilities for the new systems and the scope of potential costs. Based upon those discussions, we estimate that replacement systems can be developed using currently available funds and with approximately an additional \$750,000 in the Commission’s FY 2026-2027 budget. Procuring new systems would save the state more than \$2 million, and potentially considerably more, and would provide the Commission with vastly improved regulatory tools, the public with greatly enhanced access to lobbying data, and state officers and employees and our regulated communities with streamlined, efficient, and user-friendly compliance and reporting systems. We will be working with OITS and the Executive Chamber on a proposal to be submitted through the Budget Bulletin H300 process to pursue such a procurement.

Accordingly, and for all of the above reasons, the Commission respectfully requests that its non-personal services appropriation for SFY 2026-2027 be set at \$2,005,500 and its full

Letter to Mr. Blake G. Washington

October 24, 2025

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appropriation, inclusive of the costs of replacing its existing Lobbying Application/PSQ and Financial Disclosure system at \$9,910,000, together with such additional amount as may be required to make up for any amount that the Division of Budget holds back from that appropriation.

I am available to answer any questions you may have and to provide any further information you require.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Sanford N. Berland". The signature is fluid and cursive, with a prominent initial "S" and a long, sweeping tail that curves upwards and to the right.

Sanford N. Berland
Executive Director

Copy to Seymour W. James, Jr., Chair
Mariana Cadiz, Acting Director of
Administration