



CITIZENS UNION OF THE CITY OF NEW YORK

Testimony Before the New York State Commission on Ethics and Lobbying in Government, Annual Public Hearing September 30, 2026

Good morning, members of the Commission on Ethics and Lobbying in Government. My name is Ben Weinberg, and I am the Director of Public Policy at Citizens Union, a good government group working to reform New York City and State governments. Thank you for the opportunity to speak at COELIG's fourth annual public hearing.

We appreciate the Commission's diligent work on its Comprehensive Review of the laws and regulations it administers, and the transparency it provides by regularly publishing draft memos, policy materials, and meeting documents. We encourage the Commission to continue this approach.

Today I will address proposals under consideration in the draft Comprehensive Review Report, as well as several reforms the report does not include.

LOBBYING DISCLOSURE AND REGULATION

Lobbying and campaign contributions

We strongly support the following proposals under consideration in the draft Comprehensive Review Report (Proposals C(1) and C(2), Part II):

- **Restrict campaign contributions from lobbyists and their clients.**
- **Limit lobbying of officials whose campaigns a lobbyist or their client has recently contributed to.**
- **Require lobbyists and clients to report their campaign contributions, and services provided to candidates, in their lobbying reports.**

Citizens Union has supported these measures at past hearings, and we reiterate that support today. In Albany, lobbying and electoral campaigns are closely intertwined: lobbying firms regularly host fundraisers, some provide campaign consulting, and some now run their own

independent expenditure committees. Rules that address lobbying alone cannot capture the full range of tools lobbyists use to influence policy and legislation.

These proposals are also workable. New York City already caps contributions from lobbyists and those doing business with the City, and requires lobbyists to disclose their political and fundraising activities in bimonthly reports. A lobbying cooling-off period has been proposed in the City Council and exists in other jurisdictions.

Source of funding

We support clarifying and strengthening source-of-funding regulations (Proposal C(7), Part II) to stop funders of lobbying from using pass-through vehicles and similar arrangements to evade disclosure of the true source of funding. Business groups are also increasingly using pass-through entities to hide campaign contributions, including to independent expenditure committees. The cost of setting up such a structure is negligible compared with the cost of a lobbying campaign.

Positions on legislation

We reiterate our support for requiring lobbyists to state their positions on legislation in filing reports (Proposal C(12), Part II).

Lobbying on Senate-confirmed nominations

We reiterate our support for expanding the definition of lobbying to include efforts to influence the nomination or confirmation of nominees who require Senate confirmation. This proposal was not in the draft Comprehensive Review sections that were made public. It was introduced this session as S374 (Gianaris) / A7456 (McDonald).

Smaller lobbying filers

We reiterate our support for reducing disclosure requirements for smaller filers to reduce the administrative burden on (mostly) nonprofits and allow more groups to take part in advocacy while complying with the law. Previous proposals suggested organizations that spend \$5,000 to \$10,000 a year on lobbying should file semiannually rather than bi-monthly. This proposal was not in the draft Comprehensive Review sections that were made public. A similar measure was introduced this session as S2224B (Krueger)/A8933A (Gonzalez-Rojas).

Lobbying advertising

We support better regulation of lobbying dollars used for advertising, a growing tool for lobbying campaigns. This year, Citizens for Affordable Rates, the Uber-backed group that pushed the Governor's auto-insurance overhaul, reported \$12.7 million in lobbying spending from January through June, more than any other interest in the state. Much of that went to

advertising. Amazon recently reported bankrolling a \$5 million ad campaign against a New York City Council bill, routed through another entity. The Commission should examine these changing practices, with the goal of requiring timely disclosure of advertising and its funding so that the groups behind it cannot remain hidden. We refer the Commission to Reinvent Albany's research on potential models in other states.

Electronic filing

We were pleased that the Legislature passed bills requiring electronic filing of lobbying reports and financial disclosure statements (S4857C (Skoufis) / A463B (Paulin) and S5843 (Skoufis) / A2330 (McDonald)), and we have urged Governor Hochul to sign them.

ETHICS ENFORCEMENT AND JURISDICTION

Updating code of ethics

We reiterate our strong support for explicitly codifying sexual harassment as conduct that violates the code of ethics (Public Officers Law § 74), making clear that COELIG has jurisdiction over harassment and discrimination. This proposal is part of the Commission's 2026 Legislative Agenda and was introduced this session as S4197A (Gounardes) / A6201A (Kelles).

ETHICS ADVICE AND GUIDANCE

Guidance confidentiality

We caution against extending COELIG's advice confidentiality to agency ethics officers (Proposal C(4), Part I).

We appreciate the draft report's careful weighing of this issue, where the right line is difficult to draw. But the change would extend confidentiality to roughly 400 agency ethics officers who hold the role as a secondary responsibility and whose familiarity with the rules and record of compliance vary. We worry about expanding confidentiality because of the possibility that it would be misused through misleading disclosure of the guidance given, something COELIG addressed in Advisory Opinion 25-01, and ethics officers do not have the power to waive confidentiality that COELIG has under that AO.

We recommend the Commission first establish that this issue indeed constitutes a major problem. The review seeks to facilitate application for outside activity - first received by agency ethics officers, but an application of that sort is an official act governed by relatively clear rules, and likely should not receive the same protection as an informal request for advice, when employees are unsure what the rules require. Employees seeking specific advice who wish to keep it confidential can turn to COELIG's attorney-of-the-day services instead.

We note that New York City does not extend confidentiality to agency ethics liaisons, who may also discuss waiver requests with employees (the city's parallel process to the state's outside activity approval). Ethics advice is mainly provided by the city's Conflicts of Interest, which fields about 3,500 attorney-of-the-day requests and serves a workforce of similar size.

COMMISSION STRUCTURE

Voting rules

We support changing the Commission's voting rules so it can act even when seats are vacant.

Executive Law § 94(4)(h) requires six votes, a majority of the full eleven-member Commission, for any action, regardless of how many seats are filled. Each vacancy raises the share of seated commissioners who must agree. In November 2025, the Commission closed a sexual harassment case against a former Senator even though it found, by a 5–2 vote, that the conduct occurred. With three seats vacant, five votes were not enough.

Vacancies have been frequent and long-lasting, and an appointing authority can weaken the Commission simply by leaving a seat empty. We called the Governor early this year to fill her most recent vacancy. We urge the Commission to propose tying the voting threshold to the commissioners currently serving and not recused, with some floor for official action.

Thank you for the opportunity to testify.