



Via Email

December 4, 2015

NYS Joint Commission on Public Ethics
c/o Martin Levine, Director of Lobbying and FDS Compliance and Senior Counsel
540 Broadway
Albany, New York 12207

Re: Proposed Advisory Opinion 15-0x – Reporting obligations under the Lobbying Act for a party who is compensated for consulting services in connection with lobbying activity

Dear Commissioners,

Common Cause/NY is pleased to see the Commission grapple with the real world changes that have taken place in lobbying activities that Common Cause/NY has examined in various forums, including our 2011 report *Lifting the Veil: A Report Analyzing Grassroots Lobbying in New York State and Recommending Amendments to the Lobbying Act*, http://www.commoncause.org/states/new-york/research-and-reports/NY_060911_Report_Lifting_The_Veil.html. We have commented on the increasingly convoluted role of outside consultants and the need for clearer disclosures of their activities, <http://nyti.ms/1HLCyzK> and <http://bit.ly/1xZWIkO>.

Accordingly, we support the position set forth in Proposed Advisory Opinion 15-0x, but agree with the comments of the Committee on Government Ethics of the New York City Bar contained in the letter from Benton J. Campbell of December 4, 2015 that the Proposed opinion does not go far enough. Based on the consultant conduct we are observing every day in New York City and at the state level, we agree that the public interest will be served by “[a] requirement of full reporting by all persons participating substantially in lobbying communications with public officials, or in artificially stimulating letter (and now email) campaigns...” We agree with the City Bar that such a requirement “does not regulate content but only sets reasonable disclosure obligations and regulations to further a legitimate, and recognized, public interest.” With the continuing exponential growth in the undisclosed use of outside consultants helping to shape public policy, further examination and regulation is warranted.

Respectfully submitted,

A handwritten signature in cursive script that reads "Susan Lerner".

Susan Lerner
Executive Director