



City Clerk's Enforcement of the Lobbying Law

What questions did the audit look at?

- ▶ Did the Office of the City Clerk's (OCC) Lobbying Bureau effectively enforce New York City's Lobbying Law?

Why does it matter for New Yorkers?

Every day, lobbying directly impacts the lives of New Yorkers. From real estate development and public spending to environmental rules and social services, lobbying influences City decision-making on legislation, zoning, contracts, and policies. A strong enforcement regime ensures that these influences are publicly disclosed, reducing the risk that private interests operate in the shadows to shape government outcomes without accountability. OCC is responsible for registering and tracking lobbyists and enforcing the City's Lobbying Law.

The audit found that OCC generally complies with legal requirements to audit registered lobbyists, but enforcement could be strengthened through statutory changes. For example, the Lobbying Law does not require City officials and certain employees to report contact with third parties that might potentially constitute lobbying. Instead, the burden to detect unregistered lobbying falls on OCC. The audit also found that OCC could strengthen its investigative processes. One way it could do this is by focusing its efforts on unregistered lobbying in "high-risk" areas, such as non-competitive procurements, land use applications, and discretionary funding.

What changes did the agency commit to make following the audit?

- ▶ OCC agreed to continue petitioning the City Council to amend the Lobbying Law to (1) require training of City agencies, and (2) require agencies to report contacts with all known and potential lobbyists.
- ▶ OCC agreed to improve its detection of lobbying activity by targeting high-risk areas (such as Uniform Land Use Review Procedure [ULURP] applicants and non-competitive contracts) and require entities under review to respond to OCC inquiries.
- ▶ OCC agreed to establish formal policies and steps OCC staff must follow when conducting investigations of unregistered lobbying.

AUDIT FINDINGS



OCC generally complied with the requirements of the Lobbying Law.



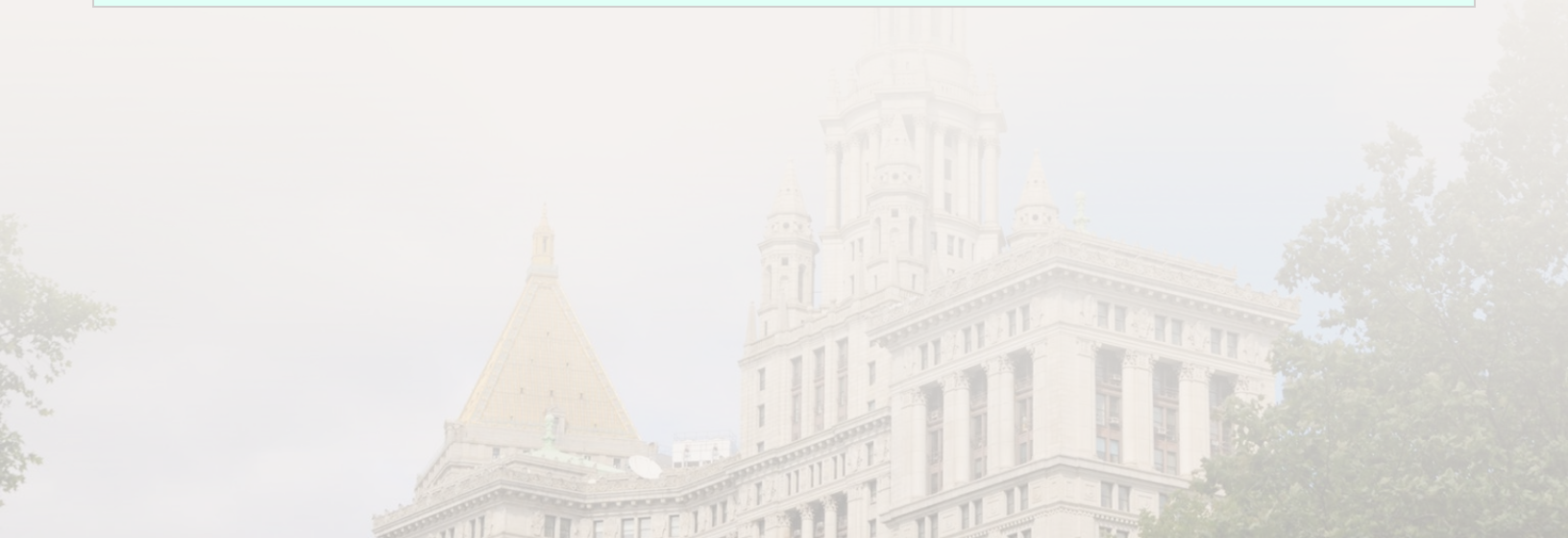
OCC's enforcement of the law is limited because the burden to detect violations falls on the agency.



Statutory gaps limit the City's ability to identify and enforce unregistered lobbying.



Audit Recommendations	Agency Response
<p>1 Continue its efforts to petition the City Council to amend the Lobbying Law to (1) require training of City agencies, and (2) require all City agencies to report contacts with known lobbyists and those potentially “lobbying” for a benefit. Reporting should include the individual’s and firm’s names (if applicable), meeting date, location, and subject matter(s) discussed.</p>	<p>AGREED</p>
<p>2 Ensure that it regularly reviews ULURP applicants and City vendors awarded non-competitive contract awards to determine whether any of the individuals or entities conducted lobbying activity, registered as a lobbyist with the Lobbying Bureau, and accurately recorded all lobbying activities.</p>	<p>AGREED</p>
<p>3 Require entities under review for possible unreported lobbying activity to respond to OCC inquiries and explicitly indicate their lobbying or political fundraising activities, whether they met with City agencies, and the purpose of such meetings.</p>	<p>AGREED</p>
<p>4 Formally establish steps OCC staff must follow when investigating allegations of unreported lobbying activity and ensure that all steps are performed and well-documented. Steps should include contact with the subject of complaints as well as the targets of alleged lobbying activities within City agencies or government, and documentation should include all steps taken, evidence collected, and conclusions drawn.</p>	<p>AGREED</p>
<p>5 Establish written policies and procedures consistent with the Lobbying Law and Administrative Code that include detailed guidance to staff for the proper performance of their assigned duties, including investigation steps of potentially unreported lobbying activity.</p>	<p>AGREED</p>
<p>6 Continue its efforts to advocate to OMB for the necessary funding to hire staff needed to carry out its critical and mandated duties outlined in the Lobbying Law to help maintain public trust.</p>	<p>AGREED</p>



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