



**Testimony of Tom Speaker, Reinvent Albany
To Governance Committee of the MTA
Regarding MTA Conflicts of Interest Policies**

December 10, 2018

Good afternoon, I am Tom Speaker, a Policy Analyst for Reinvent Albany. We advocate for more transparent and accountable state government --- including for state authorities like the MTA.

I am here to ask you again to amend the MTA Ethics Codes to clearly ban outside income for the MTA's Chairman/Chief Executive Officer and enact other reforms to reduce conflicts of interest.

At July's Audit Committee meeting, Reinvent Albany shared a letter from five watchdog groups including Reinvent Albany, Citizens Union, Common Cause NY, the League of Women Voters of NYC, and the NYPIRG Straphangers Campaign. Our letter asked the board, via the Audit Committee, to set a higher standard of integrity by amending the MTA Board and All-Agency Codes of Ethics. The Audit Committee referred our letter to you, the Governance Committee, for action.¹

According to the Committee's approved workplan² the Governance Committee is scheduled today to "Review and Approve Revisions to MTA Code of Ethics." We believe

¹ https://www.youtube.com/watch?v=MqBBTEy_bSQ&feature=youtu.be

² http://web.mta.info/mta/news/books/pdf/180319_1530_Governance.pdf

this is especially important after 10 months of heated public criticism over Chairman Lhota's more than two million dollars a year in outside income. Chairman Lhota has since resigned, but this issue is not going away and the public has not forgotten. The MTA Board needs to vote now to reduce conflict of interest and the risk of corruption.

We again ask that the MTA Board do the following:

1. Ban outside income for the MTA Chairman/CEO - whether compensated or not;
2. Affirm that the Chairman/CEO is the head of the agency and is subject to all Public Authorities Law, Public Officers Law (Sections 73, 73-a and 74) and MTA internal ethics policies requirements covering full-time heads of agencies.
3. Require notification to the full MTA Board of any board member's and the Chairman/CEO's potential conflicts of interest, with a public record of conflicts recorded in meeting minutes, as recommended by the Authorities Budget Office;
4. Post on the MTA's website the list of "prohibited sources" of gifts as defined in the MTA Codes of Ethics.
5. Eliminate double standards between board and/or management and employees regarding accepting directorships and attendance at prohibited-source sponsored events.
6. Conduct an internal review to consider revisions to the MTA's code of ethics as relates to the "revolving door" or post-employment restrictions for MTA staff accepting positions with those who do business with the MTA.
7. Affirm that campaign contributions to the governor from MTA board members are banned, as stipulated in the MTA Board Code of Ethics, and ban campaign contributions to the governor from board members' businesses and family.

Finally, we ask that the MTA publish any changes to its Ethics code, with all exhibits being voted on made available for public viewing.

Thank you.