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540 BROADWAY
ALBANY, NEW YORK 12207
ethics.ny.gov

SANFORD N. BERLAND
EXECUTIVE DIRECTOR

PHONE: (518) 408-3976
FAX: (518) 408-3975
ethics@ethics.ny.gov

January 31, 2024

Sent Via Email: SectresLD113@acre2000.com

Thomas M. Caruso, Sr.
Secretary-Treasurer
Association of Commuter Rail Employees
Local Division 113
25 Robert Road
Poughkeepsie, NY 12603

RE: Request for Title Exemption from Financial Disclosure Filing Requirements Pursuant to Public Officers Law § 73-a

Dear Thomas M. Caruso, Sr.:

As you know, Public Officers Law § 73-a requires certain individuals to file a Financial Disclosure Statement (FDS) with the New York State Commission on Ethics and Lobbying in Government (the "Commission"). Pursuant to Executive Law § 94(9)(k) and Title 19 NYCRR Part 935.2, you submitted requests for an exemption from this filing requirement on behalf of others with respect to the referenced titles below.

Public Officers Law § 73-a requires certain individuals to file a Financial Disclosure Statement (FDS) with the New York State Commission on Ethics and Lobbying in Government (the Commission"). Pursuant to Executive Law § 94(9)(k) and Title 19 NYCRR Part 935.2, the Association of Commuter Rail Employees Local Division 113 submitted a request for exemption from this filing requirement on behalf of persons who share the title of **Rail Traffic Controller, Title Code (M110283) and Rail Traffic Controller Trainee, Title Code (M110272).**

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Financial disclosure is important to ensure that there are no actual or apparent conflicts of interest between an employee's own interests and those of the public when performing their job duties. The Commission may permit the granting of an exemption where, in its discretion, the public interest does not require disclosure and the duties do not involve the negotiation, authorization or approval of:

- (i) contracts, leases, franchises, revocable consents, concessions, variances, special permits, or licenses defined in section seventy-three of the Public Officers Law;
- (ii) the purchase, sale, rental or lease of real property, goods or services, or a contract therefor;
- (iii) the obtaining of grants of money or loans; or
- (iv) the adoption or repeal of any rule or regulation having the force and effect of law

The Commission has reviewed your FDS filing exemption request for the title of **Rail Traffic Controller, Title Code (M110283) and Rail Traffic Controller Trainee, Title Code (M110272)** and affirmed the Commission staff **approval** of the exemption requests. Accordingly, individuals serving in the above-referenced titles are not subject to the Public Officers Law § 73-a filing requirement and are not required to file an FDS for calendar year 2023.

Please contact FDS Deputy Director Melinda Funk at (518) 474-4522 if you have any questions about the Commission's determination.

NYS COMMISSION ON ETHICS AND LOBBYING IN GOVERNMENT

cc: Lamond Kearse, Ethics Officer, MTA Headquarters