



NEW YORK STATE SENATOR

Thomas F. O'Mara

## Senator O'Mara's weekly column 'From the Capitol' -- for the week of July 10, 2023 -- 'The hits keep coming for taxpayers'

THOMAS F. O'MARA July 10, 2023

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Senator O'Mara offers his weekly perspective on many of the key challenges and issues facing the Legislature, as well as on legislative actions, local initiatives, state programs and policies, and more. Stop back every Monday for Senator O'Mara's latest column...

This week, "The hits keep coming for taxpayers"

The hits keep coming -- for the taxpayers of this state, that is -- on New York's response to the COVID-19 pandemic.

*The most recent report* is that Governor Hochul is finally getting around to scrapping the state's COVID vaccine digital passport debacle started under former Governor Andrew Cuomo -- a decision not made, however, before state taxpayers have already shelled out \$64 million, including \$200,000 a month in operating costs, over two years to the consultants and contractors hired to develop, implement, and oversee this boondoggle.

It continues to make the larger point: Why do New Yorkers only find out about these failures in piecemeal news reports?

Let's not forget that New York government, and all New Yorkers, remained under the thumb of executive order for more than two years, until Governor Hochul finally saw fit to officially call an end to the COVID-19 emergency last September, far too late.

We know that these executive powers were abused. For more than two years, there were no legislative checks and balances in an all-Democrat-controlled, toe-the-line Legislature. Local decision-making was ignored. It was unilateral action after unilateral action by the governor, executive dictate after executive dictate, state mandate after state mandate -- and it was a disaster, and incredibly costly, as we keep finding out.

The trouble is that we're not finding out the way we should be. It just keeps raising red flags and suspicions. Going back well over a year, the Senate and Assembly Republican conferences have repeatedly called for an independent, transparent, no-holds-barred, top-to-bottom examination of *all* the decisions that were made and *all* the actions that were taken during the COVID-19 response and recovery.

Instead, last July, Governor Hochul announced the hiring of yet another consultant (overseen, by the way, by her own state director of homeland security and emergency services) to conduct an "After Action Review" of the state's pandemic response. At the time of her announcement, the governor said this hired hand was supposed to begin its work last November, provide *preliminary results in six months*, and there was no definitive timetable for a final report.

It's the last we've heard of it. Another slow-walk at the highest levels of state government. Eventually another in-house report. In other words, another whitewash paid for by taxpayers.

Of course, last September, news reports revealed that the Hochul administration had previously awarded a massive, \$637 million state contract to a firm known as Digital Gadgets. The contract was for COVID-19 tests. The state paid Digital Gadgets an average of \$12.25 per COVID-19 test, despite other companies charging \$7.80 or even less. Further reports revealed that Digital Gadgets CEO Charles Tebele and multiple members of his family donated hundreds of thousands of dollars to Governor Hochul's re-election campaign -- a small price to pay for a \$637 million no-bid contract.

Senate and Assembly Republicans again called for an investigation to determine if the Hochul administration engaged in pay-to-play violations of state ethics laws -- including (and this gets back to the overall point about the abuse of emergency executive powers) whether the governor utilized her emergency powers to skirt the competitive bidding process and state comptroller oversight that usually accompanies the awarding of state contracts.

It all calls to mind the sordid and terrible chapter of the Cuomo administration's handling of the COVID-19 response in New York's nursing homes, which was replete with lies, misinformation, stonewalling, whitewashing, and bald-faced personal gain for the former governor with a \$5.1 million book deal.

This tragedy in nursing homes also continues to demand a full and immediate investigation.

What we continue to know for certain is that there remains a glaring lack of urgency within the Hochul administration to willingly reexamine the Covid-19 response, all of it, from the beginning until now -- its costs, its shortcomings, its outright failures, what worked and what did not, what actions should remain in place going forward and what needs to be scrapped immediately.

This was the most devastating public health crisis this state ever faced. The longer the reassessment of the response is delayed, the more transparency gets clouded, the more credibility is eroded, and the more the effectiveness of New York's future responses is jeopardized and weakened.

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