



**Testimony to the New York City Council
Committee on Governmental Operations, State & Federal Legislation**

***Re: Support for Bills Reducing Reports Filed by NYC Agencies;
Plus, Council Must Require Archiving of Electronic Communications***

October 28, 2026

Thank you for the opportunity to provide testimony. My name is Rachael Fauss, and I am a Senior Policy Advisor for Reinvent Albany. Reinvent Albany advocates for transparent and accountable government in New York.

We are here today to ask the Council to do five things:

- 1. Pass legislation clarifying that electronic communications that create a public record must be archived, and thus easily retrievable by agency FOIL officers.** (See our [draft bill we presented at last month's hearing](#).)
 - a. While we appreciate that this hearing provides another opportunity to discuss instant messaging retention policies, we do not think that creation of a working group via [Preconsidered 2026-2722](#) is necessary. We note that the working group would dissolve after issuing a report – in line with the Council's goal of limiting reporting requirements – but believe our bill to clearly define substantive instant messages and retention rules in the City Charter is the best path forward. We are concerned that any further delay in clarifying these requirements risks losing additional important government communications that should be preserved.
- 2. Hold a separate hearing on Freedom of Information Law (FOIL) compliance and our proposed records retention bill.** The Department of Records and Information Services [told The City Reporter](#) this week that their implementation report for [Local Law 199](#) – which codifies and expands the OpenRecords portal – will be released in mid-November. These topics are synergistic given that one important goal of records retention is ensuring that the public can access records about government decision-making through FOIL.
- 3. Continue to make progress reducing reports by passing Intros 1127-B, 1128, and 1129.** Overall, we appreciate the Council's initiative to consolidate or eliminate agency reports that are no longer necessary, and formalize the Council's report submission process.
- 4. Consider amending [Int 1076-2026](#) to add its requirement to the existing Local Law 83 requirements of the Office of Ethnic and Community Media in the [Annual Advertising Spend Report](#),** as we recommended at the last hearing.
- 5. Clarify the enforcement authority for the City Charter's ban on electioneering communications paid for with city resources.**

Electioneering Communication Ban Needs Clear Enforcement Mechanism

Before turning to the reporting requirement legislation on today's agenda, we believe one subset of city spending on communications deserves Council action. Regardless of one's position on various ballot proposals, we do not believe that city resources should be used to influence voters on ballot proposals – whether or not communications directly say “Vote For” or “Vote Against.”

Earlier this year, Reinvent Albany and Citizens Union [asked the Conflicts of Interest Board to issue a rule](#) regarding city resources being spent on electioneering, making it clear that they enforce the current ban on use of city resources for electioneering under [Section 1136.1\(2\)\(c\)](#) as part of Chapter 68's ban on political activity under [Section 2604\(b\)\(2\)](#) and [Section 1-13](#) of its rules related to Use of City Time and City Resources.

However, COIB [declined to issue rules in this area](#). Unfortunately, while the Campaign Finance Board can enforce other bans on use of city resources – specifically the blackout period on mailers before the election – they do not enforce the Charter ban on city spending on electioneering. Therefore, only the public enforces it by bringing a lawsuit or filing a complaint with the District Attorney.

We believe that the Council should close this loophole.

Comments on Legislation Noticed for Today's Hearing Agenda

1. [Int 1127-B of 2026 \(Williams\)](#) – We strongly support efforts by the City Council to combine and eliminate a number of reporting requirements. We have supported past efforts in this area by the [Council via the Reports and Advisory Board Review Committee process](#), as well as consideration by the last [City Charter Revision Commission](#). Per the [Memorandum of Support](#), the Council is changing report due dates at the request of agencies to ensure that they allow for better data collection and are more timely. Specifically, the bill:
 - a. Amends Charter § 5 to combine the “annual statement of finances, government and affairs of the city” and “strategic policy statement” that is required every four years from the Mayor to the Council into one section of law. It also changes the due dates of the annual statement from the Mayor depending on whether the strategic policy statement is due that year. The preliminary strategic policy statement is due by November 1, 2026, with the final statement due February 1, 2027, and every four years thereafter.
 - b. Makes minor changes to due dates of certain reports, clarifies some reports are to be submitted to the Speaker of the Council and not just the Council itself, and makes non-substantive changes to replace gendered pronouns with non-gendered alternatives.
 - c. Repeals Charter Section 20-e to establish a committee on city healthcare services.
 - d. Repeals the quarterly Marijuana Enforcement Report submitted by the New York Policy Department to Council (Admin Code § 14-175)
 - e. Changes the report on violations of vehicle-for-hire licensing requirements from quarterly to annually, and adds this report and the Commuter Van Safety report to the annual report from the TLC to the Council.

- f. Changes the requirement for the Mayor to submit a report on the progress towards opening “crisis respite centers” for people in psychiatric crisis from quarterly reporting to every 6 months.
2. [**Intro 1128-2026 \(Williams\)**](#) – We support establishing default reporting due dates for agency reports to the Council, to ensure that agencies and the public have clear expectations about when reports are due, where local law does not specify.
3. [**Intro 1129-2026 \(Williams\)**](#) – We also support amending the City Charter to require the Speaker to create a procedure for how agencies are to submit reports and attest to compliance for operational requirements. For operational requirements, we support requiring notice in the City Record so the public can see when milestones are met. For reports, we understand that they are already required to be made public via the Department of Records and Information Services (DORIS) [Government Publications Portal](#), and encourage the Council to explore this topic more in a future oversight hearing to ensure agencies comply with [Section 1133 of the City Charter](#).

Thank you for your consideration. Should you have any questions, please email Rachael Fauss, Senior Policy Advisor, at rachael@reinventalbany.org.