

GALE A. BREWER
COUNCIL MEMBER, DISTRICT 6
MANHATTAN

DISTRICT OFFICE
563 COLUMBUS AVENUE, 11TH FLOOR
NEW YORK, NY 10024
TEL: 212-873-0282
FAX: 212-873-0279

CITY HALL OFFICE
250 BROADWAY, SUITE 1744
NEW YORK, NY 10007
TEL: 212-788-6975
FAX: 212-513-7717

gale.brewer@council.nyc.gov
www.council.nyc.gov



THE COUNCIL
OF
THE CITY OF NEW YORK

CHAIR
GOVERNMENTAL OPERATIONS

COMMITTEES
AGING
FINANCE
GENERAL WELFARE
HIGHER EDUCATION
HOUSING & BUILDINGS
MENTAL HEALTH
TECHNOLOGY
TRANSPORTATION
WATERFRONTS

Testimony at the NYC Campaign Finance Board Public Hearing, March 10, 2011 regarding disclosure of
Independent Expenditures
Gale A. Brewer, New York City Council

Thank you for the opportunity to present testimony to the New York City Campaign Finance Board regarding independent expenditures. My name is Gale A. Brewer and I represent the Upper West Side and northern Clinton in the New York City Council. I am here to present my preliminary thoughts on the issue of the disclosure of independent expenditures in New York City elections.

There are a number of important questions which must be considered before implementing any new requirements regarding independent expenditures. This is perhaps the most complicated issue in all of campaign finance law, and I would like to thank the Campaign Finance Board for holding this hearing to solicit public input on the topic.

I would like to applaud the Campaign Finance Board for their initial report on this issue, as I feel it highlights a number of the important questions which must be considered. As this is a preliminary hearing, I would like to ask a few questions for the CFB to consider as it prepares to draft rules on administering the new requirements.

First, will groups have to file in the same manner as candidates? Will they need to apply for a Board of Elections registration number? Similarly, will these groups have to file reports on the same schedule as candidates, or only in the event of an expenditure exceeding \$1,000? What type of information will have to be reported?

Next is the question of exemptions. Of particular concern is how to approach the issue of member-to-member communication. Will this activity need to be reported?

I would also like to encourage the CFB to define what sort of communication will be covered by these new regulations, in the clearest possible terms. It is important that the public and organizations which may be affected by these new regulations are aware of what constitutes a reportable communication. The NYC Charter's definition leaves some room for debate as to what sort of communication needs to be reported.

I have spoken to organizations who would be impacted by these regulations and they have not had a chance to study the material that CFB prepared for this hearing. Although the public hears horror stories about influence peddling and lack of disclosure regarding campaign finance, there are many legitimate organizations whose voices I want heard at election time, and I want to be sure that these rules do not impede their ability to be heard. Smaller organizations can be silenced if the regulations cost too much to adhere to.

I look forward to reviewing your rules to administer these new requirements.