



MEMORANDUM OF SUPPORT

Intro. No. 77-A-2024 (Restler)

January 22, 2025

TITLE OF BILL

A Local Law to amend the New York city charter, in relation to post-employment activities of certain former public servants

SUMMARY OF PROVISIONS

This bill would amend Chapter 68 of the City Charter to extend and expand the ban on appearing before city agencies for certain former City employees.

It would ban the following officials from appearing before any city agency (excluding the City Council) for two years after their service:

- Any public servant in the Mayor's Office who directly reports to the mayor, including the mayor's chief of staff, chief counsel, chief advisor, senior advisor, director of intergovernmental affairs, communications director, and press secretary.
- Five commissioners, including buildings, design and construction, housing preservation and development, transportation, and the schools chancellor.

It would ban the following officials from appearing before any city agency (excluding the City Council) for one year after their service:

- The deputy chief of staff to the mayor, the chiefs of staff to deputy mayors.

STATEMENT OF SUPPORT

Citizens Union supports this bill because it strengthens the City's revolving door restrictions, preventing high-ranking government officials from leveraging their power, knowledge, and relationships after leaving public office to unfairly benefit private interests. By targeting positions closest to the mayor, this legislation adapts the city's ethics rules to current challenges and reinforces the principle that public service should serve the public—not private interests.

In recent years, reports of senior City officials transitioning to roles where they represent private clients before city agencies, creating apparent conflicts of interest, have highlighted weaknesses in the City's post-employment regulatory framework.

Under the current City Charter, former City employees are prohibited from appearing before the agency they served for a specified period after leaving public service. This restriction lasts one year for all public employees and two years for senior officials, such as agency heads.

However, the influence of certain high-ranking officials extends beyond the agency in which they served. As a result, the Charter bars them from appearing before any city agency post-employment. Those individuals include elected officials, deputy mayors, the OMB director, the Corporation Counsel, the City Planning Director, and the commissioners of DCAS, Finance, and Investigation.

Intro. No. 77-A expands this list to include additional officials from the Office of the Mayor, specifically those closest to and directly reporting to the mayor. The list of roles can be found above.

Citizens Union supports the proposed expansion of post-employment for these high-ranking government officials with broad, inter-agency powers. Those officials impact policies in different parts of city government, and their influence reaches beyond their own agency. This is particularly true for senior officials at the Mayor's Office: Restricting their post-employment activities before a single agency is insufficient, as most lobbying and advocacy involving city contracts, permits, or financial interests occurs directly with city agencies rather than through the Mayor's Office.

Moreover, extending the post-employment restrictions for officials at the Mayor's Office to two years would align it with the rules governing employees of the Governor's Executive Chamber.

An earlier version of this bill proposed broader post-employment restrictions for all public servants on the city's "policymakers list" and all paid members of boards and commissions. Citizens Union considered that approach overly prohibitive, potentially capturing cases that do not pose significant conflicts of interest and leading to unintended negative consequences. We appreciate the leadership of Council Member Restler and the Committee on Governmental Operations, State & Federal Legislation for refining the bill to focus on high-level officials with the greatest potential for undue influence, thereby strengthening the City's post-employment regime.

For further information, please contact Ben Weinberg, Director of Public Policy, at bweinberg@citizensunion.org.