



THE CITY OF NEW YORK
OFFICE OF THE COMPTROLLER
BRAD LANDER

March 26, 2025

Via Electronic Mail

Jd Michaels, Executive Director
Mayor's Office of Ethnic and Community Media
City Hall
New York, NY 10007

Re: Compliance with Local Law 83 of 2021

Dear Executive Director Michaels,

It is with a profound commitment to ensuring that City government speaks to all New Yorkers that I write today to express my concern with the Adams Administration's failure to comply with the requirements of Local Law 83 of 2021 (LL83).

As you know, LL83 is intended to support the use of ethnic and community media (ECM), facilitating increased spending with such outlets with the aim of better delivering critical information about government services to more New Yorkers. ECM outlets, which as defined by City law, "serve particular communities of people based on native language, race, color, gender, national origin, ethnicity, religion, sexual orientation, disability or immigrant status" or "target a discrete neighborhood, geographic region or population within the city rather than the city as a whole" play a vital role in the city's broader media ecosystem. Given the hundreds of languages spoken by New Yorkers, and the fact that ECM outlets convey content in languages and to neighborhoods that larger traditional outlets often do not reach, it is vital that they are supported with appropriate advertising spending.

LL83 requires all mayoral agencies, absent an approved waiver, to direct at least 50% of all in-scope media advertising spending to support ethnic and community media. LL83 further requires the Administration to publish "a report on the annual advertising for the preceding fiscal year of each mayoral agency..." during each calendar year. The report "shall include... the total amount paid to ethnic and community media outlets for advertising."

Unfortunately, however, my office has found that the Adams Administration has failed to comply with the spirit and, at times, the text of the law. Last week, the administration's report — published more than 75 days late — acknowledges in Fiscal Year 2024 reducing total "in-scope"¹ spending by more than 50% for the second consecutive year and reducing ECM spending by 57%. Moreover, based on a review of all available data from Fiscal Year 2022 through Fiscal Year 2024, the Administration added large, commercial outlets such as NY1 to bolster the appearance of support.

¹ NYC Charter §3303(b) defines "in-scope" as all spending except for "issue notices required by law to be posted or distributed in media outlets". Further stating, "a mayoral agency shall omit the publication cost of such legally required notices from its total advertising budget before calculating its required ethnic and community media outlet spending."

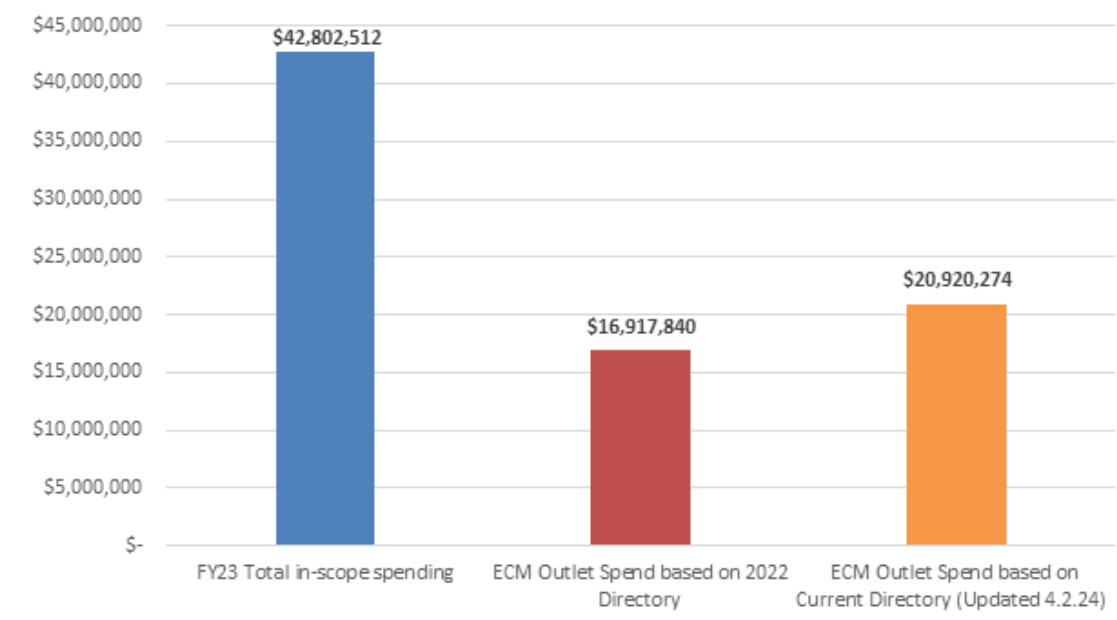
The administration’s Fiscal Year 2024 report points to a clear and troubling trend of ECM divestment. In Fiscal Years 2022 and 2023, as MOECM reported², the City fell short of its goal – spending just 18% and 40% of in-scope spending on ECM outlets. Though the increase from Fiscal Year 2022 to Fiscal Year 2023 suggests significant progress, in reality, actual spending on ECM outlets increased by a paltry 2.7% from Fiscal Year 2022 to Fiscal Year 2023. This is driven by labeling far less advertising spending as “in scope,” a questionable trend that carried over to, and accelerated, in Fiscal Year 2024. In Fiscal Year 2023, advertising spending labeled in-scope decreased from \$89.6M to \$42.8M, a 52% reduction, while in Fiscal Year 2024, in-scope spending totaled just \$14.2M, a 67% decrease. MOECM has consistently failed, across multiple fiscal years, to achieve investment in and usage of ethnic and community media outlets. Since the law took effect the City has decreased in-scope spending by 84%.

Beyond “serv[ing] particular communities of people” and “target[ing] a discrete neighborhood, geographic region or population” LL83’s definition of an ECM outlet includes “any media outlet that falls within a specifically tailored subject matter, as determined by the executive director”³ and further, directs MOECM to “develop and maintain a list of ethnic and community media outlets for mayoral agencies to use at their discretion.”⁴

According to Open Data, nearly an entire year has passed since MOECM last updated the Directory on April 2, 2024. At that time, MOECM added outlets that are among the biggest, most advertised-on media outlets in the City, including NY1 and 1010WINS. Had these outlets been included in the City’s Fiscal Year 2023 analysis, the aggregated citywide spending on ECM outlets would have increased from 40% to 49%. See Chart 1 below.

Muddying the definition and common understanding of ECM – and in so doing, disregarding the spirit of the law – MOECM is preventing New Yorkers from accessing and outlets from sharing critical information.

Chart 1: Total Ad Spend Compared to ECM Ad Spend



² MOECM Fiscal Year 2023 Annual Advertising Spend Report

³ NYC Charter §3301

⁴ NYC Charter §3302(e)

Local Law 83, now chapter 77 §3302 (g) of the New York City Charter, requires “the executive director... to...prepare and submit to the Mayor and the Speaker of the Council a report on the annual advertising for the preceding fiscal year of each mayoral agency, the Department of Education, the New York City Health and Hospitals Corporation and the New York City Housing Authority” and for each entity, must at a minimum include “the total amount paid by each entity to media outlets for advertising and the total amount each entity paid to ethnic and community media outlets for advertising.”

MOECM’s Fiscal Year 2024 report was released the week of March 17, 2025, nearly three months late. MOECM reports reaching the 51% target of “in-scope” spending on ECM outlets during this period – a claim that is misleading. The 51% is achieved by sleight of hand and hinges on the inclusion of big, commercial outlets that have not previously been included. In reality, as they acknowledge, the administration spent \$9.6 million less advertising on ECM outlets in Fiscal Year 2024 than in Fiscal Year 2023. Due to its lack of transparency and sleight of hand, my office cannot independently confirm the numbers released by the administration at this time.

Lack of investment in ethnic and community media has potentially far-reaching ramifications for individual New Yorkers and their families and undermines the City’s goals to support Minority and Women-Owned Businesses. Advertising on ECM outlets helps to ensure equitable access to information and resources for all New Yorkers, in all communities, and in their native languages. At a time when leaders at the federal level are openly hostile toward efforts that embrace diversity and difference, and are promoting an anti-immigrant agenda, it is more important than ever that our City government reach out to New Yorkers of all backgrounds – and meet them where they are, through trusted community institutions.

I call on MOECM to provide a written explanation for changes made to the Directory in April 2024 and a thorough explanation of the effect these changes will have on media expenditures, the outlets the law was intended to support, and moving forward, the publication of quarterly data. MOECM must take urgent steps to ensure that New Yorkers are able to access information via the language and outlets of their choice.

Sincerely,

A handwritten signature in black ink, appearing to read 'B. Lander', with a stylized, flowing script.

Brad Lander
New York City Comptroller