

**Citizens Union
Civic Commons
Common Cause
New York Public Interest Research Group (NYPIRG)
Reinvent Albany**

**MEMO IN SUPPORT
Intro 29 A (Open Government Data)**

By Council Members Brewer, Fidler, Gentile, Gonzalez, James, Lander, Palma, Nelson, Lappin, Dromm, Garodnick and Reyna

Statement in Support: Citizens Union, Civic Commons, Common Cause, New York Public Interest Research Group(NYPIRG), and Reinvent Albany – all members of the New York City Transparency Working Group – strongly support Intro 29A, which creates a process for New York City agencies to make certain data available to the public in a singular web portal between one year after the bill’s passage and 2018.

Our organizations believe that by making New York City government's digital data more accessible and usable by the public, Intro 29A has the potential to make New York City government more transparent, accessible, and accountable. It builds on ongoing initiatives like NYC Open Data (<http://nycopendata.socrata.com>), the May 2011 Road Map for the Digital City (<http://www.nyc.gov/html/mome/digital/html/roadmap/roadmap.shtml>), the NYC Big Apps competition (<http://2011.nycbigapps.com>) and NYC Stat (<http://www.nyc.gov/html/ops/nycstat/html/home/home.shtml>)

We share the City Council and the City Administration belief that making more City agency data easily available has profound opportunities to make government more open and responsive to the public, to deliver better public services at a lower cost and to share information among government agencies.

Summary of Bill:

Section 23-502 requires City agencies with one year to make available their existing public data sets on the internet available through a single web portal that is linked to nyc.gov or any successor website maintained by, or on behalf of, the City. Such public data sets shall be made available in accordance with technical standards published by the NYC Department of Telecommunications and Technology (DoITT) pursuant to section 23-505 of this chapter and shall be in a format that permits automated processing and shall make use of appropriate technology to notify the public of all updates.

Subsection (c) requires that public data sets shall be updated as often as is necessary to preserve the integrity and usefulness of the data sets to the extent that the agency regularly maintains or updates the public data set and subsection (d) states that public data sets shall be made available without any registration requirement, license requirement or restrictions on their use except for measures required to ensure access to

public data sets, to protect the single web site housing public data sets from unlawful abuse or attempts to damage or impair use of the web site or to analyze the types of data being used to improve service delivery.

Section 23-506 (a) of the bill requires DoITT to issue an “agency compliance plan” within eighteen months to the Council and mayor and make such plan available to the public on the web portal. The plan must include a summary description of public data sets under the control of City agencies and must prioritize these public data sets for inclusion on the single web portal on or before December 31, 2018. City agencies must cooperate with DoITT in its preparation of the compliance plan. Section 23-506 (c) requires annual updates to the public by DoITT.

Section 23-501 provides definitions for terms in the bill including defining “data” as meaning final versions of statistical or factual information (i) in alphanumeric form reflected in a list, table, graph, chart or other non-narrative form, that can be digitally transmitted or processed; and (ii) regularly created or maintained by or on behalf of and owned by an agency that records a measurement, transaction, or determination related to the mission of an agency. Such term shall not include information provided to an agency by other governmental entities, nor shall it include image files, such as designs, drawings, maps, photos, or scanned copies of original documents, provided that it shall include statistical or factual information about such image files and shall include geographic information system data. Nothing in this legislation prohibits an agency from voluntarily disclosing information not otherwise defined as “data”, nor shall it be deemed to prohibit an agency from making such voluntarily disclosed information accessible through the single web portal established pursuant to section 23-502.

Section 23-503 (c) requires DoITT to implement an on-line forum to solicit feedback from the public and to encourage public discussion on open data policies and public data set availability on the web portal. Under section (d), requests received via the on-line forum for inclusion of particular public data sets shall be considered by agencies in making determinations as to priority for public data set inclusion on the single web portal pursuant to paragraph v of subdivision b of section 23-506 of this chapter.