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**Gale A. Brewer, Borough President**

**September 20, 2017**

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**Testimony before the New York City Council Committee on Technology**

**Oversight: Annual Open Data Plan**

My name is Gale Brewer, and I am the Manhattan Borough President. I want to thank Chairman Vacca and the members of the Committee on Technology for holding this hearing. As you may know, I was the primary sponsor of Local Law 11 of 2012, the Open Data Law, as a member of the City Council. As Borough President, I am working closely with the Administration to ensure its adequate implementation and am pleased to be partnering with Chair Vacca and civic tech organizations on the future of open data in New York City.

Implementing the Open Data Law continues to be a major undertaking, and I would like to thank Department of Information Technology and Telecommunications (DoITT) Commissioner Anne M. Roest and Chief Technology Officer Miguel Gamiño for their efforts. The excellent work of DoITT, the Mayor's Office of Data Analytics (MODA), and the Mayor's Office of Technology and Innovation make me confident that New York City will continue to lead the nation in municipal data initiatives.

It became the leader as soon as then-Mayor Bloomberg signed my bill into law, establishing the first large-scale municipal open data portal that was not a regulation or ordinance. This is an important point to make as we are seeing first-hand how quickly and quietly government transparency can be eliminated by fiat. Immediately after the inauguration on January 20<sup>th</sup>, 2017, the federal government began removing information from its websites that had been published in the name of public access and shared knowledge. There is no federal law to protect public information from an administration that does not believe in facts or transparency.

By contrast, we are assembled here today to discuss making our transparency laws stronger and more effective. I support Intro 1528, sponsored by Chair Vacca. Reporting the names of public datasets that are requested under the Freedom of Information Law (FOIL) is within the spirit of both FOIL and the Open Data law.

Together, Chair Vacca and I recently introduced Intro 1707, to further integrate open data reporting into the workflows and culture of our civil servants, while giving advocates of transparency more tools to analyze and respond to the City's open data methodology.

Intro 1707 would also support the work of the Mayor's office with the open data coordinators who guide their agencies towards compliance, by making the position a required one for every agency. Along with open data advocates like Reinvent Albany and BetaNYC, the open data coordinators are the unsung heroes who make New York City the leader in open data that we are today. Congratulations to you all. The new requirements in this bill for the collection, analysis, and public reporting of Open Data Portal analytics will support your efforts and strengthen your legacy.

All legislation needs some tweaking to enhance its potential and this bill is no different. For example, the text creates some confusion about the 2021 deadline for agency compliance. I believe that the language should be clarified to state the original 2018 compliance deadline is still in effect, and that the Intro 1707 is extending the law itself to 2021. The open data coordinators of each agency are working very hard to meet that 2018 deadline and give New Yorkers a full selection of their city government's publishable data. I also support amending Intro 1707 to allow DOITT to consider which license would make the City's data sets free and open for public use in perpetuity.

One final element that I would like to see added to the bill is a safeguard to this system that we have all worked so hard to build and improve. Were New Yorkers to one day elect a mayor like the current leader of our federal executive, open data would be endangered. We know now that our democracy is only as strong as the institutions that serve as its pillars and the laws and advocates who support them. I believe that we must provide a private right-of-action to protect the New York City municipal open data apparatus from a future administration that does not wish to operate it in good faith as the current and previous administrations have done.

In my testimony last year I described my then-future plans to work with Noel Hidalgo from BetaNYC and the CUNY Service Fellows to build new tools making open data more useful to the unique needs of Manhattan's 12 community boards. This year I am happy to report that their work was successful. This Saturday we will be announcing a 311 data visualization tool that was built from the ground up for community boards. I would especially like to thank Mary McCormick from the Fund for the City of New York and the Alfred P. Sloan Foundation for making the program and its success possible.

Thank you giving me the opportunity to testify today.