

Testimony to the NYC Report and Advisory Board Review Commission on Review of and Elimination of Reports

December 19, 2018

Good afternoon Chair Thamkittikasem and members of the [Report and Advisory Board Review Commission](#) (RABRC). My name is Alex Camarda, and I am the Senior Policy Advisor for Reinvent Albany. Reinvent Albany advocates for transparent and accountable government in New York, and is particularly interested in making city government more transparent. We were instrumental in passing the city's [Open Data Law](#) and [subsequent amendments](#) and advocating for OpenFOIL legislation which led to the creation of the City's [OpenRecords](#) platform.

Since the Commission is still determining which reports and advisory boards it believes should be eliminated, Reinvent Albany will today share its views generally on the Commission and its work.

Support for RABRC and Reinvent Albany's View on Reports

Reinvent Albany supports the mission of RABRC, which was approved by the voters after being placed on the ballot in 2010 by the Charter Revision Commission convened by then Mayor Michael Bloomberg. We support open government and transparency, and efficient and effective government. We believe government, like all human institutions, should seek to continuously improve and evolve. We think it makes good sense to periodically review reporting requirements and advisory boards created by law to determine if they are relevant, useful, and beneficial or have been supplanted by online updates and open data, and therefore a waste of taxpayer dollars and government staff time.

Beyond the RABRC itself, our feeling is the New York City Council has for decades passed too many bills requiring reports by city agencies which takes away important time from oversight hearings and more substantive legislation it should be doing. Former Council legislative staff have indicated they believe as many as 40 percent of all Council legislation are reports. According to legistar, there are 88 bills in the City Council this session alone with the word "report" in their title. Some of these reports are more accurately described as data requests, put into law in some instances because a

Councilmember wanted to pass a bill or an agency or the mayoralty was not as helpful as it should have been in providing requested data or was resistant to doing so.

We think a cultural shift is needed in city government - which is already underway - away from reports and toward releasing data publicly in the City's Open Data portal. The more open data becomes ingrained in government, agencies, the Council and public will save time and money by not having to communicate back and forth about data requests.

We also believe the Council should be more judicious in passing legislation requiring reports. The Administration can prevent legislation requiring reports by being more responsive to information requests. The Council's Legislative Division should create an internal protocol before bills requiring reports are introduced. An internal protocol should advise Councilmembers against introducing bills requiring reports if the criteria below are not met:

Do Not Introduce Legislation Requiring a Report if:

- *The information required is a dataset with no narrative information.*
- *The data is a one-time request or not routinely updated or useful in the future.*
- *The data is already required to be released under the Open Data or the Freedom of Information Law.*
- *The information is already available in the Open Data portal, DORIS Report and Publications Portal, OpenRecords portal, agency website, other resource, or pursuant to local, state or federal law.*
- *The Council can subpoena the information.*
- *An inquiry has not been made multiple times to the city agency or agencies possessing the data including the Commissioner or senior agency staff.*
- *An inquiry has not been made to the Mayor's Office of Intergovernmental Affairs.*

Make Datasets Listing Reports Public

Reinvent Albany understands RABRC, the Mayor's Office of Operations and the City Council are engaged in the yeoman's task of creating an inventory of the many reports required by New York City law. We believe this dataset should be made available to the public in the Open Data portal.

However, this is not the only dataset of city reports. The Department of Record Information Services (DORIS) [Government Publications Portal](#) should have the most

comprehensive listing of government publications.¹ This portal is supposed to include reports required by local law, executive order or mayoral directive to be published or issued to the mayor or Council, as required by section 1133(a) of the New York City Charter, and is required to include federal and state reports provided by city agencies as is practicable in addition to reports completed by independent consultants for city agencies. We call on DORIS to release the dataset listing reports on its portal into the City's Open Data portal in a machine readable and automated format. It would also be helpful to identify the law, order or directive which requires each report's creation.

We also support with amendments [Int. No. 828 of 2018](#) (Cabrera). The bill would require DORIS to maintain a listing of reports, documents, studies and publications on their website that local law requires must be completed and submitted to the Council or Mayor. The list would show when the report was last completed, when it is next due, how often it must be completed, and include the latest version of the report. It also requires DORIS to write a letter to the agency head 10 business days prior to a report being due. If the report is not received by the due date, DORIS publishes on its website the the letter to the agency head until the report is received.

The online table of reports on the DORIS website envisioned by Int. No. 828 should be downloadable, machine readable, and sortable by agency, date due, date last released, name and other column headers. The spreadsheet itself should be required to be put in the Open Data portal and automated for instantaneous updates. Any tabular data in the reports (graphs, charts, tables, etc.) should be placed in the Open Data portal and identified as connected to the reports, as is required under the Open Data law. While we understand the intent, we oppose requiring DORIS to spend time scanning and uploading the reminder letters it sends to agencies to do their reports. Laggard agencies and reports should be identified in a data column in the table on the DORIS website. Then, DORIS should collate that data and list laggard agencies and reports as part of an annual summary on reporting compliance (The state Authorities Budget Office does something similar to this.²)

Beyond making this bill adhere to Open Data principles and the law, we recommend the following additional amendments:

- DORIS should be required at the beginning of each fiscal year to notify agencies which reports are due in the upcoming year. The ten day notification in the bill is

¹ See: <http://a860-gpp.nyc.gov>

² See: <https://www.abo.ny.gov/reports/delinquentreports/February2018DelinquentList.pdf> and Authorities Budget Office, ABO Reports on Delinquent Authorities at <https://www.abo.ny.gov/reports/abodelinquentreports.html>.

sufficient as a reminder of the date due for the report, but it should not be the first notification to agencies. We want the agencies to have enough time to complete the report thoroughly in accordance with all the provisions of the law requiring the report.

- DORIS' online list (which we think should be referred to as a dataset or table because it has multiple column headings) of reports should cite the section of the charter or administrative code where the specific requirements of the report are described.
- The DORIS table should include a brief summary of the report, an abbreviated description of what DORIS currently provides for reports in the Government Publications portal.

Thank you, and I welcome any questions you may have.