



**Testimony to the New York City Council
Governmental Operations Committee on the
Publication of Online Reports and the Broadcasting of
Mandatory Debates
April 26, 2018**

Good morning Chair Cabrera and members of the New York City Council Governmental Operations committee. My name is Alex Camarda, and I am the Senior Policy Advisor for Reinvent Albany. I am testifying today on behalf of both Reinvent Albany and Beta NYC, who could not send a representative to the hearing. Reinvent Albany advocates for transparent and accountable government in New York, and is particularly interested in making city government more transparent. Here in New York City, as co-chair of the NYC Transparency Working Group, 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.

DORIS Online List of Required Reports

The bill, which does not yet have a number, would require the Department of Record Information Services (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.

Under current law, DORIS already administers a large [Government Publications Portal](#) which appears to have a whopping 5,446 government publications in it, sortable by agency, type of report, and topic.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. It is also 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. If city

¹ See: <http://a860-gpp.nyc.gov>

agencies are meeting their obligations under section 1133(a), the current DORIS Government Publications portal is more inclusive than the online list of submitted reports envisioned by this bill before the Council. However, we do not know to what extent agencies are complying with the law.

We applaud the Council's and Mayor's staff who did yeoman's work recently in identifying all the reports required by local law which will help create the online list established by the bill. This was a critical and long overdue undertaking, as many of the bills passed by the Council are reporting bills. Too often these reporting bills are not completed, undercutting government transparency and negating the work done by the Council, the Mayor's Office, and advocacy groups in passing the law that required the report in the first place. Having a list of reports will better ensure the transmission requirements to DORIS are met, and facilitate elimination of unnecessary or outdated reports, which can be done under the Reports and Advisory Board Review Commission (RABRC) in city law. This Commission has only been convened once, but it makes sense for it to be convened again once this online list of reports is created by DORIS. We would support further measures to create more coherence around reporting mandates including sunseting them to ensure they are revisited and still useful.

Regarding the legislation, we will only support it if it is amended to reflect an Open Data approach to reporting information. Government needs to move away from providing information locked in static PDF reports and report data in the open, usable and dynamic form mandated by the City's Open Data law.

The online table of reports on the DORIS website created by this bill should therefore 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)

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>.

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 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 tablet should include a brief summary of the report, an abbreviated description of what DORIS currently provides for reports in the Government Publications portal.

Broadcasting of Mandatory Debates

Int. No. 14 of 2018 (Borelli) requires that mandatory debates of candidates participating in the city's public matching campaign finance program running for citywide office be broadcast simultaneously on the city-owned or operated television channel serving the largest public audience.

It is notable that section 3-709.5(5)(a)(vii) in the city's Administrative Code requires the debate sponsor to, "set forth plans for publicity and for broadcast and other media coverage for the debates," so debates are typically broadcast on privately owned channels already, particularly if the sponsor is a media organization.

Reinvent Albany believes in making government accessible to the public and encouraging civic participation in our democracy through the use of modern technology. The easiest and cheapest way to do this is through webcasting, which is far less expensive than television broadcasting, allows for easier and much less expensive video archiving, and can be watched on smartphones, which are far more accessible than television sets. We therefore believe it is more important to require the CFB to webcast the debates rather than televise it on additional channels, which we understand CFB currently does and would support having codified.

If the Council wants to additionally televise debates on government channels, we encourage two amendments be made to the bill:

- The language should clarify the government channel can rebroadcast the debate even while being required to broadcast the debate simultaneously or live, albeit nothing would appear to prohibit that.
- The debate should be broadcast on the NYC.gov channel rather than the most popular channel, or, alternatively, broadcast on every government channel. It doesn't make sense for the debate to air only on NYC.drive, NYC.world or NYC.life if that is not as popular as NYC.gov.³ NYC.life also airs on Comcast, DirecTV and Dish while the other channels do not.

³ See: <http://www1.nyc.gov/site/media/about/channels-and-carriers.page>