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# MEMO IN SUPPORT

INTRO NO. 328-2014

“OPEN FOIL”

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## **Memo In Support**

### **Intro No. 328-2014 "Open FOIL"**

In Council, Intro 328-2014. Introduced by Council members Kallos and Vacca on behalf of Manhattan Borough President Gale Brewer.

A Local Law to amend the New York city charter, in relation to the creation of a centralized FOIL website.

#### **SUMMARY OF PROVISIONS:**

This bill mandates the creation of "Open FOIL," a centralized, automated, online process for submitting, tracking, and responding to Freedom of Information Law requests, and for making the content of requests and responses public, while fully protecting personal privacy.

#### **STATEMENT OF SUPPORT:**

The Open FOIL bill creates a centralized, online process that will make the Freedom of Information Law easier to use, and will make city agencies more responsive and transparent to the public. The Open FOIL portal will make it much easier for the public to track requests and responses, and to see important, non-personal, government information FOILed by others. The online system will also make it faster and easier for agencies to respond to FOIL requests, and --- based on the federal experience with automated systems --- save agencies an estimated \$13 million a year in processing costs. Open FOIL also includes an important open data provision: it requires that agency responses, and the complete datasets they were produced from, be published in a machine-readable format in the city's open data portal.

A 2013 report by then-Public Advocate Bill de Blasio found that 10% of FOIL requests to New York City agencies – more than 5,000 a year – are ignored. The report also found that 40% of agencies do not have the necessary information for members of the public to make a FOIL request on their web sites. Furthermore, some agencies appear to expedite or delay FOIL requests based on who makes the request, and what the topic of that request is.

Open FOIL addresses the issues raised in the Public Advocate's report, and builds on the proven best practices that have been successful in cities like Oakland, California and Chicago. It also recognizes the increase in transparency produced by New York City's adoption of 311 and the NYC Open Data Law.