

Governor Signs Executive Order that Increases Transparency and Access to Public Information

Creates Open Data Portal for government agencies and establishes Open Data Council to draft policies governing data sharing

Dover, DE – Building on his administration's efforts to create an efficient, more transparent government, Governor Markell today signed Executive Order 57, establishing an open data portal for Executive Branch agencies that will serve as a centralized resource for members of the public to easily access and obtain non-identifiable public data maintained by those agencies. In addition, the Order:

- Creates a Data Governance Council that brings together a team focused specifically on making more data available to members of the public. The Council is tasked with establishing a statewide data strategy and recommending standards and policies related to the posting of non-personally-identifiable public data and to data sharing among state agencies;
- Directs every executive branch agency to identify datasets they maintain containing non-identifiable public information that can be made available on the Delaware Open Data Portal;
- Ensures that the data made available through the Delaware Open Data Portal is published in a standard format that is accessible through the electronic devices commonly used by members of the public;
- Encourages state agencies and officials that are not part of the executive branch to work with the Data Governance Council to identify data they maintain containing non-identifiable public information that may be appropriate for posting on the

Delaware Open Data Portal, and

- Directs the Data Governance Council to issue a public report on its progress within six months, and to issue its final plan for statewide integration of open data by September 30, 2016.

The full text of Executive Order 57 is pasted below.

“In today’s technology-driven world, we can do more to improve transparency by sharing non-identifiable public data in a format that is user friendly for members of the public seeking information,” Markell said. “The Delaware Open Data Portal offers this access in a central location and will facilitate better data sharing and collaboration across public agencies, nonprofits, and the private sector to spur innovation and develop applications that can benefit our communities.”

Governor Markell was joined today by Delaware Chief Information Officer James Collins who heads the state’s Department of Technology and Information (DTI). His agency will immediately begin working in partnership with the Delaware Government Information Center to build the Open Data Portal.

“The Open Data Portal is the logical next step for our state government to facilitate information sharing between agencies and to make data available to members of the public in the way they expect,” Collins said. “By leveraging technology to deliver this information, the open data initiative also reflects Governor Markell’s efforts to reduce costs and make government more efficient.”

The Open Data Portal builds on the Administration’s work to improve openness and transparency in state government, including Executive Order 31, signed in 2011, which established uniform Freedom of Information Act (FOIA) policies across executive branch agencies to reduce the time and expense of making a FOIA request and to ensure that agencies collaborate to produce public records. In addition, the

Governor signed a package of legislation in 2012 that expanded disclosure of campaign donations and improved lobbying laws. Details on the Administration's efforts to build a more transparent, efficient, and accountable government are available [here](#).

Through the Governor's action today, Delaware joins states and municipalities across the country that are leading the way to facilitate access to open data through robust, comprehensive online portals. Open data is public, non-personal data that anyone has the legal right to obtain through FOIA open records requests. Currently, a page on the state's Delaware.gov website provides links to state agency websites where data may be found, but the posting of that information is not currently guided by uniform policies or formatting standards. When non-identifiable public data is provided in an easily accessible way, it enables citizens, non-profits, and private sector organizations to collaborate and make crucial improvements to their communities by developing applications, while also helping to increase government transparency.

TEXT OF EXECUTIVE ORDER NUMBER FIFTY-SEVEN

TO: HEADS OF ALL STATE DEPARTMENTS AND AGENCIES

RE: ESTABLISHMENT OF THE DELAWARE OPEN DATA COUNCIL TO PROMOTE A MORE OPEN, ACCOUNTABLE AND EFFECTIVE GOVERNMENT

WHEREAS, timely and consistent publication of public information and data is an essential component of an open, accountable and effective government; and

WHEREAS, the State of Delaware possesses information to conduct state business that could benefit the public, enhance research and improve economic growth;

WHEREAS, the State of Delaware should continue to promote sharing data among state agencies, when appropriate and permissible, to make state business more efficient and effective; and

WHEREAS, it is in the interest of this State to increase public awareness and access to data and information created by and available from State departments and agencies, enhance government transparency and accountability, encourage public engagement, and stimulate innovation with the development of new analyses or applications based on the unique data provided by the State.

NOW, THEREFORE, I, JACK A. MARKELL, by virtue of the authority vested in me as Governor of the State of Delaware, do hereby declare and order the following:

1. The Delaware Open Data Council (hereinafter, the "Council") is hereby established. The Council shall be responsible for establishing and recommending standards and policies to the Department of Technology and Information ("DTI") and other Executive Branch Agencies related to a statewide data strategy, open data and data sharing among state agencies. The Council shall consist of no fewer than ten (10) members, consisting of the following:

- a. The State Chief Information Officer (the Secretary of DTI), who shall serve as chair;
- b. The Secretary of the Department of Health and Social Services;
- c. The Director of the Office of Management and Budget;
- d. The Secretary of the Delaware Department of State;
- e. The Secretary of the Department of Natural Resources and Environmental Control;
- f. The Secretary of the Department of Services for Children, Youth and Their Families;
- g. The Secretary of the Department of Transportation;
- h. The Secretary of the Department of Education;
- i. The Director of the Delaware Government Information Center;
- j. One Representative of the Office of the Governor, appointed by the Governor; and
- k. Such other persons as the Governor may appoint.

2. Members serving by virtue of position may appoint, in writing and in advance of a particular scheduled meeting or on a permanent basis, a designee to serve in their stead and at their pleasure. All other members shall serve at the pleasure of the appointing authority.

3. The Council shall be responsible for recommending state standards and policies to be implemented by DTI and other Executive Branch Agencies (for purposes herein, the term "Executive Branch Agencies" shall refer collectively to the sixteen cabinet agencies) related to a statewide data strategy and strategic plan, open data and integration of data systems for information sharing among state agencies which shall include, but not limited to, the following: data sharing agreements, data classification policy, and open data guidelines.

4. Each Executive Branch Agency shall create a list of public datasets and documents that can be made available within the Delaware Open Data Portal. Each Executive Branch Agency's list shall be submitted to the Chair of the Council no later than one-hundred and twenty (120) calendar days from the effective date of this Executive Order.

5. Public data sets made available through the Delaware Open Data Portal will be published in an open, non-proprietary machine-readable format or such other formats as the Council and DTI determine to be appropriate.

6. Other state entities not covered by this order, including independent elected Constitutional officers, the legislative and judicial branches of state government, counties, and municipalities are encouraged to work with the Council to identify data in their possession that may be appropriate for inclusion on the Delaware Open Data Portal. The Council is encouraged to provide technical assistance to any state entity outside of the Executive Branch that chooses, subject to obtaining the appropriate approvals, to participate in the

Delaware Open Data Portal.

7. The Council shall provide a written, publicly-available report of its progress on or before July 31, 2016, and shall publish a final Strategic Plan for Statewide Integration of Open Data on or before September 30, 2016.

APPROVED this _____ day of January, 2016.

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