



**TESTIMONY OF
SAMI NAIM, ASSISTANT COUNSELOR TO THE MAYOR,
BEFORE THE NEW YORK CITY COUNCIL
COMMITTEE ON GOVERNMENTAL OPERATIONS
REGARDING INTRO. NO. 698**

DECEMBER 14, 2010

Good afternoon Chair Brewer and members of the Committee on Governmental Operations. I am Sami Naim, Assistant Counselor to Mayor Michael R. Bloomberg, and am here on behalf of the Administration to testify in support of Intro. 698, a measure which seeks to enhance the accessibility of the rulemaking process.

Let me first state that the Administration remains steadfast in its commitment to bringing greater transparency, accountability, and accessibility to the rulemaking process. As you know, the rulemaking process, known as the City Administrative Procedure Act ("CAPA"), was first conceived almost 20 years ago by the 1988 Charter Commission. Until recently, the process has changed little to reflect modern conditions and circumstances or comport with contemporary customer service and operational principles. However, both the Administration and the Council have taken significant steps in recent years to strengthen and modernize CAPA.

For example, in 2008, the City Council amended CAPA by requiring agencies to email information regarding a proposed rule or rule change to community boards, the news media, civic organizations and other stakeholders. This email requirement was intended to supplement publication of the same in The City Record, which, as you know, serves as the official newspaper for the City of New York for purposes of publishing official notices such as public hearings, meetings, property dispositions, and procurements, and which, incidentally, does not have a large subscription base.

In 2010, the Administration, in partnership with the Council, launched NYC Rules, a website that allows the public to: search for all recently proposed and adopted rule by date, agency, or keyword; submit their comments on proposed rules directly to the rulemaking agency via from any home or office computer, Blackberry or other mobile device; learn more about the rulemaking process through plain-language guides, process maps, and links to regulatory resources, such as the complete compendium of the Rules of the City of New York; and sign up to receive an NYC Rules e-newsletter, which provides weekly updates regarding rulemaking activity citywide.

While both these measures have helped enhanced the rulemaking process, we agree with Council that more could be done to ensure that rules are promulgated in as open and transparent manner

as possible. To that end, we are updating the NYC Rules website to make the process even more accessible to New Yorkers. The new website will include features such as: a more user-friendly interface and design; expanded search and keyword capabilities; and a public hearing calendar that will incorporate all rulemaking public hearings citywide. The calendar feature, in particular, will help the public stay up-to-date on rulemaking activity citywide with a click of the button.

Given the Council's demonstrated commitment to the issue of greater transparency and accessibility to the rulemaking process, we would solicit feedback and comment from the Council as we continue to develop NYC Rules 2.0. Moreover, once this website is launched, we will continue to accept feedback and comment from the public at large, in an effort to ensure that the site is relevant and useful to the user.

Accordingly, we respectfully propose an amendment to the bill that would require agencies to post a link to NYC Rules, furthering our efforts to create an accessible one-stop shop for all rulemaking actions, a one-stop shop which, again, includes a public hearing calendar that would make it easier for the public to stay up-to-date on agency rulemaking.

In conclusion, we thank Chair Brewer and the Committee on Governmental Operations for calling this public hearing to discuss Intro. 698, and look forward to continue to working with the Council to refine the bill and establish a process that results in a rulemaking process that is open and accessible to as many New Yorkers as possible. Thank you and I would be happy to answer any questions you may have.