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OFFICE OF THE STATE COMPTROLLER

April 13, 2022

Kelly Cummings
Chair
Olympic Regional Development Authority
2634 Main Street
Lake Placid, NY 12946

Re: Compliance With Executive Order 95
(Open Data)
Report 2022-F-6

Dear Chair Cummings:

Pursuant to the State Comptroller's authority as set forth in Article X, Section 5 of the State Constitution and Section 2803 of the Public Authorities Law, we have followed up on the actions taken by officials of the Olympic Regional Development Authority to implement the recommendations contained in our audit report, *Compliance With Executive Order 95 (Open Data)* (Report [2020-S-36](#)).

Background, Scope, and Objective

State government entities possess large amounts of valuable information on subjects such as health, business, public safety, parks, recreation, labor, and transportation. Executive Order 95 (EO 95), issued March 11, 2013, established an Open Data Website ([Open Data](#)) for the collection and public dissemination of publishable State data maintained by covered State entities (generally, those headed by individuals appointed by the Executive). EO 95 implementation was phased in beginning in March 2013, with covered entities required to be in full compliance by December 2019. As of March 2022, there were over 5,400 data items on Open Data.

Open Data should provide ongoing "one-stop" access to publishable State data and make such data freely available in accessible formats for public use. Publishable State data should include comprehensive metadata and documentation to help maximize citizens' understanding, and the public should be able to easily access the data using common software applications. Further, EO 95 states that ensuring the quality and consistency of data is essential to Open Data's value and utility. The Open Data Handbook (Handbook) published by the Office of Information Technology Services (ITS) defines quality information as appropriate, current, complete, accurate, accessible, and provided on a timely basis.

EO 95 requires each covered State entity to designate a Data Coordinator responsible for EO 95 compliance. The Data Coordinator must have authority equal to that of a Deputy Commissioner or the head of a division or department within the entity and must also have knowledge of the data and resources in use by the entity. ITS maintains Open Data in consultation with the Executive's Office and a Data Working Group (DWG), which is composed

of representatives from ITS, the Department of State, the Office of General Services (OGS), and up to 12 Data Coordinators representing a cross-section of covered State entities. Within 180 days of the issuance of EO 95, each covered State entity was required to provide ITS with a catalogue of its publishable State data, along with a proposed schedule for making data available on Open Data. The catalogue and schedule were also to be made publicly available.

ITS' Handbook, issued on November 6, 2013 and updated on May 8, 2020, sets a schedule for the initial and ongoing publication of data for covered State entities, and includes guidance such as a timeline for implementing EO 95 requirements, Data Coordinator and DWG responsibilities, information on topics such as cataloguing and prioritizing data, and standardization and update requirements. Each covered State entity is required to create schedules and prioritize data publication in accordance with the guidelines set forth in the Handbook, which directs agencies to identify high-value, high-quality, and complete data sets when creating their data catalogue. ITS also issued several other guides for additional technical guidance related to formatting, data preparation, data refresh, and submission requirements included in the Handbook.

The Olympic Regional Development Authority (ORDA) is headquartered in Lake Placid. It is responsible for operating and maintaining the facilities developed for the 1980 Winter Olympics, including the Olympic Center, the Olympic Jumping Complex, and the Olympic Sports Complex in Lake Placid and the Whiteface Mountain Ski Center. ORDA is also responsible for operating and maintaining Gore Mountain and Belleayre Mountain. ORDA's venues include a museum, training facilities, restaurants and banquet facilities, and other amenities providing access to various year-round recreational activities. ORDA published its first data item to Open Data on September 22, 2021, and as of March 2022 had published three data items (two data sets and one filtered view).

Our initial audit report, covering the period March 11, 2013 through September 9, 2020, was issued on February 8, 2021. The audit objective was to determine whether ORDA was complying with EO 95, including providing, in a timely manner, publishable State data to ITS under EO 95. The audit found that ORDA had not taken steps to meet the requirements of EO 95 until after we began our audit. Prior to our audit, ORDA did not have any data items published to Open Data. In addition, it did not designate a Data Coordinator, complete a comprehensive catalogue of publishable data, submit a master schedule of publishable data sets to ITS, or incorporate Open Data into its ongoing core business planning and strategies. However, since then, ORDA had taken steps to comply with EO 95, including appointing a Data Coordinator, contacting ITS for guidance, creating a data catalogue, and developing policies related to EO 95.

The objective of our follow-up was to assess the extent of implementation, as of March 2022, of the two recommendations included in our initial audit report.

Summary Conclusions and Status of Audit Recommendations

ORDA made significant progress addressing the issues identified during the initial audit, having implemented both recommendations.

Follow-Up Observations

Recommendation 1

As soon as practical, submit to ITS and make publicly available a complete catalogue and schedule of publishable State data for addition to Open Data.

Status – Implemented

Agency Action – ORDA submitted a catalogue and schedule of publishable State data to ITS in March 2022, which contained 12 data items. As of March 2022, Location Contact Information for Olympic Regional Development Authority Sites and Daily Admissions at Olympic Regional Development Authority Sites: Beginning 2013 data sets and Electronic Contact Information for Olympic Regional Development Authority Sites filtered view were posted to Open Data. All data items included metadata and an accompanying data dictionary. ORDA will continue to publish the data identified on its schedule of publishable data sets in cooperation with ITS and in accordance with EO 95.

Recommendation 2

Develop procedures for incorporating Open Data and compliance with EO 95 into ORDA's core business and planning strategies.

Status – Implemented

Agency Action – In January 2021, ORDA issued an Open Data Policy for its staff on incorporating compliance with EO 95 into ORDA's core business strategies. The policy outlines the roles of the Data Coordinator, requirements for compliance with the EO 95, and the process to add, update, and remove data items on Open Data.

Major contributors to this report were Amanda Eveleth, Amanda Dare, Ryan Chauvin, and Jeffrey Dormond.

We thank the management and staff of ORDA for the courtesies and cooperation extended to our auditors during this review.

Very truly yours,

Heather Pratt, CFE
Audit Manager

cc: Peggy Evatt, Finance Director