

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.