

Recommendations for Implementing the US National Action Plan

Introduction

This report includes recommendations from OpenTheGovernment.org's coalition partners and allies on implementing each of the commitments laid out in the US National Action Plan (NAP). The NAP addresses three broad challenges, and includes 26 commitments to help achieve 17 goals. This report is similarly arranged to make it clear what steps the Administration needs to take to meet its commitments, and what additional steps we suggest the Administration takes to meet its goals. In September 2012, OTG will release an assessment of the Obama Administration's performance on its NAP commitments based on these steps. Wording from the plan is in italics. Additional detail is available on most of the recommendations.

We applaud both the breadth and the scope of issues you have committed to addressing in the plan. We appreciate the unprecedented amount of energy and resources the Administration and agency officials have invested to date in making the federal government more open and accountable. The coalition and our partners stand ready to work with the Administration to help turn each promise into reality.

Challenge 1: Increase Public Integrity

1.1 Promote Public Participation in Government

In the United States, we have a government of the people, by the people, and for the people, and the wisdom, energy, and creativity of the American public is the nation's greatest asset. The U.S. is committed to expanding opportunities for public participation in government, and will:

• **Launch the “We the People” Petition Platform.** Building on President Obama’s desire to hear directly from the American people, the White House has announced that it will launch “We the People” to give Americans a direct line to voice their concerns to the Administration via online petitions. This is a tool to enable the public to create and sign petitions on a range of issues. If a petition meets a public signature threshold, it will be reviewed by White House policymakers, who will consult relevant Administration officials and provide an official and public response. More information can be found at <http://www.WhiteHouse.gov/WeThePeople>.

- **Provide a means for public comment and discussion (unlike the current private commenting) about improving the “We The People” platform.** A group of participation-focused organizations have already established a UserVoice site at <http://wethepeople.uservoice.com/> for this express purpose, and would be happy to partner with you moving forward. This partnership could help to facilitate greater engagement and a broader cross-section of ideas for improving the site.
- **Post an annual report that describes what happened with each petition submitted to the site.** The report should make it easy to see how many petitions were submitted; how many people signed each petition; and whether or not the petition has been answered.
- **By six months after the launch date, publish a "lessons-learned" report based on the experience operating “We the People.”** The report should include reactions from users of the tool and their most common recommendations for improving it.

• **Open Source “We the People.”** The White House plans to publish the source code of “We the People” so that it is available to any government around the world that seeks to solicit and respond to the concerns of the public.

- **Publish the complete source code of “We the People” under a standard open source license that enables the maximum use, re-use, and adaptation of the software,** along with documentation explaining how other governments can easily use it.

• **Develop Best Practices and Metrics for Public Participation.** We will identify best practices for public participation in government and suggest metrics that will allow agencies to assess progress toward the goal of becoming more participatory. This effort will highlight those agencies that have incorporated the most useful and robust forms of public participation in order to encourage other agencies to learn from their examples.

- **Convene a workshop of experts in the field, including academics, practitioners, and federal government employees to establish a foundation upon which to develop the official best practices and metrics.**

- **Utilize the guidance about what constitutes high-quality public participation developed by institutions in the public participation field, including the National Coalition for Dialogue & Deliberation, the International Association for Public Participation, and the Organisation for Economic Cooperation and Development** (see [here for a summary](#)). Standards should relate to key aspects of successful participatory initiatives, including the selection of policies or programs for input, public education, project management and staffing, timing, issue framing, outreach, linkages to decision-making, and post-input communication.
 - **Publish and regularly update key standards and metrics developed internally so that the public and federal employees can use them to evaluate the quality and impact of public participation efforts.**
 - **Evaluate agencies based on these standards and metrics.** Each agency's score should be included on its open government page and assembled and aggregated at the level of the entire federal government in a participation "dashboard."
- **Additional Steps to Promote Public Participation in Government**
 - **Provide a means for direct public help and support in implementing the new initiatives laid out in the NAP.** This could be accomplished, for example, through a series of blog posts written by the responsible individual for each initiative. This blog should have the ability for interested citizens to sign up for email updates about specific initiatives and provide feedback through public and threaded comments on the posts.
 - According to the Open Government Partnership Roadmap, the U.S. and other countries are supposed to “identify a forum to enable regular multi-stakeholder consultation on OGP implementation—this can be an existing entity or a new one.” We believe the US efforts in this regard can – and should – be a model for other countries. **One option is to set an advisory committee that, at a minimum, meets basic open government requirements like providing public notice of meetings and making minutes publicly available. Such an advisory committee could also use technology to make its operations more accessible to the public by webcasting its meetings and using social media.** These process steps can be done without slowing down the process to implement the ideas in the NAP.
 - **Conduct a pilot initiative to experiment with ways to invite meaningful public engagement through Federal Advisory Committee Act (FACA) committees,** whether via an Open Government FACA Committee or another innovative committee. FACA committees offer a useful channel for incorporating feedback from beyond government. The initiative could attempt to reveal the preferences of large groups of informed, representative citizens and stakeholders through advance marketing and outreach aimed at recruiting a significant, diverse group of citizens, activists, industry representatives, and experts to participate in events remotely. This could be done through online (and possibly television) broadcast of large segments of FACA committee meetings (if not entire meetings), through online idea generation, and through public voting on committee proposals in real-time online, by phone, and/or by text message.

1.2 Modernize Management of Government Records

The backbone of a transparent and accountable government is strong records management that documents the decisions and actions of the Federal Government. The transition to digital information creates new opportunities for records management, but much of government still relies on outdated systems and policies designed during a paper-based world. To meet current challenges, the U.S. will:

• **Reform Records Management Policies and Practices Across the Executive Branch.** We will launch an initiative that will recommend reforms and require reporting on current policies and practices. The initiative will consider changes to existing laws and ask how technology can be leveraged to improve records management while making it cost-effective. The initiative will seek a reformed, digital-era, government-wide records management framework that promotes accountability and performance.

- **Direct agencies to publicly post on their /open page the name of the senior official designated to lead the review required by the President’s Memorandum on Managing Government Records and the report** describing current plans for improving records management programs, identifying obstacles to the adoption of effective records management, and identifying policies or programs that would assist the agency in improving records management.
- **Ensure a person is designated to oversee the implementation of the Directive that will be released by the National Archives and Records Administration (NARA) and the Office of Management and Budget (OMB) (e.g., the senior official named to oversee the review).**
- **Include a substantive role for outside stakeholders in the development of the Directive.**
- **Expand efforts to create a system of records management that begins with a presumption of public and automatic disclosure of information.** Agencies can save much staff time and make information available more quickly if they reform the records management process with automatic disclosure as a central goal.
- **Encourage research and develop policy on appropriate ways to electronically manage information, some of which may be required to be withheld or safeguarded for periods of time, to maximize sharing and public dissemination.** Information created, or collected by or for agencies can often contain segments that are statutorily exempted from disclosure (e.g., some confidential business information, privacy, appropriately classified information).
- **Direct the Office of Personnel Management (OPM) to work with NARA to revise the Public Information Series.** OPM included records managers in its recently proposed position classification flysheet for a Public Information Series. We agree with comments from NARA and others that the description is inadequate for professionalizing federal records managers and making it easier for agencies to more effectively recruit staff focused on records management.
- **Direct the Chief Information Officer (CIO) Council and Federal Records Council (FRC), under the leadership of NARA and OMB, to identify uniform electronic records management requirements and develop open source software that meets those requirements at a basic level at minimum.** Agencies will be able to work with vendors to adapt the system for their needs while ensuring that information is saved in a common format government-wide.

- **Require that the minutes of meetings between the CIO Council and the FRC be made available to the public.** These meetings should also periodically include outside stakeholders – including public interest groups.
- **Authorize and enable NARA detailees to be placed in each agency to help make sure agencies are properly managing and preserving electronic records.** These detailees will help analyze why an agency may be failing to meet expectations, provide training and work with the agency personnel to make improvements and build the infrastructure to ensure those improvements are sustained.
- **Require agencies to certify to NARA that their use of cloud computing meets all NARA requirements before adoption.** Agencies that have already moved to the cloud should certify they are meeting NARA requirements within 5 months.
- **Work with relevant Congressional committees to revise and update the Federal Records Act so that the law's requirements are better suited to an increasingly digital work environment.** At the very least the Act should provide an expanded role for Inspectors General (IG) in records management oversight, including an automatic IG referral if NARA's audits reveal an agency's records are at risk. We also support creating a third-party right of action.

1.3 Continue to Improve Freedom of Information Act Administration

The Freedom of Information Act (FOIA) guarantees public access to executive branch agency records that are not exempted from disclosure. The Administration's reforms to date have increased transparency, reduced backlogs, and encouraged disclosure of government information before a FOIA request is made. To improve the administration of FOIA, the U.S. will:

- **Professionalize FOIA Administration.** *We will continue work on a new civil service personnel category (or job series) for officials who specialize in administering FOIA and other information programs. It is important to recognize the professional nature of the work done by those administering FOIA.*

- **Promote professionalization, rather than focus on management tasks.** We agree with comments from NARA and others on the recently proposed position classification flysheet for a Public Information Series by OPM that the draft is too focused on management tasks.
- **Include FOIA compliance and assistance as a factor in overall job performance review for all employees with information management responsibilities,** regardless of whether they specialize in administering FOIA and other information programs.

• ***Harness the Power of Technology.*** *We will expand our use of technology to achieve greater efficiencies in FOIA administration, including utilization of technology to assist in searching for and processing records. Moreover, as agencies increasingly post information on their websites, we will work to ensure that the information is searchable and readily usable by the public.*

- **Integrate technology throughout the FOIA process to improve the government’s ability to meet expectations about openness in the following ways:**
 - **Expand efforts to manage records from birth, to maximize public access.** Agencies should seek out systems that provide as much automatic management and disclosure as possible.
 - **Encourage research and develop policy on appropriate ways to electronically manage information, some of which may be required to be withheld or safeguarded for periods of time, to maximize sharing and public dissemination.** Information created, or collected by or for agencies can often contain segments that are statutorily exempted from disclosure (e.g., some confidential business information, privacy, appropriately classified information).
 - **Create an E-FOIA System.** The public should be able to submit and track FOIA requests online, and to receive responses electronically on the agency website. Furthermore, the new policy should direct agencies to comply with the best practices identified by the Office of Government Information Services (OGIS) related to web sites. Additional detail on this recommendation is available.
- **Additional Steps to Improve FOIA Administration**
 - **Issue a policy directive from the President, or Chief of Staff or White House Council to improve FOIA's substantive implementation:** emphasizing the importance of full disclosures where possible; limiting the overuse of exemptions; directing the Department of Justice (DOJ) to coordinate and evaluate agency requests for new exemptions from disclosure in the aftermath of the *Milner v. Department of Navy* U.S. Supreme Court decision; ensuring the integrity of the FOIA process including the proper use of FOIA fee waivers; and continuing to emphasize the importance of reducing backlogs. We recommend referencing the OGIS best practices document at <http://www.archives.gov/ogis/resources/bestpractices.pdf> .
 - **Issue a Presidential Memo to implement the [Openness Floor](#) or elements within that document.**
 - Administration officials and the openness community should review the elements in the Floor to determine items the Administration can support.
 - A minimum disclosure standard on the agreed elements should be created for all government agencies. This could be done by amending the Open Government Directive and announcing as a key step to implementing the [President’s Jan. 21, 2009 FOIA memo](#) that “agencies should take affirmative steps to make information public.”

- **Direct DOJ to improve transparency in decision-making by posting a list of FOIA cases where they have chosen to not defend agency determinations to withhold information, including which exemptions are at issue.**
- **Urge DOJ to continue to improve FOIA.gov** to make it more robust to meet the needs of crowd-sourcing government oversight.
- **Set up a process to coordinate the review of requests from agencies to withhold new information under FOIA to make sure they are necessary and narrow in scope** with input from DOJ, OIG, and Congressional committees with jurisdiction over FOIA.
- **Clarify that IGs have the authority to proactively release reports.** IGs are often criticized for releasing their products.
- **Support Congressional efforts to update the proactive disclosure requirements of the E-FOIA Act so that it covers the [Openness Floor](#).**
- **Request adequate funding for agencies to fully staff their FOIA offices and to equip those offices with the needed technology to speed and improve FOIA processing.** In their 2011 Chief FOIA Officers reports, several agencies noted concerns with funding or staffing issues. The transparency of FOIA spending should be improved to allow for easier evaluation of resource allocation with separate budget lines for agency FOIA efforts or by providing additional information in agencies' budget justifications. In addition, request sufficient funding to continue expanding the proactive disclosure of information.

1.4 Declassify National Security Information

In many cases, information that at one time was not made public for reasons of national security can eventually be made available through the declassification process. In Executive Order 13526, "Classified National Security Information," the President established a National Declassification Center to strengthen Open Government by improving coordination among agencies and streamlining the declassification process throughout the Federal Government. In the next year, the Center will:

- **Lead a Multi-Agency Effort.** *This multi-agency effort will work to declassify historically valuable classified records in which more than one agency has an interest, and work to address the backlog of 400 million pages previously accessioned to the National Archives. The Center will also oversee the development of standard declassification processes and training to improve and align declassification reviews across agencies. The Center will consider public input when developing its prioritization plan, as well as report on its progress, provide opportunities for public comment in a variety of media, and host at least one public forum to update the public and answer questions.*

We supported the creation of the National Declassification Center (NDC). We also appreciate the re-commitment to declassify historically valuable classified records in which more than one agency has an interest, and work to address the backlog of 400 million pages previously accessioned to the National Archives.

However, **much more needs to be done, beyond setting up the NDC, to meet the goals President Obama laid out in the January 2009 Executive Order (EO) on Classified National Security Information, EO 13526**, to address many of the problems associated with needless and over-classification of information and backlogs in various declassification systems.

• **Additional Steps to Promote Declassification and Greater Availability of Disclosable National Security Information**

- **Send a letter from the National Security Advisor to the head of each classifying agency in order to convey the importance of the Fundamental Classification Guidance Review, and the expectation that the agency will report tangible, measurable reductions in classification guidance by next year's deadline.** In addition to creating the NDC, EO 13526 (section 1.9), includes a mechanism to help curb over-classification of national security information through the Fundamental Classification Guidance Review (Review) process. It requires each agency that classifies information to conduct a detailed review of all of its classification guides in order to identify obsolete classification requirements and to eliminate them by June of next year. Unfortunately, despite the fact agencies have had almost three years to do this work, the process has produced few results to date.
- **As part of the fundamental transformation of the security classification system, institute policies and procedures to ensure that only information that legitimately needs protection is labeled as classified, and that it is classified at the lowest appropriate level.** As part of the Public Interest Declassification Board's (PIDB) work to create recommendations for transforming classification, several of OpenTheGovernment.org's partners and others have submitted classification reform proposals that would address the long-standing problem of overclassification and would create a more credible, agile and flexible classification system. These proposals and those offered by PIDB members should be given close consideration.
- **Expedite the appointment of members to the PIDB.** We are disappointed that President Obama has yet to fill any of his five appointments to the PIDB. Currently the PIDB is operating with only four Congressional appointees remaining. As a result, the Board is unable to complete its work, including potentially important work on recommending steps for the fundamental transformation of the classification system.
- **Reverse the downward trend in rate of declassification of pages under automatic declassification review, and commit to publicly releasing at least 60% of all pages reviewed for release.** The rate of declassification of pages under automatic declassification review has fallen off significantly since hitting a peak in 2007, when 62% of pages reviewed were declassified.
- **Reduce the backlog of Mandatory Declassification Review (MDR) requests by 10% per year.** This will require additional resources at NARA. The number of new requests for review, and the number of cases carried over per year, has steadily increased under the MDR process.
- **Make publicly available the decisions of the Information Security Classification Appeals Panel (ISCAP).** Documents released by ISCAP should also be made publicly available as early as possible.

- **Support the development and execution of pilot projects at classifying agencies to designed to reduce over-classification.** Suggested reforms outlined in a recent report, [Reducing Overclassification through Accountability](#), from the Brennan Center for Justice could be part of these pilots, including:
 - Requiring classifiers to complete electronic drop-down forms in which they must identify the national security harm that could result from disclosure;
 - Instituting a system of "spot audits" by the relevant agencies' Offices of the Inspector General (OIG), in which the OIGs will use the completed electronic forms as a starting point.
- **Strengthen DOJ policy on state secrets for greater accountability.** The Attorney General's September 2009 policy on when the Department will invoke the state secrets privilege is an important first step for reform, including the legal standard asserted. However, the memorandum states that in certain cases, the Department will continue to "seek to dismiss a litigant's claim or case on the basis of the state secrets privilege." The Attorney General should modify the 2009 policy, recognizing that the state secrets privilege is an evidentiary privilege, and instruct DOJ attorneys not to seek dismissal of a case or claim on this basis at the pleadings stage.

1.5 Support and Improve Agency Implementation of Open Government Plans

The OMB Open Government Directive, mentioned above, required agencies both to take immediate steps and to establish long-term goals to achieve greater openness and transparency. Over the next year, the U.S. will:

• **Monitor Agency Implementation of Plans.** *Taking account of the views and perspectives of outside stakeholders, the White House will carefully monitor agency implementation of the plans. As a result, agencies will improve their efforts to disclose information to the public and to make such disclosure useful, identify new opportunities for public participation in agency decision-making, and solicit collaboration with those outside government.*

- **Direct agencies to fill out the self-assessment template created by OpenTheGovernment.org and others, or a template that is made publicly available.** Our coalition shared an evaluation template with the Administration that asks agencies to rate themselves on the basis of the availability, use, and impact of key pillars of the plans (high-value data sets scheduled for release, participation activities scheduled to occur, collaboration activities scheduled to occur, and a flagship initiative). This template would provide an "apple-to-apple" comparison, and makes it easier for both the Administration and the public to evaluate which agencies are doing well and which agencies may need additional help and monitoring.
- **Add results of evaluations of agency implementation, and links to the underlying evaluations and other supporting documents, to the Administration's Open Government Dashboard (<http://www.whitehouse.gov/open/around>).** This will promote accountability and spur agencies to "race to the top."

- **Encourage agencies to publicly update their plans annually or well in advance of the two year reporting deadline and to have the plan open for comment for at least 30 days before the plans are final.** The release should indicate clearly the version of the plan and the major changes made to the plan by the latest version. Previous plans should be linkable from the agency's Open page.

The Open Government Directive requires agencies to update their plans every two years. We are aware several agencies have updated their plans since they were first released (and some agencies have made several updates). Also, to make it easier to hold agencies accountable for meeting the Directive's requirements, the Administration should clarify that agencies must release the most recent updated version of their plan annually in April.

- **Update the Administration's guidance, or issue a new memo clarifying agencies' open government responsibilities.** The Administration has made new open government commitments since issuing the Directive. For example, during Sunshine Week, the Administration directed agencies to begin proactively posting certain types of records; an [audit](#) conducted a few months later found agencies were not in compliance.

1.6 Strengthen and Expand Whistleblower Protections for Government Personnel

Employees with the courage to report wrongdoing are a government's best defense against waste, fraud, and abuse. Federal law clearly prohibits retaliation against most government employees who blow the whistle, but some employees have diminished protections, and judicially-created loopholes have left others without an adequate remedy. To address these problems, we will:

• *Advocate for Legislation to Reform and Expand Whistleblower Protections. Recently, Congress nearly enacted legislation that would eliminate loopholes in existing protections, provide protections for employees in the intelligence community, and create pilot programs to explore potential structural reforms in the remedial process. The Administration will continue to work with Congress to enact this legislation.*

- **Actively support passage of the Whistleblower Protection Enhancement Act in this Congress (WPEA, S. 743/H.R. 3289).**
- **Actively support legislation and take executive action to build upon the whistleblower protections in the Recovery Act by expanding them to cover all federal fund recipients, as in the Non-Federal Whistleblower Protection Act, S. 241.**

• *Explore Utilization of Executive Branch Authority to Implement Reforms if Congress is Unwilling to Act. Statutory reform is preferable, but if Congress remains deadlocked, the Administration will explore options for utilizing executive branch authority to strengthen and expand whistleblower protections.*

- The Administration should not wait for Congress to act. **The President can and should issue an Executive Order to implement all of the reforms in the WPEA that can be executed through administrative action, as well as reforms that are not in WPEA but are particularly ripe for an EO. At a minimum, the executive action should:**
 - Remove judicially created loopholes that include impossibly high burdens of proof being placed on whistleblowers, internal agency regulations being allowed to trump statute and narrow judicial interpretations of protected disclosures;
 - Protect witnesses in Office of Special Counsel (OSC) and Office of Inspector General (OIG) investigations, and those who refuse to violate the law;
 - Specify that Critical Infrastructure Information (CII) and Controlled Unclassified Information (CUI) do not restrict Whistleblower Protection Act (WPA) public disclosure rights;
 - Set Administration policy that implementing or enforcing gag orders is a violation of the WPA and prohibit agency nondisclosure forms, policies or agreements that seek to override the WPA;
 - Protect against retaliatory investigations;
 - Remove Presidential power to declare that an agency is exempt from the Merit Systems due to its intelligence role, after one of its employees challenges whistleblower retaliation;
 - Facilitate appropriate disciplinary actions for retaliation. The Order should declare that an official who engages in such egregious retaliation is subject to discipline, and that the agency or Treasury General Fund shall pay the attorney fees for a manager who prevails against disciplinary charges;
 - Give the OSC *amicus curiae* authority to intervene in WPA cases. At present the OSC must get permission from the DOJ to intervene and every request since 1978 has been refused;
 - Create a Whistleblower Ombudsman at agency OIGs to teach employees of their rights and counsel them on making responsible disclosures;
 - Address Reassignment of Duties as an Adverse Employment Action;
 - Create specific protections for scientific freedom, providing WPA rights to employees who challenge censorship and making it an abuse of authority to censor, obstruct dissemination, or misrepresent the results of federal research;
 - Improve protection for Federal Bureau of Investigation (FBI) employees

- Reiterate, extend and expand WPA public disclosure rights and Intelligence Community Whistleblower Protection Act (ICWPA) rights. Providing safe venues for FBI and IC employees to properly report within their agencies, to Congress and the courts, and encouraging them to “do it right,” will reduce the need for anonymous leaking of this material to the news media;
- Establish an Interagency Appellate Review Board for appeals of agency decisions.
- Authorize the Interagency Appeals Board to hear reviews of all executive agency (FBI, IC agencies and Title 5 agencies) security clearance decisions made under the above due process structure described above, to make a finding that clearance was removed as a reprisal for making a protected disclosure, and to reverse a decision removing an employee’s clearance;
- Conduct a study of whistleblower retaliation in the FBI and IC. Legislative efforts to enhance whistleblower protections within the FBI and IC could be strengthened by conducting a study to examine the current situation for whistleblowers and employees who refuse to violate the law;
- Recognize and honors national security whistleblowers. The administration can show its support for whistleblowers by publicly recognizing and honoring FBI and IC community whistleblowers who have reported waste, fraud, abuse and illegality within their agencies;
- Reiterate, extend and expand WPA rights for classified disclosures to Congress by non-IC agencies;
- Establish independence in agency investigations of whistleblower retaliation complaints;
- Require agency IGs, rather than agency employees, to investigate all whistleblower retaliation complaints;
- Require agency adjudications of whistleblower retaliation complaints to comply with Administrative Procedures Act, using Certified Administrative Law Judges to serve as “independent and impartial fact finders” in agency hearings; and

- **Additional Steps to Ensure Protected Speech**

- **Support a media shield law.**

1.7 Enhance Enforcement of Regulations through Further Disclosure of Compliance Information

From highway safety and clean air to workers' safety and toxic chemicals, smart regulations cannot work without effective enforcement. Disclosure of regulatory compliance information helps to foster fair and consistent enforcement of important regulatory obligations. The President issued a memorandum requiring Federal enforcement agencies to make publicly available compliance information easily accessible, downloadable, and searchable online. In the next year, Federal agencies will:

• **Provide Enforcement and Compliance Data Online.** Agencies will continue to develop plans for providing greater transparency about their regulatory compliance and enforcement activities, and look for new ways to make that information accessible to the public.

- **Establish a comprehensive, universal unique corporate identification system.** This is essential for being able to track regulated entities across time and across databases. This unique ID must include, at a minimum, parent company, headquarters, and facility.
- **Allow effective searching and saving.** Agencies should ensure that enforcement and compliance data is presented in a manner that allows robust searching and exploration. Websites should provide a variety of search criteria and qualifications to allow users to target data. Without multiple criteria that allow users to customize their searches, the results of searches are immense, overwhelming amounts of poorly sorted and poorly organized data. The addition of specific search criteria can help make the data results more manageable for users. Users should, ideally, have search options to narrow the results by location and violation information, for example.
- **Generate user-friendly visual tools.** Government websites should present data in ways that help the public to easily understand the information. The best way to foster usability is to present summary data through visual tools such as charts, graphs, and maps, thereby engaging users through these graphic features. These tools should provide the aggregate data that is likely to be the most important to users. From the display of summary data, users should be able to link to more detailed or related information such as relevant reports. For example, the Office of Information and Regulatory Affairs' (OIRA) Regulatory Review Dashboard graphically presents information about rules under OIRA review through an interactive display, allowing the public to sort rules by agency, length of review, state of rulemaking, economic significance, and international impacts. Notably, the Dashboard includes a function that allows the public to view and sort data by agency, rulemaking stage, or a combination of both. Dashboards are tools that should be used across agencies to provide summary data that also links the user to more detailed information.
- **Create data dictionaries.** Non-technical users should be able to understand what the results of data searches mean. Since so many data sets are written in jargon and technical language, each website should contain a data dictionary explaining the terms and data metrics used by each agency that would help users comprehend and interpret the information.

- **Solicit input from users.** The data provided through agency websites should be responsive to the public's concerns. To have the data serve some meaningful purpose, agencies should seek input from user communities about what data sets are most valuable and what methods of presentation would be most useful. Ultimately, users should be able to identify trends in enforcement and compliance within an agency as well as across agencies.
- **Facilitate reuse.** Agencies should facilitate reuse of their compliance information. Data should be downloadable in a variety of formats, including bulk downloads in open, machine-readable formats. Agencies should make regulatory compliance datasets available on Data.gov to improve citizen access to public information. Where possible, agencies should offer Application Programming Interfaces (APIs) to facilitate use of their data by external web services. Agencies should explore opportunities to utilize common identifiers and data formats to facilitate mash-ups.
- **OMB should release the plans agencies were required to develop.** The [President's January 18, 2011 Memo on Regulatory Compliance](#) did not require agencies to release publicly their regulatory compliance plans and few have done so. As it did with agencies retrospective review plans, OMB should release agencies regulatory compliance plans for public review and comment to assist agencies in pursuing several recommendations listed here.
- **Develop a process for continuous improvement of compliance data disclosure.** Each agency should set out a process by which the agency will continuously improve compliance data disclosure and accessibility, complete with timetables and benchmarks.
- **Create an Inventory of Agency Compliance and Regulatory Data Sets.** Every agency should inventory the data sets that it has collected over time, to identify the variables or information that comprises each data set, and disclose the time period and points in time at which the data is collected and make this information publicly available. If an agency chooses to not make some datasets available to the public, then it should provide an explanation for why the data is inappropriate for public release.

1.8 Increase Transparency of Legal Entities Formed in the U.S.

Legal entities can provide access to the international financial system for illicit actors and may frustrate financial investigations. To increase transparency over the next year, we will:

• *Advocate for Legislation Requiring Meaningful Disclosure. As a critical element of a broader strategy to safeguard the international financial system from such abuse of legal entities, the Administration will advocate for legislation that will require the disclosure of meaningful beneficial ownership information for corporations at the time of company formation.*

- **Name a point person in the White House to liaise with the outside community.** The White House's efforts to advocate for the bill will benefit from hearing about particular opportunities and challenges civil society organizations that support the effort have faced in trying to pass this legislation this year and in prior years.

- **Include concepts of “control” within any definition of “beneficial owner” and ensure that the definition is not based on percentage ownership alone.** Many civil society organizations believe that it is critical to include concepts of “control” within any definition of “beneficial owner” and ensure that the definition is not based on percentage ownership alone. Mind and management of a company, or someone who directs the daily activities of a company, is not what is meant by the term “beneficial owner.”
- **Think beyond mere access to the international financial system as a rationale for advocating for this change.** It is also a critical tool in the fight against corruption, from hiding a dictator’s stolen funds to making campaign finance more transparent. Incorporation transparency encourages ethical business practices both in the private sector and in corporate interaction with governments, making it more difficult to establish fraudulent bids by dummy companies in a competitive bidding process and disguising debarred contractors. It is also vital in the global fight against tax evasion and avoidance.
- **Although we understand the following are not part of current bills, we strongly believe the final package should include the establishment of a comprehensive, universal unique corporate identification system that includes, at a minimum, parent company, headquarters, and facility, and that once the data is collected, it should be publicly available in a usable format.**

Challenge 2: Manage Public Resources More Effectively

2.1 Implement Extractive Industries Transparency Initiative

The Extractive Industries Transparency Initiative (EITI) has developed a voluntary framework under which governments publicly disclose their revenues from oil, gas, and mining assets, and companies make parallel disclosures regarding payments that they are making to obtain access to publicly owned resources. These voluntary disclosures are designed to foster integrity and accountability when it comes to development of the world's natural resources. This Administration:

• Is Hereby Committing to Implement the EITI to Ensure that Taxpayers Are Receiving Every Dollar Due for Extraction of our Natural Resources. The U.S. is a major developer of natural resources. The U.S. collects approximately \$10 billion in annual revenues from the development of oil, gas, and minerals on Federal lands and offshore, and disburses the bulk of these revenues to the U.S. Treasury, with smaller portions disbursed to five Federal agencies, 35 States, 41 American Indian tribes, and approximately 30,000 individual Indian mineral owners. By signing onto the global standard that EITI sets, the U.S. Government can help ensure that American taxpayers are receiving every dollar due for the extraction of these valuable public resources.

- **Commit to Taking a Full Inventory of Existing and Evolving EITI Reporting Practices and Standards.** EITI reports can contain any information related to extractive industries that is deemed relevant by stakeholders. EITI implementing countries have significant room for innovation in establishing national EITI processes and standards. Countries new to EITI, such as Indonesia, evidence the extent to which evolving transparency norms and new baselines continue to move the targets for EITI reporting. The U.S. implementing agency should take stock of this progress and consider especially the applicability of the following:
 - The inclusion of revenue streams that cover the full 'value chain' of extractive activity, to cover: (i) payments related to exploration, extraction, processing, export and transportation activities, and (ii) payments such as: taxes, royalties, fees (including license fees), production entitlements, and bonuses and other sums payable.
 - Data that is disaggregated by: (i) company, (ii) project and (iii) commodity (e.g. oil, gas, coal, copper, gold – not just 'petroleum' and 'mining')
 - The centralization of data on extractive activities on federal lands in an electronic/interactive database, to include lease documents, related permits, notices of non-compliance or lease suspension, as well as EITI reporting, and to be searchable by company, lease, and other relevant reporting categories.

• ***Will Work in Partnership with Industry and Citizens to Build on Recent Progress. The Administration has already made important strides in reforming the management of our natural resources to ensure that there are no conflicts of interest between the production and the collection of revenues from these resources. Signing onto the EITI initiative will further these objectives by creating additional “sunshine” for the process of collecting revenues from natural resource extraction. Industry already provides the Federal Government with this data. We should share it with all of our citizens. Toward that end, the Federal Government will work with industry and citizens to develop a sensible plan over the next two years for disclosing relevant information and enhancing the accountability and transparency of our revenue collection efforts.***

- **Enable Informed Participation in EITI Consultations and the Multistakeholder Group (MSG).** Multistakeholder participation from government, companies and civil society is a cornerstone of the EITI. To function effectively, all consultations and multistakeholder engagements should be informed by and equipped with basic information on the shape, size and value of all extractive industry sectors operating on U.S. public lands that might feasibly be included in EITI reporting through the authority of the MSG. This might include requiring that the implementing agency:
 - Provide comprehensive, disaggregated information on the composition, size, value and distribution of extractive activities on U.S. federal lands
 - Proffer a complete list of the extractive industry companies doing business on U.S. public lands, and an analysis of their total investments, profits earned and payments made to date
 - Perform a thorough analysis of the data to be reported under Section 1504 of the U.S. Dodd-Frank Act, and offer a suggested roadmap for consideration of how this data can complement payment reporting through U.S. EITI.
- **Additional Steps to Improve Revenue Transparency**
 - **Publish a draft federal policy on extractive revenue transparency within a year of the release of the National Action Plan.** The draft should be made available for public comment for at least 30 days.
 - Additional recommendations and more details on the proposals above will be provided by the Publish What You Pay U.S. coalition.

2.2 Increase Transparency in Spending By Applying Lessons from the Recovery Act to All Federal Spending

The Administration has provided the public detailed information about stimulus spending (Recovery.gov), Federal procurement and financial assistance spending, down to the sub-award level for grants and contracts (USAspending.gov), the accuracy of payments to non-Federal recipients to reduce fraud, waste, and abuse (Paymentaccuracy.gov), and Federal information-technology spending (it.usaspending.gov). In the coming year, the U.S. will:

• *Provide Strategic Direction to Increase Transparency. On June 13, 2011, the President furthered his commitment to Federal spending transparency in Executive Order 13576, which establishes the new Government Accountability & Transparency Board (GATB). Within six months of its establishment, the GATB will provide a report to the President recommending concrete steps that can be taken to achieve the goals of the Executive Order. The report will focus on integrating systems that collect and display spending data, ensuring the reliability of those data, and broadening the deployment of cutting-edge technologies that can identify and prevent fraud.*

- **Make the outlay data from the Department of Treasury, the nation’s checkbook, available online and compare it with recipient reports to improve the quality of federal spending and disbursement information.** Data on the actual payments, or checks, that are handed to recipients is the most accurate source of federal spending. There is no higher data quality than that appears on the “Pay to the Order of” and “Amount” lines of Treasury payments. In addition, because Treasury payment data is the authoritative source on spending information, it can be used to check the accuracy of recipient- and agency-reported data.
- **All tiers of recipients of federal funds should report on the use of funds. All prime recipients and all sub-recipients, receiving over \$25,000 in federal awards should report on a quarterly basis.** A dollar threshold, such as \$25,000, can be established to reduce reporting by sub-recipients receiving small amounts of money. The FederalReporting.gov website built by the Recovery Board can be modified and used for this purpose. Additionally, a distinction between prime recipients and sub-recipients should be made in order to establish the appropriate linkages and reporting responsibilities. The data should be presented so that the public can see the amounts of money retained by each tier of recipients, so that where funds ultimately end up is displayed.
- **Establish a comprehensive, universal unique corporate identification system.** This is essential for being able to track recipients across time and across databases. This unique ID must include, at a minimum, parent company, headquarters, and facility.
- **Put tax expenditure information online.**
- **Post the full text of contracts and requests for proposals online.** This will allow the public to know if those acting in the interest of the federal government are fulfilling all that they said they would do.

- **Work with state and local governments to develop a uniform reporting system that all parties can use and that would result in overall burden reduction for recipients.** If there are changes required in state financial reporting systems, the federal government should pick up the tab for this.
- **Allow agencies to collect agency-specific information from recipients and sub-recipients, and make it easy for that additional data to be integrated with [Federalreporting.gov](https://www.federalreporting.gov).**
- **Additional Steps to Make Federal Spending Transparent**
 - **Provide new ways of presenting the data so that in addition to showing how much an entity received, it shows the net amount of funds received.** Currently, the system double counts federal funds by showing only the total received by prime recipients and their sub-recipients.
 - **Integrate spending transparency system with regulatory and performance transparency sites.** (i.e., link facilities and companies with compliance and enforcement data; links to the bad contractor data set)
 - **Make the website relevant for multiple types of users.** Some are interested in tables and charts, others in simple graphs, and yet others in maps and other methods of graphically presenting data.
 - **Make data available in non-proprietary systems.** The government should take under serious consideration the advice of experts who demand that federal data be published formats that are not proprietary (like Microsoft Excel) and that can easily be adapted to new technologies.
 - **Design web-based interfaces that make it easy for non-technical users to know where their tax dollars are going.**
 - **Direct all agencies to post their budget justifications on the same day they are transmitted to Congress.** Currently, agencies are required to post their budget justifications online within two weeks of transmittal to Congress. By revising OMB Circular A-11, the administration could ensure more timely access to these important documents. In addition, OMB should create a page on its website that links to each agency's justification, rather than requiring the public to search each individual agency's site. The administration should further improve the transparency of budget justifications by directing agencies to post the information in a standardized XML format.
 - **Support legislative solutions to make an oversight board permanent and provide the board with a permanent stream of funding.**
 - **Renew the push on lobbying procurement reform.** A renewed push is needed on disclosure of special interest influences as promised during the presidential campaign. Work on procurement lobbying reforms (as required by the Ethics E.O.) has stalled.

2.3 Increase Transparency of Foreign Assistance

Greater foreign aid transparency promotes effective development by helping recipient governments manage their aid flows and by empowering citizens to hold governments accountable for the use of assistance. Increased transparency also supports evidence-based, data-driven approaches to foreign aid (assisted, where appropriate and feasible, by the use of randomized controlled experiments).

Building on these commitments, the U.S. will:

• **Release and Implement Government-wide Reporting Requirements for Foreign Aid.** These requirements will direct all Federal agencies that administer foreign assistance to provide timely and detailed information on budgets, disbursements, and project implementation. Agencies will be responsible for providing a set of common data fields that are internationally comparable. The information collected through the above initiative will be released in an open format and made available on a central portal – the Foreign Assistance Dashboard (ForeignAssistance.gov) – that will be updated quarterly.

- We applaud the recent [announcement by Secretary Clinton](#) that the US will join the [International Aid Transparency Initiative \(IATI\)](#) and urge the government to:
 - **Publicly release an IATI implementation schedule by December 2012 and full implementation by December 2015.**
 - **Provide timelines for publication to the Foreign Assistance Dashboard. Publicly release a timeline for when agencies will begin publication to the dashboard.** The dashboard information must be compatible with the international common standard- IATI. This timeline should include deadlines for all agencies administering foreign assistance to release the required types of information (i.e., planning, obligation, spent, project and performance data).
 - **Fully engage with the common standard.** By signing IATI the US will be able to further shape the standard and make sure it responds to the needs of the numerous agencies providing foreign assistance.
 - **Issue guidance.** OMB should produce guidance on the publication of foreign assistance information, including which data fields agencies should report on and how.

2.4 Create a More Effective and Responsive Government – Performance.gov

Responding to the President’s challenge to cut waste, save money, and better serve the American people, Performance.gov provides a window on the Administration’s approach to improving performance and accountability. The site gives the government and the public a view of the progress underway in cutting waste, streamlining government, and improving performance. Over the next year, the U.S. will:

*• **Improve Government Performance and Accountability.** We will continue to improve the website, including adding data on other government-wide management initiatives. In particular, the site will be updated to meet the requirements of the recently enacted Government Performance and Results Modernization Act, which requires regular progress updates on the top agency-specific performance goals.*

- **Make Performance.gov an important resource for many audiences.** There is no way one can guess what information is important for different audiences. For the general public, things like simple searching for an explanation of programs that are relevant to individuals’ communities are important. Without this functionality, users will not find the site interesting and largely ignore it. A subset of the general public, like program advocates or journalists, will find a site rich in data and with many links to outside sources to be important. High-level agency officials, on the other hand, are likely to be interested in who is and which agency programs are responsible for achieving agency goals. Without presenting comprehensive executive decision-making information in a useful way, agency executives will be more likely to consult their staff and internal reports rather than turn to yet another data source. Performance.gov should be built to address the needs of multiple audiences, so that it becomes an important resource for all those interested in improving program performance.
- **Make data underlying summary-level indicators available.** The website should provide the underlying raw program data in ways that different types of audiences can use. For example, a HUD program that rehabilitates houses may use a count of the number of low-income homes rehabbed as measurement of a high priority performance goal. A table that shows this information is vitally important, but the underlying data, including the locations of the rehabilitations, the time it took to rehabilitate them, and the number of families impacted by the program, will provide a different picture about progress towards the goals established.
- **Integrate Performance.gov with other existing federal data sources such as USA Spending.gov, and other related data sources like GAO and IG reports and the President’s annual budget request.** The Performance.gov team should also think how Data.gov can better be tied into the objectives of Performance.gov.
- **Include a number of mechanisms for users to provide specific feedback on all aspects of the site.** In the interest of a constantly improving Performance.gov we would encourage the OMB to include a number of mechanisms for users to provide specific feedback on all aspects of the site. Ideally, the site should include an area for discussion of topics, such as a user forum or a blog on performance issues with discussions occurring in the comments to different posts.

Challenge 3: Improve Public Services

3.1 Expand Public Participation in the Development of Regulations

For two and a half years, the Administration has promoted public participation in rulemaking, which covers such diverse subjects as energy, education, homeland security, agriculture, food safety, environmental protection, health care, and airline and automobile safety. In January 2010, the President issued Executive Order 13563, "Improving Regulation and Regulatory Review," which requires timely consultation with affected stakeholders and the use of Regulations.gov, an online portal to view and comment on pending regulations "in an open format that can be easily searched and downloaded." In the next year, the U.S. will:

*• **Overhaul the Public Participation Interface on Regulations.gov.** The U.S. will continue its vital efforts in this area by overhauling the public participation interface on Regulations.gov. We will revamp public commenting mechanisms, search functions, user interfaces, and other major features to help the public find, follow, and participate in Federal rulemakings. In this way, we will ensure what the President has called "an open exchange of information and perspectives."*

- **Significantly improve the current public participation interface on Regulations.gov. Recommendations include:**
 - **Consult with usability experts to make significant enhancements that lower the barrier to participation and increase the likelihood of significant public influence.** These experts should be involved in the development of the next version of the software.
 - **Give commenters the option for their comments to be publicly displayed.** Comments should be ratable or votable, so that rulemakers can identify popular issues and so that advocates and stakeholders would have greater incentive to mobilize their respective supporters to participate in the comment process.
 - **Introduce in-line commenting functionality that enables visitors to link their comment to a specific paragraph to encourage more focused and relevant input.**
 - **Significantly increase investment in outreach and marketing related to regulatory feedback to maximize the quality and quantity of public input.** For example, advertise opportunities to weigh in on regulations in relevant online forums and work with external partners in media and advocacy organizations -- on all sides of the issue -- to invite their members to participate in shaping the regulation.
 - **Train agencies that utilize Regulations.gov to simplify the navigation path between a user's entry point on an agency website and the rule page on Regulations.gov.** Currently, many agencies do not make it simple for the average visitor to find the appropriate location to leave public comments.

- **Make much of the functionality of Regulations.gov embeddable on agency websites.** This would allow agencies to utilize the public comment functionality without sending visitors to an external website. This could be implemented at its most basic level through a site redesign and html iframe embedding, but should retain the long term goal of a series of widgets and an open API.
- **Provide education to agencies on how best to utilize the public comment functionality to ensure that they are getting maximum benefit from it.** This could include information on how to frame questions in simple, plain language and how to interface with and link to Regulations.gov.
- **Provide feedback to commenters that enables them to understand how their collective input impacted the final decision, or some explanation regarding why it did not.** This should NOT be an individual responses to comments, but rather a response to the most popular and insightful comments. Without this, citizens are likely to lose interest and not return to comment a second time.
- **Transform Regulations.gov into a one-stop shop for citizens to learn about rulemaking.** The Regulations.gov website was a first step toward the creation of a centralized information site on regulations, but we think it could be transformed into a —Citizen’s Center—a place to learn about and engage in executive branch administrative actions. Regulations.gov should represent a full accounting of the many facets of the regulatory process and its related statutory and administrative elements (i.e., illustrate the lifecycle of regulations). In particular, the website should contain:
 - **A resource center explaining in simple language how the rulemaking process works and ways in which citizens can participate;**
 - **Information and tools to help citizens engage with the rulemaking process,** including how to read the Federal Register, comment on a proposed rule, file a petition for rulemaking, and more;
 - **The integration of RegInfo.gov, the online home of the Unified Agenda, with other e-rulemaking systems within agencies, and including Regulations.gov.** Incorporating the Unified Agenda and linking these related systems could provide the public with a more expansive view of the regulatory process, could clarify expectations for regulated entities and business groups who would benefit from advanced knowledge of agencies’ agendas, and could provide examples from agencies of innovative ways to engage the public;
 - **A library of agency information pertaining to regulatory actions, including statutes, judicial and other legal documents, regulatory analyses, information collections, and administrative issuances.** The section should be designed for a more knowledgeable audience who are looking for source materials but often have difficulty finding them; and

- **The equivalent of the agency rulemaking docket, whether the content physically sits on Regulations.gov or on agency websites.** If the systems architecture of Regulations.gov is modernized to allow for more interoperability among agencies' systems and for more decentralized information access, users of these alternate sites would be able to obtain the same information as if they were using Regulations.gov, and agencies could provide custom interfaces for their users in an attempt to engage the public in ways that ultimately benefits regulatory outcomes.
- **Additional Steps for Expanding Public Participation in Rulemaking**
 - **Disclose all communications designed to influence rulemaking.** To prevent undue corporate influence in the rule-making that establishes and protects environmental and public safety standards, the administration should direct agencies and the OIRA to disclose communications, both from the public and as well as between agencies, regarding a rule as part of the rulemaking docket. This disclosure should include copies of written communications and summaries of oral communications, along the lines of the rules regarding *ex parte* communications recently adopted by the Consumer Financial Protection Bureau and the Federal Communications Commission.
 - **We continue to endorse the recommendations included in [Achieving the Potential: The Future of Federal E-rulemaking](#),** a report written under the auspices of the American Bar Association (ABA) by regulatory and open government experts from outside the government. The report was provided to the Administration's transition team and to Congress to provide a comprehensive roadmap for reforming e-rulemaking.

3.2 Use Data.gov as a Platform to Spur Innovation

The U.S. champions the publication of machine-readable data and the use of challenges, prizes, and competitions to catalyze breakthroughs in national priorities. The Data.gov site supplies the public with large amounts of useful, machine-readable government data that can be used by innovators without intellectual property constraint. To accelerate this movement, the U.S. will:

- ***Contribute Data.gov as a Platform.*** Through the U.S.-India Open Government Dialogue, the two countries have partnered to release "Data.gov-in-a-Box," an open source version of the United States' "Data.gov" data portal and India's "India.gov.in" document portal. It will be available for implementation by countries globally, encouraging governments around the world to stand up open data sites that promote transparency, improve citizen engagement, and engage application developers in continuously improving these efforts.
- ***Foster Communities on Data.gov.*** We will work toward expanding the number of Data.gov "communities" that connect data related to particular subject matters with users and producers of that data. With communities focused on health, energy, and law already launched, we will work to launch new communities in education, research and development, and public safety in the next year.

- **Additional Steps to Improve Data.gov**

- **Direct agencies to identify data of interest to the public as a basis for developing new interfaces or improving existing interfaces to explore that data.** While much of the information on Data.gov is of significant value to the American public, the information is currently posted in forms that limit its use. We understand and support the role of Data.gov as a "warehouse" of bulk government information for more technical users. The government, however, has a responsibility to actively disseminate significant information to the public, not just passively make it available.
- **Utilize web services as an option for making data available.** As we move to cloud computing, we want to maximize the availability of data that is subject to periodic changes and updates.
- **Improve the quality of information on Data.gov.** Users continue to be hampered by quality problems with Data.gov. The Administration must improve the quality of data, and make sure that complete and accurate data dictionaries are available. Data.gov should add a feature to allow users to flag suspected errors.

3.3 Encourage Communication between Government Officials and Citizen-Experts

In many cases, those who work in government turn to those outside for advice and support. But too often, officials know only a subset of relevant experts or need to find experts in a new area. To overcome these hurdles, the U.S. will:

• **Launch ExpertNet.** *This platform will enable government officials to better communicate with citizens who have expertise on a pertinent topic. It will give members of the public an opportunity to participate in a public consultation relevant to their areas of interest and knowledge, and allow officials to pose questions to and interact with the public in order to receive useful information.*

- **Enable the participation and open government communities to influence the platform before it is created.** For instance, the White House might distribute product strategy documents, mockups, specs or roadmaps and ask for public input, or hold a facilitated meeting with public participation and deliberation communities.
- **Ensure that ExpertNet meaningfully explains to participants how their contributions are used, including updating participants on how their input was applied.**
- **Require lobbyists and foreign agents participating in ExpertNet to disclose their identity and status, and participants with conflicts of interest should disclose those conflicts.**

- **Additional Steps to Encourage Communication between Government Officials and Citizen-Experts**

- Ethics.gov is a high priority of this administration but has stalled, although the Office of Government Ethics is working on a website to make various key ethics data publicly accessible and could serve as a down payment. **A robust Ethics.gov website still must be created.** The administration has worked on various approaches to disclosure in the aftermath of the *Citizens United* and other Supreme Court decisions, but nothing has been put in place for the next election cycle. There is a need to revisit the effectiveness of the 2-year ban on Lobbying Disclosure Act (LDA) lobbyists working for the administration and the use of waivers.

3.4 Reform Government Websites

More citizens seek government information through the internet than any other source. In addition to continuing to be accessible, government websites should be easy to find, use, and navigate. On April 27, 2011, the President issued Executive Order 13571, "Streaming Service Delivery and Improving Customer Service," to begin sweeping reform of government websites. As part of this ongoing initiative, the U.S. will:

- **Begin an Online National Dialogue With the American Public.** *We will solicit the American public's input on how best to improve Federal agency use of the internet and online tools.*
- **Update Government-wide Policies for Websites.** *We will reform the seven-year-old policy that governs the management, look and feel, and structure of Federal Government websites to make them more useful and beneficial for the public.*

- **Make analytical statistics about government websites publicly available.**
- **Direct agencies to solicit feedback from users, including surveying visitors, analyzing usage data, analyzing search position, surveying agency constituents about their awareness of agency websites, and conducting focus groups with current or potential user communities.**
- **Direct agencies to conduct regular reviews of website performance and utilize the feedback received from the public.** This should include review of how well the agency is maximizing proactive disclosure, maximizing usability and outreach, and supporting the FOIA system. To increase accountability and facilitate a dialog with stakeholders, agencies should be encouraged to publish the results of their reviews. These agency reviews should be accompanied by more active government-wide oversight.
- **Establish a process under which the administration will review and update the web policy at least every 5 years.** The policy should be updated if needed to stay current with technological changes.
- **Ensure proper preservation of online information.** The taskforce charged with updating the policy should consult with the NARA to ensure agencies understand their responsibility to preserve government information regardless of venue (including social media).

- **Update the list of information agencies must post on their websites and expand to include items from the [Openness Floor](#).** The current policy has a sparse list of information agencies must post on their website.
- **Place emphasis on making available information the public wants.** Too much emphasis has been placed on cutting waste.

3.5 Publish Data to Help Consumers and Scientists

In many cases, the government has information that can be leveraged to help consumers make better decisions and to aid scientific research. To unlock the potential of this data, the U.S. will:

• ***Promote Smart Disclosure.*** *The government already discloses data to inform decision-making in many areas by, for example, providing access to comprehensive tools to facilitate the search for insurance options best suited to an individual’s specific needs. To build on this work, OMB recently issued guidance to Federal agencies on “smart disclosure.” We have also established a task force dedicated to promoting better disclosure policies. In response to this guidance, agencies and departments will work over the next year to ensure the timely release of complex information in standardized, machine-readable formats that enable consumers to make informed decisions in numerous domains.*

- **Require agencies to develop, commission, and improve user-friendly interfaces and visualizations to help Americans understand the releases of raw data in open, machine-readable formats.** This will make the information useful to and usable by the public and better inform decision-making.

• ***Publish Guidelines on Scientific Data.*** *We will develop Federal guidelines to promote the preservation, accessibility, and interoperability of scientific digital data produced through unclassified research supported wholly or in part by funding from the Federal science agencies.*

- **Issue specific guidance to agencies that makes it clear scientists may speak to the media.**
- **Through federal guidelines, direct agencies to require research grantees to submit data management plans,** similar to those at the National Science Foundation.
- **Encourage grantees to make data openly accessible to the greatest extent possible.**

3.6 Promote Innovation Through International Collaboration

The U.S has used prizes and competition to foster a culture of innovation in both the public and private sectors. In this spirit, the United States will:

*• **Launch International Space Apps Competition.** The National Aeronautics and Space Administration and key space agencies around the world will gather with scientists and concerned citizens to use publicly- released data (e.g., Earth science and planetary observations) so as to create solutions for global challenges such as weather impacts on the global economy and depletion of ocean resources. An international collaboration website will be created to facilitate citizen participation*

- We support efforts to promote innovation through international collaboration. **We particularly encourage the U.S. to explore new international partnerships to increase the disclosure, usability, and interoperability of information.** For instance, the U.S. Group on Earth Observations, a consortium of federal agencies, participates in the Global Earth Observation System of Systems (GEOSS), an international effort to increase sharing and reuse of Earth observation data.