

August 16, 2011

Cass R. Sunstein, Administrator
Office of Information and Regulatory Affairs
Office of Management and Budget
725 17th Street, NW
Washington, DC 20503

Aneesh Chopra
United States Chief Technology Officer
Office of Science and Technology Policy
Executive Office of the President
725 17th Street Room 5228
Washington, DC 20502

Dear Mr. Sunstein and Mr. Chopra:

We are writing to thank you for opening up the consultation process for the development of the U.S. Government's action plan as part of its participation in the Open Government Partnership. We are concerned, however, with your stated intent to "post a summary of your submissions online in the future. We do not think this meets the spirit of the consultation process, nor is it in keeping with the President's commitment to transparent government.

The Open Government Partnership Roadmap clearly indicates the principles that consultations are supposed to follow. These include:

2. Countries will consult widely with the national community, including civil society and the private sector; seek out a diverse range of views and; make a summary of the public consultation and all individual written comment submissions available online; and
5. Countries will identify a forum to enable regular multi-stakeholder consultation on OGP implementation—this can be an existing entity or a new one.

We recommend that, rather than having the submissions to your series of questions sent to an email address, you establish an open blog to which the interested public can submit their ideas, and that you publish the comments you already have received via email. The Public Interest Declassification Board ([PIDB](#)) has done successful public consultations in this manner and they are a model for what can be done. In their first such consultation, they posed questions – as have you. The public submitted comments to the open blog and, at the end of each question period, the PIDB summarized what they had heard and posed the next question. In the [second](#) consultation, the Board members posted papers, invited public comment and often responded to the commenters, and then invited the public to submit their own papers. The key point is that the consultations were done in public and online, and the PIDB did not just take the comments privately and summarize them online.

Your process is in its early stages, as you indicate there will be a series of blog posts, so it should be possible to make this new phase truly public. Not only will this be in keeping with the spirit of the Open Government Partnership and affirm the US Government's leadership in openness, it will also improve the quality of the ideas as individuals build on one another's ideas.

We also urge you to view the consultation not as an event, but an ongoing process that should take place at least quarterly over the next year, and to identify or establish an open forum to enable regular consultation (as indicated in the Roadmap).

We appreciate your commitment to open government and urge you to make the consultations genuinely public. We look forward to seeing and having an opportunity to comment on the US National Plan prior to its release in September. Please do not hesitate to contact Patrice McDermott at pmcdermott@openthegovernment.org or 202 332 6736, if you have any questions.

Sincerely,

America Speaks

Liberty Coalition

American Library Association (ALA)

National Coalition for Dialogue & Deliberation (NCDD)

Association of Research Libraries (ARL)

National Freedom of Information Coalition (NFOIC)

Citizens for Responsibility and Ethics in Washington (CREW)

OMB Watch

Fund for Constitutional Government

OpenTheGovernment.org

Project On Government Oversight (POGO)

Global Financial Integrity

Publish What You Fund

Global Witness

Reporters Committee for Freedom of the Press

International Association for Public Participation-United States of America (IAP2 USA)

Sunlight Foundation

Cc: Chris Vein, Deputy U.S. Chief Technology Officer for Government Innovation

Steve Croley, Special Assistant to the President for Justice and Regulatory Policy

Jeremy Weinstein, Director for Democracy, National Security Council