THE OPEN GOVERNMENT PARTNERSHIP

GOVERNMENT SELF-ASSESSMENT REPORT FOR THE UNITED STATES OF AMERICA

March 29, 2013

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Introduction

> "We pledge to be more transparent at every level -- because more information on government activity should be open, timely, and freely available to the people. We pledge to engage more of our citizens in decision-making -- because it makes government more effective and responsive. We pledge to implement the highest standards of integrity -- because those in power must serve the people, not themselves. And we pledge to increase access to technology -- because in this digital century, access to information is a right that is universal."

> – President Barack Obama, September 20, 2011

The Obama Administration has committed itself to openness in government, because openness strengthens our democracy and promotes a more efficient and effective government. A government that is transparent is more accountable to citizens. A government that is participatory enhances government effectiveness and improves government decision-making. And a government that is collaborative engages all Americans in governing. Building on these principles, the Obama Administration launched the U.S. National Action Plan on Open Government ("Plan") in September 2011. In a little more than a year, the Administration has made significant progress implementing the Plan. This document – the Government Self-Assessment Report for the United States of America ("Report") – reviews the progress that has been made for each Plan commitment.

Background

An Early Commitment to Open Government

The Obama Administration demonstrated a strong commitment to open government early in President Obama's first term. The Memorandum on Transparency and Open Government, released on President Obama's first full day in office, called for new measures to promote transparency, participation, and collaboration. It directed agency heads to harness new technology, engage the public, disclose information quickly, and give citizens a voice in decision-making. That same day, agencies were directed to adopt a "presumption in favor of disclosure" under the Freedom of Information Act (FOIA). This was followed by a directive from the Attorney General in March 2009 that instructed agencies to make FOIA a priority and improve FOIA administration. Later that year, the Office of Management and Budget (OMB) provided additional direction in its Open Government Directive, which required agencies to take specific immediate steps and establish long-term goals to achieve greater openness and transparency.

The results from the first few years were impressive. Agencies developed Open Government Plans and made unprecedented amounts of information available and accessible to the public; the Administration shined light on Federal spending; agencies took important steps to provide more disclosure of sensitive government information; and for the first time in history, the White House posted visitor logs, salaries, and ethics waivers online. More information on the open government achievements from the first few years of the Administration is detailed in "The Obama Administration's Commitment to Open Government: A Status Report." Each agency's open government webpage also contains up-to-date and complete open government efforts, available at www.[agency domain].gov/open.

Launch of the Open Government Partnership and the United States National Action Plan

While great strides had been made in creating a more open government at home, the Obama Administration sought to do more. In President Obama's September 2010 speech to the United Nations General Assembly, he challenged countries around the world, including the United States, to come back a year later with specific commitments to strengthen the foundations of freedom. In September 2011, the President joined seven global leaders, from Brazil, Indonesia, Mexico, Norway, Philippines, South Africa, and United Kingdom, as well as a group of international civil society (non-governmental) organizations, to launch the Open Government Partnership on the margins of the United Nations General Assembly.

In a little more than a year, the Obama Administration, in concert with international partners, has made great strides in launching this international multilateral initiative. The Open Government Partnership has grown from eight governmental partners to fifty-eight, representing more than two billion people worldwide. This means that twenty-nine percent of the world's population lives in a country that has publicly committed its government to the principles of openness – to increase government transparency and accountability, and to engage citizens more directly in the decisions that impact their lives.

As part of the United States' commitment to the Open Government Partnership, the Administration also launched the National Action Plan – a set of twenty-six concrete and tangible open government initiatives designed to increase public integrity, promote public participation, manage public resources more effectively, and improve public services. The Plan has been praised by civil society organizations and the public; as U.S. civil society groups noted in their assessment report, "By issuing the first National Action Plan, the US stands as a leader [internationally] on issues of transparency [and] accountability." Indeed, the Administration considers the depth and breadth of the Plan a great example of what America can accomplish when government, civil society, and the public collaborate together.

The Road Ahead

The Obama Administration has made substantial progress implementing the Plan. With the launch of the White House's *We the People* petition platform, citizens now have a more powerful voice in their government. With the passage of the Whistleblower Protection Enhancement Act and President Obama's landmark directive extending whistleblower protections to the intelligence and national security communities for the first time, Federal workers who expose waste, fraud, and abuse of authority in government will better receive the protections they deserve. And thousands of government data resources across fields such as health and medicine, education, energy, public safety, global development, and finance have been posted in machine readable form for free public use on Data.gov – providing fuel for entrepreneurs and innovators that are developing a vast range of new products and businesses using these public information resources.

Yet while there has been substantial progress, the United States has not fully implemented all of its commitments in the Plan. Promoting a more open government requires a long-term investment, and meaningful progress takes time. Further, the completion of a commitment does not mean that the Administration's work on that issue is done. This report identifies areas where initiatives have not yet been fulfilled or where there is more work to be done, and describes challenges, progress, and next steps in those areas. The Administration shares the public's enthusiasm for further advances in opening government here in the United States. The Administration also remains deeply committed to supporting the work of the international community through the Open Government Partnership.

Building on lessons learned over the last year, the United States pledges to develop a National Action Plan 2.0. The Administration looks forward to collaborating with civil society and the public on this effort. The National Action Plan 2.0 will update items that remain in progress from the current Plan, as well as feature new initiatives designed to make our government more transparent, participatory, and collaborative.

Summary: Open Government National Action Plan

Substance of Plan

With the launch of the twenty-six initiatives outlined in the Plan, the Federal Government sought to tackle key challenges that the United States and other countries face around the world: increasing public integrity and public participation by tackling corruption and enhancing citizen access to information, more effectively managing public resources, improving public services, and spurring private sector innovation.

Developing the Plan

As the Administration developed the Plan, it engaged in consultations with external stakeholders, including a broad range of civil society groups and members of academia and the private sector. The Administration consulted with the public through a variety of mechanisms, including online engagement and in-person meetings, to ensure that Americans had multiple opportunities to provide input. The Administration made details of the public consultation process available online prior to the consultations. Additionally, White House officials engaged the public via a series of blog posts, asking for ideas about how to focus open government efforts to increase public integrity, more effectively manage public resources, and improve public services. Many of the best ideas represented in the Plan were suggested to the government during the course of these consultations. The Administration also sought input from across the Federal Government, soliciting ideas from the Open Government Interagency Working Group, comprised of senior-level representatives from Executive Branch departments and agencies.

Putting the Plan into Action

To implement the Plan, the White House set up a working group within the Executive Office of the President. This working group tasked agencies (either a representative of a White House agency, or other Federal agency) to take the lead on implementation of each commitment. Team leads provided the working group with regular updates, and the working group provided the team leads with assistance on implementation. Due to the international nature of the Open Government Partnership, domestic policy staff worked closely with foreign policy teams at the National Security Staff and the Department of State.

Throughout 2012, the Administration continued to collaborate with civil society. The Federal Government held dedicated government-civil society meetings for each of the twenty-six initiatives to discuss implementation, as well as any roadblocks the Administration may have been facing. Civil society offered constructive and helpful feedback. These meetings gave the Administration and the civil society team leads an opportunity to foster direct relationships that have proven invaluable. The Administration looks forward to a continued, participatory, and reciprocal relationship with civil society and the public moving forward.

Assessment

Several assessment efforts are evaluating the U.S. Government's progress to meet commitments outlined in the Plan. United States civil society organizations recently published an independent assessment of the U.S. Government's progress on the Plan. This fall, the Open Government Partnership's Independent Reporting Mechanism will generate another independent report.

This Self-Assessment Report presents the U.S. Government's assessment of progress made since the launch of the Plan. In the spirit of openness, the U.S. Government solicited feedback on this self-assessment during a two-week consultation process with civil society and the public. Comments were received and responded to on Quora, a question and answer platform. The U.S. Government is grateful for the constructive feedback and ideas received during these meetings and consultations, which have helped shape the self-assessment of each of the initiatives, described in the following pages.

Implementation of United States National Action Plan

According to our analysis, the U.S. Government has fulfilled twenty-four out of the twenty-six commitments, with a few taking additional time to fulfill. Notably, even where commitments have technically been completed, work to make progress will continue. And over the next several months, the U.S. Government will focus on making progress on the remaining commitments. For easy reference, the Plan commitments as published in September 2011 are highlighted throughout the Report in the shaded boxes.

Open Government to Increase Public Integrity

1. Promote Public Participation in Government

NATIONAL ACTION PLAN

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 https://petitions.obamawhitehouse.archives.gov/.

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.

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.

Government Assessment of Progress

Fundamental to open government is the principle that a government should seek to mobilize citizens to engage in public debate, provide input, and make contributions that lead to more responsive, innovative, and

effective governance. In this spirit, the Federal Government committed to launch and open source the *We the People* online petition platform, and to develop best practices and metrics for public participation in government. These initiatives aim to help the Administration better engage online advocacy, address issues of concern to citizens, and empower the public to influence decision-making.

We the People

We the People gives the Obama Administration a way to connect with the public on the issues that matter most to them. This online platform allows anyone to create or sign a petition asking the Administration to take action on an issue. If a petition gets enough signatures, the White House issues an official response. Since its launch, 7.2 million people created more than 11.6 million signatures on more than 178,000 petitions – and more than thirty percent of these users signed petitions that reached enough signatures to receive a response.

Beyond the sheer volume of participation, *We the People* demonstrates the Administration's responsiveness to concerns of the public, even if they are outside the scope of current issues that the Administration is tackling. In many cases, petitions posted on *We the People* have helped spur discussions of important policy issues at the White House and across the Administration, and serve as a catalyst for change. The Administration has announced new directions in policy, or engaged with people who have an interest on a particular matter, through *We the People*.

Last year, the Administration began surveying people who received a response from the Administration after a *We the People* petition. Of the respondents surveyed, even when petitioners disagreed with the response, they indicated that they appreciated the opportunity to petition the White House and hear their government's response:

- eighty-six percent would create or sign another petition on *We the People*;
- sixty-six percent said the Administration's response was helpful to hear; and
- fifty percent said they learned something new as a result of our response.

Moreover, as the Administration pledged in the Plan, the White House announced a new step in the evolution of *We the People* in August 2012: making the platform open source so that any government in the world, from sovereign nations to small towns across America, can take the *We The People* source code and put it to their own use.

The Administration is continuing the movement toward openness by developing a new *We The People* Application Programming Interface (API), to be rolled out in two phases. First, the White House plans to introduce a Read API that allows individuals to request data from *We the People* that they can in turn use to build programs and applications. Second, the White House plans to launch a Write API that allows individuals

to collect and submit signatures from their own platforms, without directly sending users to *We the People*. Both will make the platform more responsive and useable for the American public.

The Administration had several discussions with civil society representatives in the last year to inform the implementation of this commitment. Moreover, in February 2013, the Administration invited twenty-one programmers, data scientists, and tech experts to the White House for a "hackathon" to spend a day working alongside seven members of our own development team building tools using a beta version of the *We the People* Read API, identifying bugs, and contributing example code to a software development kit. Participants devised working prototypes of numerous projects – including an embeddable map that shows the geographic support for any single petition, a time-lapse visualization of zip codes where petitions are being signed, an embeddable thermometer that shows progress toward crossing the signature threshold for any given petition, and a range of data analysis tools. Some of these projects will be released as open source code, and others will be incorporated into *We the People* itself. This hackathon helped the White House team find ways to make the Read API more flexible, better documented, and easier to use – in preparation for when it is officially released.

Develop Best Practices and Metrics for Public Participation
The Administration believes that public participation enables our government to improve the delivery of services and information to the public. Further, the use of Best Practices and Metrics enables us to continuously improve our practice of Public Participation. Because the Administration's commitment to issue Best Practices and Metrics for Public Participation has been merged into a larger and more ambitious effort, this commitment has not yet technically been fulfilled. The Federal Government's [Digital Government Strategy](#), launched May 23, 2012, puts forth an ambitious set of goals to modernize and improve the way government delivers digital services to the American public. In order to align with deliverables required by the Digital Government Strategy, the Best Practices document will be completed by the fall of 2013. With this new timeline in mind, the Administration has begun to collect stakeholder input. Already, numerous Federal agencies have provided feedback on challenges they face when seeking to enhance public participation.

2. Modernize Management of Government Records

NATIONAL ACTION PLAN

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.

Government Assessment of Progress

On August 24, 2012, OMB and the National Archives and Records Administration (NARA) jointly issued the [Managing Government Records Directive](#) (M-12-18), creating a robust framework for the management of government records in the 21st century:

"Records are the foundation of open government, supporting the principles of transparency, participation, and collaboration. Well-managed records can be used to assess the impact of programs, to improve business processes, and to share knowledge across the Government. Records protect the rights and interests of people, and hold officials accountable for their actions. Permanent records document our nation's history."

In the spirit of open government, the Administration gathered significant input from Federal agencies, outside groups, professional organizations, and the public to develop this Directive. This feedback has greatly improved the final product.

The Directive laid out two primary goals: (1) by 2019, Federal agencies will manage all permanent electronic records in an electronic format; and (2) by 2016, Federal agencies will manage both permanent and temporary email records in an accessible electronic format. In furtherance of these goals, the Administration successfully completed several actions. The Administration designated Senior Agency Officials (SAOs) and convened a meeting on November 28, 2012 with the Archivist of the United States to outline their roles and responsibilities to support their records management programs. In addition, the Administration conducted a review of records management reporting requirements in December 2012.

The Administration continues to work to meet the goals of the Directive. Doing so will require significant technical commitments from SAOs, and fundamental changes by the broader records management community. Federal agencies have been supportive of the Directive. The Administration, moreover, is working on several action items due in 2013, including updating guidance on the management of email and on how to transfer electronic records to NARA, creating a new records management job series, and developing a Community of Interest to solve specific records management challenges that support the goals of the Directive. The Administration looks forward to continuing its work with civil society and the public to achieve the goals laid out in the Plan and is confident future milestones of the Directive will be met.

3. Continue to Improve Freedom of Information Act Administration

NATIONAL ACTION PLAN

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.

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.

Government Assessment of Progress

The FOIA is a vital part of our democracy. The Obama Administration has demonstrated a commitment to improve FOIA administration since early in the first term. Agencies were mandated to adopt a presumption of disclosure, encouraged to take proactive steps to make information available to the public, and have worked to reduce their backlogs of FOIA requests. These efforts have paid off. Despite ever increasing numbers of requests (7.6 percent since 2008), the U.S. Government has reduced its backlog of pending requests by forty-five percent since 2008. It did so while maintaining a release rate above ninety-two percent for four years in a row. Agencies have also significantly improved the average processing times for requests. Additionally, the Department of Justice's (DOJ) new FOIA online dashboard enables users to assess FOIA compliance for the nearly 100 agencies subject to FOIA. The Administration also implemented FOIA dispute resolution for the first time through the Office of Government Information Services (OGIS) at NARA, which has handled more

than 2,000 requests for assistance in its first three years of operation. The Administration has held, and continues to hold, roundtables with requesters and FOIA professionals to discuss FOIA administration. The U.S. Government pledged to continue to improve FOIA administration in the Plan by professionalizing FOIA administration and harnessing the power of technology, and has made strong progress in this regard.

Professionalize FOIA Administration

FOIA and Privacy Act professionals play a vital role in maintaining an open government. Maintaining a distinct job category for FOIA and Privacy Act professionals creates greater professionalization of the FOIA and Privacy Act workforce – increasing agency efficiency and responsiveness, promoting accountability, and elevating the importance of the work performed by those in the Federal Government who are responsible for realizing the Administration's vision of an open and transparent government. Recognizing the critical importance of the work these individuals perform, the Administration created the new job series Government Information Series, 0306, in March 2012, and issued a Position Classification Flysheet directing agencies to implement the change. As of November 2012, twenty-seven agencies employed a total of 229 professionals under the new job series.

Implementation of this commitment resulted from a collaborative effort between the Office of Personnel Management (OPM) and the Office of Information Policy (OIP) in the DOJ, with input from the Department of Defense (DOD) and OGIS, as well as outside stakeholders with relevant experience, such as the American Society of Access Professionals. The Administration is proud that this commitment has been met, but also recognizes that the task of professionalizing FOIA is not over. The U.S. Government will continue to work to ensure that human resources professionals across the government understand this new job series and give this job series the proper elevation that it deserves.

Harness the Power of Technology

Technology has the potential to transform FOIA administration, and the Administration has taken significant steps to accomplish this commitment. More than one hundred offices across the U.S. Government are now employing web portals that allow the public to electronically submit a FOIA request. Not only has this made submitting requests easier for requesters, it has also made it easier for the agencies to log, track, and respond to requests.

Technology can bring significant efficiencies to FOIA administration. One of the most common difficulties in processing FOIA requests is the large amount of time spent by FOIA personnel searching for, de-duplicating, and conducting initial responsiveness reviews on records. Over the course of the last year, several Federal agencies have replaced time-intensive manual processes with software applications that automatically de-duplicate, thread and sort emails, pre-process and tag records, and create document indices. Since these technologies require a large initial investment, OIP conducted a pilot to assess the savings in time and expense that can be realized through the use of such tools, and presented the highly encouraging results at a

government-wide conference held in February 2013. The agencies in attendance expressed great interest to explore expansion of this technological capability.

The Administration realizes that FOIA tools for agencies are not one-size-fits-all. Federal agencies have different structures, receive different types of requests, have widely varying budgets, and vary in the levels of technology already in use – as some agencies still work with paper files. In order to further the Administration's commitment to utilize technology in FOIA administration government-wide, OIP has released guidance and tutorials to help agencies bring the technology that they have to bear in order to make FOIA administration easier. OIP combined its training role with its commitment to leverage technology by hosting its first video conference for FOIA training in early 2013. This method of training not only allows subject matter experts to reach a wider audience of Federal FOIA professionals outside of the Washington, D.C. area, but in some cases significantly reduces agency travel costs associated with FOIA training. Additionally, through the FOIA Technology Working Group, agencies have a forum for exchanging ideas and experiences on ways to better use technology to streamline the FOIA process, help agencies gain efficiencies, and improve the online availability of information.

Agencies throughout the U.S. Government are now developing new ways to use technology to improve FOIA administration. For example, some agencies have developed shared platforms so that multiple offices can view and comment on a document simultaneously, thereby allowing a consensus to be reached on its handling. Similarly, OGIS offers a wiki to allow multiple agencies receiving the same FOIA request to share information and work together.

One effort that has been of particular interest to the requester community has been the FOIAonline project launched by the Environmental Protection Agency (EPA), the Department of Commerce, and NARA and currently also utilized by the Department of the Treasury (Treasury), the Federal Labor Relations Authority, and the Merit Systems Protection Board. This shared portal allows members of the public to submit and track FOIA requests made to the agencies using the portal in one central place. The portal can be used to forward documents to other agencies using the system for consultation, and it provides a central "FOIA library" for the participating agencies to post requested documents. We recognize that there is a strong desire by some for FOIAonline to be immediately adopted as a centralized government-wide portal, but the project is still in its infancy, and deciding to integrate a single technology across agencies presents a number of significant challenges and requires appropriate deliberativeness. The Administration is eager to learn from this project, particularly whether and how a single centralized FOIA administration system and library can be successfully integrated on a wider scale.

The Administration has also continued to improve FOIA.gov, a FOIA website launched by DOJ as part of its open government plan that gives requesters a centralized location to learn about FOIA, including data collected by DOJ and information about how to submit a FOIA request. The Administration has successfully

launched a number of new projects on FOIA.gov in the past year. For example, the website can now graphically display detailed statistics on an agency's FOIA administration, such as numbers of requests received and processed, exemptions used, and response time. Not only are these statistics now being gathered quarterly for the first time, but they are also automatically collected using simple web tools, allowing agencies to focus more energy on processing requests. The "Find" feature offers the public a convenient way to search across all agency websites. This function reduces the need to submit a FOIA request and allows the public to readily see the range of agencies that might have documents publicly available on a topic of interest to them. Additionally, FOIA.gov now has content available in Spanish.

There are also great new tools for the public and agencies on the [OGIS website](). For example, it is now possible for those seeking mediation services to submit their requests through a web form and track the progress of their requests to OGIS online.

Federal agencies have also made great strides in improving their own FOIA websites. They are making their websites more usable for the public, including posting searchable databases and adding mobile applications to disseminate information to the public. And they are increasingly identifying records that are of interest to the public and posting them proactively on their websites. Many agencies are also publishing their FOIA logs of requests received on an on-going basis, including making them accessible as a PDF or CSV file.

The Administration has made significant progress over the past year, with progress to come. In the coming months, OIP will be:

- Issuing guidance to agencies on posting documents to agency FOIA Libraries in a way that will allow for the creation of a virtual government-wide FOIA Library.
- Issuing guidance on the FOIA's proactive disclosure requirements and the directives of the President and Attorney General to use technology to make information known to the public.
- Updating the DOJ Guide to the FOIA, making it an online "living" document. In this new format, DOJ will be able to add to the Guide significant new developments in the FOIA as they occur. This new version will also have links to source material and allow users the ability to search the entire treatise comprehensively as opposed to searching one section at a time.
- Expanding the Annual FOIA Report web tool so that it provides agencies not only the ability to create XML data reports, but also human-readable reports.
- Developing an online training course about the FOIA to be available to all Federal employees in keeping with the Attorney General's mandate that FOIA is everyone's responsibility.

Processing FOIA requests is a fundamentally labor intensive task, and working to improve timeliness is especially difficult at a time when initial requests have been steadily increasing and budgets have been decreasing. By providing agencies and FOIA professionals with new tools and expanding access to training online, the Administration is working hard to fulfill its commitment to improve transparency through further

use of technology. While there is always more work to be done, the Administration believes this commitment has been met. As the Supreme Court has said, FOIA is a "structural necessity in a real democracy." The Administration agrees, and is committed to continuing to utilize technology to help aid in this process.

4. Declassify National Security Information

NATIONAL ACTION PLAN

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.

Government Assessment of Progress

President Obama established the National Declassification Center (NDC) in late December 2009 by Executive Order (E.O.) 13526, Classified National Security Information. Under the direction of the Archivist of the United States, the NDC coordinates the processing of referrals of twenty-five-year-old and older classified records of permanent historical value. In an accompanying Presidential Memorandum, the President specified that referrals and quality assurance problems for the 400 million pages of accessioned Federal records previously subject to automatic declassification should be addressed in a manner that will permit public access to all declassified records from this backlog no later than December 31, 2013.

Over the past year, the NDC has led a multi-agency effort to declassify historically valuable classified records and has done so transparently and with significant public input. Within the constraints of the NDC's current mandate, which preserves review by multiple equity-holding agencies, and the constraints imposed by the Kyl-Lott Amendment, which requires additional procedural attention and effort to prevent release of atomic energy related information, the NDC has made impressive strides toward reducing the massive backlog it faced when it began its task. At the end of 2012, the NDC had completed its assessment of the backlog: all records within the backlog had been analyzed and placed in the proper queue for final quality review and

processing. As of February 16, 2013, 237 million pages of the 359 million pages assessed in the backlog had completed final quality review for national security information, and 104 million of those pages had completed all processes. NDC is on track to potentially address quality review in the remaining backlog pages by the end of calendar year 2013, though the final processing stage will be outstanding.

The NDC is implementing standardized training in order to improve future review quality and records handling. The curriculum, though still in development, will consist of web-based and instructor-led course modules with a goal of educating cleared declassification reviewers, records managers, access and security professionals on the historical background to declassification requirements and the executive orders, proper document handling, general agency responsibilities, and equity identification.

In an effort to eliminate future backlogs, the NDC is adding an evaluation cycle for the non-backlog records, as well as piloting a re-review for records previously withheld for national security concerns but that may not currently meet the requirements for exemption under fifty-year-automatic declassification.

The Administration has solicited and welcomed public input in its declassification efforts. NDC has held a yearly public interactive forum, issued semi-annual public status reports, had center staff blog discussions and web postings of historical records within NARA holdings, and solicited public input into prioritization within the backlog records. The NDC's website diagrams and details its declassification process. The NDC and Information Security Oversight Office are in frequent communication with open government advocates, and leadership in those institutions regularly meet to discuss progress on Plan commitments, as well as independent recommendations from civil society representatives.

Although the Administration has made significant progress in the past year, substantial challenges remain to the Administration's efforts, such as the page-by-page review process imposed by the Kyl-Lott Amendment and the required review for declassification by multiple equity-holding agencies, not to mention the long-term issues posed by ever-growing volumes of materials for review. Although the NDC has instituted expedited approaches and rearranged staffing where possible, the substantial number of backlogged records requiring review for Kyl-Lott continues to impact any prioritization plan the NDC might have implemented for processing collections based on a requester's interest and demand. The Administration is looking for ways to address these issues, and expects to continue engagement with civil society about their recommendations. The Administration is also reviewing the recent report by the Public Interest Declassification Board, which provides its recommendations on a fundamental transformation of the security classification system—recommendations the President asked for in his 2009 Memorandum.

5. Support and Improve Agency Implementation of Open Government Plans

NATIONAL ACTION PLAN

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.

Government Assessment of Progress

Since the process of opening government does not happen overnight, as part of its Plan, the Administration committed to support and stimulate implementation of agency Open Government Plans.

This commitment has been fulfilled in a variety of ways. First, the Administration regularly convened the Interagency Open Government Working Group of agency open government representatives. The Working Group served as a vehicle for collaborating with agencies to ensure they continued to implement their initial open government plans. The Working Group also partnered with agencies as they worked to release a 2.0 version of their respective open government plans, and all twenty-four Chief Financial Officer (CFO) Act agencies revised their plans. During the course of this process, White House officials met with representatives from every CFO Act agency to discuss implementation of their open government plan, and to brainstorm ideas on initiatives for the second version of their plan.

The White House also encouraged agencies to meet with stakeholders before, during, and after they wrote their open government plan 2.0 in order to ensure that the plans represented a mosaic of ideas and suggestions for making their agency as transparent, collaborative, and participatory as possible. Agencies also benefitted from reaching out to civil society organizations outside the "beltway," such as critical stakeholders on the state and local level. The White House will continue to work with agencies as they implement their open government plans.

6. Strengthen and Expand Whistleblower Protections for Government Personnel

NATIONAL ACTION PLAN

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.

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.

Government Assessment of Progress

Accountability is essential to open government. The Administration has consistently worked to strengthen whistleblower laws to protect Federal workers who expose waste, fraud, and abuse of authority in government through the appropriate channels. In the Plan, the Administration committed to use executive action if Congress failed to act in this area. The Administration was pleased that on November 27, 2012 – after four years of work with advocates and Congress – the President signed the Whistleblower Protection Enhancement Act of 2012. Its passage vindicates longstanding Administration efforts to promote commonsense legislative protections. The Act closes loopholes and upgrades protections for Federal workers who blow the whistle on waste, fraud, abuse, and illegality. In particular, it improves whistleblower protections for Federal employees by clarifying the scope of protected disclosures; expanding judicial review; expanding the penalties imposed for violating whistleblower protections; creating new protections for Transportation Security Officers and scientists; creating whistleblower ombudsmen; and strengthening the authority of the Office of Special Counsel to assist whistleblowers.

The Administration supported a legislative proposal that would have also included protections for the intelligence community. When it became evident that those provisions would be a barrier to the bill's passage, the President took executive action, issuing a landmark directive that extended whistleblower

protections to the intelligence and national security communities for the first time, with the signing of Presidential Policy Directive 19 in October 2012. Given the unique security issues facing these communities, developing the Directive required a long and sustained consensus-building effort within the Executive Branch. Though reforms taken through executive action are inherently constrained by the limits of existing authorities, and the success of the Directive will depend on agency implementation, its reforms are significant, and may pave the way for legislative action in the future. In response to civil society feedback, the White House recently published the Directive online.

7. Enhance Enforcement of Regulations Through Further Disclosure of Compliance Information

NATIONAL ACTION PLAN

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.

Government Assessment of Progress

Greater disclosure of regulatory compliance information is a critical step to encourage the public to hold the government and regulated entities accountable, and foster fair and consistent enforcement of important regulatory obligations. Accordingly, the Administration committed in the Plan to enhance enforcement of regulations through further disclosure of compliance information.

The Administration has met this commitment in several ways. First, Federal agencies have been directed to develop plans to make public information concerning their regulatory compliance and enforcement activities accessible, downloadable, and searchable online, as required in the President's [Memorandum on Regulatory Compliance]. All major agencies have created such plans, and several agencies – such as the EPA, the Departments of Transportation and Commerce, and the Food and Drug Administration (FDA) – have made their plans public. The Memorandum also requires agencies to make the enforcement and compliance data available online in a centralized format so that it can be shared across the Federal Government, and the Administration is working to create this centralized platform in the coming months, to help ensure greater information is made available between agencies.

Second, the Administration has worked with agencies to explore new ways to improve data disclosure, such as through EPA's [Compliance and Enforcement History Online](#) (ECHO) Database, and the [Department of Labor's Data Enforcement](#). ECHO has information on more than 800,000 regulated facilities, in addition to analytics and trends that help the public more easily digest the data, and has added new features such as the Criminal Cases Search, which allows the public to search criminal prosecutions that result from environmental investigations. Likewise, the Data Enforcement website has been improved to make enforcement data collected by Department of Labor agencies in the exercise of their mission accessible and searchable, while also engaging the public in ways that make the data even more useful. The Administration looks forward to exploring innovative opportunities to work with agencies to improve data disclosure and accessibility.

Finally, it is important to note that civil society partners have met with their agency colleagues throughout the Administration on this commitment and have offered helpful advice on the type of data that should be published. The Administration is grateful for the input from these partners and hopeful that they will continue to work collaboratively with agencies on these important issues.

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

NATIONAL ACTION PLAN

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.

Government Assessment of Progress

To enhance transparency for law enforcement, amongst other purposes, the Administration committed to work with Congress to enact legislation to require disclosure of beneficial ownership information of legal entities at the time of company formation. Media reports and law enforcement continue to highlight the misuse of legal entities such as shell companies that mask the identity of illicit actors and facilitate access to the international financial system. Law enforcement agencies and DOJ uniformly view the lack of beneficial ownership information as a major impediment to criminal investigations, and called for having this information available for investigative purposes.

The Administration was focused on this issue for several years before the launch of the Plan. Treasury, in close cooperation with DOJ and the Department of Homeland Security, drafted and cleared three Administration legislative proposals in April, June, and September 2010 requiring transparency of legal entity ownership.

Although this proposal was not introduced in Congress, Treasury worked with Senator Carl Levin on, and welcomed, S. 1483, Incorporation Transparency and Law Enforcement Assistance Act, a bill that sought to ensure that persons who form a corporation in the United States must disclose the beneficial owners of the corporation. Despite the evident illicit finance risks associated with misuse of legal entities, a comprehensive legislative solution has not been achieved to date.

As it committed to do, the Administration has continued to promote beneficial ownership as a priority initiative. However, the Administration has encountered significant challenges surrounding passage of comprehensive legislation. A number of business and other groups are strongly opposed to S.1483 and similar legislation. Many of these groups have expressed concerns that this legislation would be burdensome to the States, costly to administer, and hamper legitimate company formation services.

While progress on legislation addressing company formation remains difficult, Treasury, along with other relevant agencies, made strides in initiatives aimed at improving the global anti-money laundering/counter the financing of terrorism (AML/CFT) standard governing beneficial ownership, through the Financial Action Task Force (FATF). Further, the Administration is regularly engaging key foreign partners on a bilateral basis to stress the importance of this issue. In addition, Treasury issued an Advance Notice of Proposed Rulemaking on Customer Due Diligence (CDD) and Beneficial Ownership (ANPRM) for Financial Institutions, soliciting public comment on a wide range of issues related to customer due diligence, including an obligation to collect beneficial ownership information of legal entities customers. Subsequently, Treasury undertook extensive private sector engagement and town hall meetings with a wide range of stakeholders. All the relevant information gathered, through written comments as well as public engagements, has informed the development of proposed CDD rule text, which Treasury anticipates issuing in the near future.

With competing priorities, a risk exists that initiatives to enhance the transparency of company formation could lose momentum. In light of this fact, the Administration is adapting its approach and exploring several complementary initiatives.

First, in this context, the Administration is currently monitoring the status of company formation legislation, which has yet to be introduced in this Congress, to assess whether there is a viable course of action. Second, Treasury has begun to explore whether there are existing legal authorities such as the Internal Revenue Code and the Bank Secrecy Act, which could be leveraged to obtain beneficial ownership information for a segment of legal entities formed in the United States. Third, because company formation is regulated at the State level, the Administration may consider further engagement with Secretaries of State and civil society to build support for individual State-based initiatives to improve transparency. Finally, because financial transparency directly impacts the international financial systems, the Administration is working through such fora as the G8 and FATF to raise awareness and improve implementation of the international AML/CFT standards.

Open Government to Manage Public Resources More Effectively

1. Implement Extractive Industries Transparency Initiative

NATIONAL ACTION PLAN

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.

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.

Government Assessment of Progress

In the interest of transparency, and to ensure that American taxpayers are receiving every dollar due for the extraction of their natural resources, President Obama announced the U.S. commitment to implement the international standard known as the Extractive Industries Transparency Initiative (EITI) in the Plan. In October 2011, he designated the Secretary of the Interior as the senior U.S. official responsible for the implementation of EITI, and that same day the Secretary committed to work with civil society and industry to do so. Together, these actions fulfilled the first three of five sign-up requirements toward applying for EITI Candidacy.

From November 2011 to February 2012, the Administration began a "get smart" phase on EITI—a team of officials met with past and present EITI Board members and the EITI International Secretariat, observed an EITI Board meeting, and met with Norwegian EITI Secretariat counterparts to obtain lessons learned on EITI implementation. From February to June 2012, the Administration conducted extensive public outreach to understand what types of people and organizations could best represent U.S. stakeholders, and how to best form a multi-stakeholder group to implement EITI in the United States. The Administration held two public comment periods, seven public listening sessions (in Anchorage, Denver, Houston, New Orleans, Pittsburgh, St. Louis, and Washington, D.C.), a webinar, and a workshop.

Based on an independent stakeholder assessment derived from the input received, in July 2012, the Secretary of the Interior established an Advisory Committee under the Federal Advisory Committee Act to serve as the initial USEITI Multi-Stakeholder Group. From mid-July to mid-October, the Administration solicited and received nominations for the Committee from civil society, industry and government, and conducted two months of vetting and review of the nominees. On December 22, 2012, the Secretary appointed twenty-one primary and twenty alternate members to the USEITI Multi-Stakeholder Group (USEITI MSG). By establishing the Multi-Stakeholder Group, the U.S. completed the fourth of five sign-up requirements toward EITI Candidacy.

On February 13, 2013, the Secretary of the Interior hosted the first meeting of the USEITI MSG in Washington, D.C. At their first meeting, the group reviewed terms of reference for how they will work together in a consensus-based fashion, discussed a timeline for completing work in 2013, and began work on the U.S. candidacy application that must be delivered to and reviewed by the EITI International Board.

The Administration views the second term as yet another moment of opportunity for EITI, during which government, civil society, and industry may chart a new course together for open and responsive governance. The United States is operating on an ambitious schedule to prepare and submit our EITI candidacy application to the EITI Board, with the hope that it can be approved by the EITI Board in 2013. Completion of the candidacy application would fulfill the fifth of the requirements to apply for Candidacy.

Once the application is accepted and the United States becomes an EITI Candidate country, the U.S. Government will have eighteen months to fulfill Candidacy requirements and produce its first EITI report, and another year to attain EITI Compliant status. This will involve extensive cooperation and effort by the USEITI Multi-Stakeholder Group, working collaboratively across government, industry and civil society to determine which revenues collected by government and paid by industry are material for reporting; how that data should be reported so that it is informative and useful to the American public; when the data will be reported and by whom, and who will collect it; and who will be the independent auditor that will compare the government and industry reports and work with both to handle any discrepancies.

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.

Government Assessment of Progress

The Administration, through the work of the Government Accountability and Transparency Board (GATB), provides strategic direction to the Federal Government on ways to increase Federal spending transparency. The GATB's strategic direction has focused 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. In December 2011, the GATB submitted to the President its initial report, containing key recommendations for concrete steps the Federal Government should take to enhance transparency and accountability.

First, the GATB recommended expanding the use of cutting-edge tools that can help detect and prevent waste, fraud and abuse, and creating a centralized platform for ensuring accountability in spending across the U.S. Government. To advance this cause, the Recovery Board has partnered with the GATB to initiate pilots with both agencies and Inspectors General on how best to deploy new forensic and analytical capabilities government-wide. In addition, OMB and Treasury launched the President's Do Not Pay tool to help Federal agencies prevent the types of improper payments that have plagued government for too long – including pension payments to the deceased and payments to fraudulent contractors. On April 12, 2012, OMB issued memorandum M-12-11 directing agencies to use this "Do Not Pay List" solution as a centralized source for checking eligibility before making a payment, in order to prevent waste, fraud, and abuse. As of February 2013, Federal agencies are on track to meet the statutory deadline that by June 2013 all Federal agencies will review as appropriate all payments and awards for all programs through Do Not Pay, based on the

requirements in the Improper Payments Elimination and Recovery Improvement Act of 2012 (IPERIA). Collectively, these solutions are moving us closer to the GATB's vision of a cutting-edge technology to drive government-wide spending accountability.

Second, the GATB recommended working to create a single electronic collection system for grant related data to eliminate system redundancies, and reduce recipients' burden of reporting to multiple agencies. To advance this idea, OMB and Federal agencies are working with the Recovery Board to explore the opportunities to leverage Recovery.gov as a model for displaying the type of spending data currently displayed on USAspending.gov. OMB is also working closely with the General Services Administration (GSA) in its efforts to consolidate the Integrated Award Environment (IAE) into the System for Award Management (SAM). In addition, the GATB is currently working with OMB and Federal agencies such as Treasury, DOD, GSA, and the Department of Health and Human Services (HHS) to develop new methods for standardizing and improving the collection and display of Federal financial assistance and contract data. In upcoming months, the Administration will look to engage with civil society organizations and other key stakeholders, such as state governments, to chart the vision for improving information collection and display on USAspending.gov going forward. Finally, OMB has continued to collaborate with the Recovery Board and Federal agencies, including Treasury, to identify and implement opportunities to consolidate existing government-wide reporting requirements to reduce reporting burden and provide one consistent and comprehensive one-stop resource for Federal award spending.

Third, the GATB identified steps needed to ensure that each award reported on USAspending.gov can be uniquely identified in order to provide uniformity and consistency of data and enhance transparency of government spending. This effort is critical to ensure that recipients who are reporting subawards are easily able to identify their award, while also ensuring that the data we provide to the public are more reliable, easier to use, and more meaningful in tracking how Federal dollars are spent. A unique award identification requirement is not the sole key to uniformity and consistency of data on USAspending.gov. Based on the collaboration with the GATB, agency leadership, Inspector General community, Congress and other interested stakeholders, data reliability and quality of Federal spending information must be achieved. To achieve data reliability and quality, in addition to following through on the three existing GATB recommendations, OMB has developed a new Statement of Spending. This new Statement makes transparent information about where and how Federal agencies spend tax dollars part of agencies' annual audited financial statements. OMB piloted this new statement with a number of agencies in their financial reports that were submitted in November 2012. Forthcoming guidance to agencies will outline how to leverage the accountability framework provided by agency annual financial statements including statements of spending to provide similar assurances to the quality of financial data published on USAspending.gov.

With the shared goals of transparency and accountability to the American people, the Administration has applied the authorities granted by statute to accomplish these outcomes. The Administration, through its

work under the GATB, Federal agencies, inspectors general and in close concert with Congress, recipients of Federal funds, civil society, and other stakeholders will continue to improve transparency in Federal spending, ensure accountability of taxpayer dollars, and drive efficiencies in Federal spending. The Federal Government will continue to implement these efforts in an effective and cost-efficient manner, with appropriate resources made available to accomplish the Administration's goals for transparency and accountability in Federal spending.

3. Increase Transparency of Foreign Assistance

NATIONAL ACTION PLAN

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.

Government Assessment of Progress

All U.S. foreign assistance transparency work is driven and informed by the primary objective to make aid more effective for development. Increased transparency accomplishes this objective by assisting recipient governments in better managing their aid flows and by empowering citizens to hold governments accountable for how assistance is used. U.S. foreign assistance is more effective and accountable when it is more transparent, and so the United States pledged to release and implement reporting requirements for foreign aid in the Plan. The Administration made significant progress toward this commitment by issuing robust, government-wide reporting guidance; dedicating a full-time team to work on implementation; immediately engaging the seven agencies with the largest foreign assistance portfolios; and laying the foundation to achieve 100-percent coverage by the end of 2015.

The Federal Government achieved the first half of its commitment by issuing government-wide guidance on reporting requirements for all Federal agencies that administer foreign assistance. In September 2012, OMB released Bulletin 12-01, which directs U.S. agencies to collect foreign assistance data and outlines all required

data fields needed to satisfy multiple reporting requirements. The Bulletin underscores the U.S. commitment to make foreign assistance information more transparent, accessible, and compatible with international standards, and lays out the policy objectives that the U.S. Government seeks to achieve. The Bulletin also outlines the guiding principles for reporting foreign assistance data – including a presumption in favor of openness and an emphasis on more detailed, timely, and quality data – and establishes "principled exceptions" to provide agencies with sufficient flexibility to protect sensitive information from disclosure on a case-by-case basis. Finally, the Bulletin includes a prioritized order for agency implementation, based on the relative size of that agency's foreign assistance portfolio.

The Bulletin institutionalizes foreign assistance reporting by directing agencies to publish their data to the [Foreign Assistance Dashboard](#) ("Dashboard"). The Dashboard makes U.S. foreign assistance data available to the public in open, machine-readable formats and visualizes those data enabling various stakeholders to track U.S. foreign assistance investments, including civil society organizations, Congress, government agencies, other donors, and partner country governments. The Dashboard currently contains the most recent foreign assistance budgets, obligation, and disbursement data for the U.S. Agency for International Development (USAID), and the Millennium Challenge Corporation (MCC), as well as the budget planning data for the Department of State.

Consistent with the OMB Bulletin, the Dashboard will expand over time to include more detailed financial and program data from USAID, MCC, and Department of State, and will eventually include data from all U.S. Government agencies engaged in foreign assistance. Achieving that goal requires a significant effort – led by the Dashboard team – to map agency-specific program management systems to the Dashboard's sector framework, identify foreign assistance activities for non-aid agencies, scrub for double counting of foreign assistance funds transferred from one agency to another, and create automatic data feeds to facilitate quarterly reporting. While complete reporting from all relevant agencies will take additional time, reporting is underway and focuses on displaying data from the agencies with the largest portion of U.S. foreign assistance. This work by the Dashboard implementation team is fundamental to ensuring the sustainability of U.S. foreign assistance transparency efforts.

Further, the Administration has exceeded the letter of its Plan commitment by signing the United States onto the International Aid Transparency Initiative (IATI) in November 2011. In December 2012, the Administration published the schedule under which it will release data in IATI format. Already, the United States has posted initial foreign assistance data in IATI's internationally-comparable data standard on the Dashboard in XML format. This effort is emblematic of the U.S. commitment to transparency. As additional agencies add new data to the Dashboard, IATI data files will be updated and activity-level reporting will become more robust. The Dashboard serves as the mechanism to deliver a unified U.S. report that meets the IATI standard.

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

Government Assessment of Progress

Performance.gov shows progress on the Administration's efforts to create a government that is more effective, efficient, innovative, and responsive. The Administration has made, and continues to make, strong progress improving Performance.gov.

First, the U.S. Government added detailed information for each of the fourteen Cross-Agency Priority Goals and 103 Agency Priority Goals. This information provides a comprehensive view of agency progress toward achievement of their top priorities. For each goal, the site includes the Strategies, Progress Updates, Next Steps, Future Actions, Indicators and Contributing Programs. The Cross-Agency Priority Goals and Agency Priority Goals information will be updated quarterly. The first update since the December 2012 release was published in early March 2013, and can be accessed through the Performance Improvement Area of Focus, under Clear Goals.

Second, the U.S. Government has provided updates to the Sustainability and Energy Scorecards, which help agencies identify, target and track the best opportunities to lead by example in clean energy, and hold them accountable for meeting annual energy, water, pollution, and waste reduction targets. Based on scorecard benchmarks, each agency has updated its annual Sustainability Plan to expand on successes and address areas needing improvement. These can be accessed under the Sustainability Area of Focus, a link to which is included in the quarterly progress report for the Sustainability Cross-Agency Priority Goal.

Third, the U.S. Government has updated the Federal hiring data under the Human Resources Area of Focus, showing recent progress being made on the Administration's commitment to reform the hiring process so

agencies can recruit the most talented applicants to serve the American people. Data through the end of Q4 FY 2012 are now available by agency for both manager and applicant satisfaction with the application process.

In addition, the Federal Government has continued to make progress to establish a more robust structure to manage development and operations of the site. The Performance Management Line of Business (PMLOB) was recently established at the GSA, and the PMLOB held its first Executive Steering Committee meeting in January. Once fully operational, the PMLOB will manage site operations and ensure the development priorities of key stakeholders and audiences are met. The Administration met with civil society organizations to talk about implementation of this initiative, and they provided helpful feedback. The Performance.gov team agrees that there is more that can be done, and will follow through on civil society suggestions to further develop Performance.gov, including by enhancing the site design to improve navigation and user experience, expand information available, and lower the burden placed on agencies for data submission.

Open Government to Improve Public Services

1. Expand Public Participation in the Development of Regulations

NATIONAL ACTION PLAN

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."

Government Assessment of Progress

The eRulemaking Program, based within the EPA, operates the Regulations.gov web site on behalf of thirty-nine partner Federal departments and agencies. In the past year, the Administration redesigned the homepage, search, docket, document, and information interfaces to make it easier for the public to pinpoint the agency proposed action and encourage further exploration of the development of a regulation.

The program has also released new read data APIs for Regulations.gov, which enable software programs and other websites to automatically get data from Regulations.gov. The data APIs are in use by more than fifty organizations, and expand the reach and utility of the data hosted by Regulations.gov by allowing organizations to use and repackage the site's data in various ways. Some notable users of the data APIs include the Sunlight Foundation's Docket Wrench, Bloomberg Government, and the Federal Register's website. The eRulemaking program has also developed a Commenting API that allows third party organizations to feed comments into eRulemaking's systems through their own websites and applications. The new Commenting API has been made available to a limited group of Federal agencies, and additional implementations of the API are currently in development.

2. Use Data.gov as a Platform to Spur Innovation

NATIONAL ACTION PLAN

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.

Government Assessment of Progress

In recent years, as part of the Administration's Open Data Initiatives, thousands of government data resources across fields such as health and medicine, education, energy, public safety, global development, and finance have been posted in machine-readable form for free public use on Data.gov. Entrepreneurs and innovators are developing a vast range of new products and businesses using these public information resources— helping to improve the lives of Americans in many tangible ways, and creating good jobs in the process.

In the Plan, the U.S. Government committed to contribute Data.gov as an open-source platform available for use globally, and to expand the curation of content on Data.gov to more effectively connect users and producers interested in particular topic areas, such as health, energy, or law, with the most relevant datasets. The Administration has achieved both of these objectives. The U.S. Government met with civil society representatives on several occasions to discuss implementation of these initiatives, and they provided helpful feedback.

Contribute Data.gov as a Platform

The United States and the Government of India, through the U.S.-India Strategic Dialogue, announced in July 2011 that the two countries would launch an open source software platform, with the goal of combining elements of each country's respective open government sites that housed government data. Less than a year

later, after the Administration made this a commitment in the Plan, the United States and India launched Open Government Platform (OGPL) in March 2012. The OGPL enhances data transparency and citizen engagement by making more government data, documents, tools, and processes publicly available through a freely available, open-source platform. Making these data available in useful machine-readable formats allows innovators, developers, media, and academia to develop new applications and insights that will give citizens more information to make better decisions, as well as spur innovation and create economic opportunity.

Countries around the world are taking notice of this successful inter-governmental collaboration. The United States and India have established pilots in Ghana and Rwanda, and more than thirty national and local governments around the world have expressed interest in the OGPL.

The Data.gov team will continue to contribute Data.gov as a platform going forward by contributing new open-source extensions to the platform, such as a harvesting tool that will make it easy for other platforms to include Data.gov datasets in their own search results.

Foster Communities on Data.gov

The Administration recognizes that one of the most effective ways to spur innovation is to open valuable government data and encourage innovators to use these data to build new applications and services to help improve lives. By creating curated sections of Data.gov centered on specific content, the Administration sought to make it easier for the public to find data of most interest to them. In the Plan, the Administration committed to expanding the number of curated topics and has met that commitment. Not only has the U.S. Government launched three subsections of Data.gov discussed in the Plan (education, research and development, and public safety), the Administration has gone further, and launched thirteen additional topic areas.

This initial thematic approach to government data helped to better connect private sector citizens, companies, and non-profits with relevant datasets, and served to increase communication between internal government groups working in complementary areas. Building on this success, the Federal Government is exploring ways to enable the automatic generation of additional resources around any topic to further engage the public. The Administration will continue to expand and rethink development in these areas. Data.gov contains updated information on the approach to further enhancing the Data.gov platform.

Making open government data machine-readable and available is a necessary step, but insufficient to realize outcomes for the public. That is why the Administration has worked hard to collaborate with civil society, non-profit organizations, entrepreneurs, and other innovators about ways they can use these data to materially benefit Americans, in part through workshops ("Data Jams") and through larger celebration events ("Datapaloozas"). The Administration has also put out calls-to-action for entrepreneurs and citizen solvers to use open government data to create new solutions, products, and services that solve tough problems, create

jobs, and benefit Americans, through nearly the 250 incentive prizes and challenges offered to date by more than fifty Federal departments and agencies on Challenge.gov.

3. Encourage Communication between Government Officials and Citizen-Experts

NATIONAL ACTION PLAN

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 search for and 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.

Government Assessment of Progress

In December 2010, the Administration sought feedback on a concept to solicit ideas on a "next generation" for citizen consultation – a government-wide software tool and process to elicit expert public participation. The platform would complement, and not replace, Federal advisory committees and other ways of soliciting public opinion and expertise, and harness technology to do so in a more efficient manner. It was imagined that the platform, with the working title "ExpertNet," could: (1) enable government officials to circulate notice of opportunities to participate in public consultations to members of the public with expertise on a topic; and (2) provide those volunteer experts with a mechanism to provide useful, relevant, and manageable feedback back to government officials.

After further exploring the concept, the Administration recognized that a single government-wide software platform would face implementation challenges. Soliciting expert citizen opinions, outside the process of the Federal Advisory Committee Act, is as much a culture-change and business process challenge as it is a question of technology platform. Furthermore, a number of private-sector platforms have emerged, such as Quora or Stack Overflow, which are online communities that already have self-sustaining, vibrant ecosystems that enable users to ask citizen experts very specific questions. Finding ways to take government questions to these and other relevant communities, rather than attempting to create a network from scratch that requires the government to find and aggregate experts itself, will ultimately be more sustainable, dynamic, open, and beneficial to the American people.

While the ExpertNet commitment has not yet been met, the Administration is committed to continuing to explore the concept in specific agencies that have mission objectives and business processes that will substantially benefit from consulting citizen experts.

While working on this commitment, the Administration greatly benefitted from fruitful partnership with civil society organizations. The Administration learned that civil society truly seeks to be an equal partner in this work, and that its advice – if solicited – is warmly given. In fact, in civil society's evaluation of this Plan commitment, it said, "The government was given high scores on this section as the team was very open to civil society input on this commitment and engaged in frank conversations and actively looked for ways to accomplish this difficult commitment."

4. Reform Government Websites

NATIONAL ACTION PLAN

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.

Government Assessment of Progress

The public deserves competent, efficient, and responsive service from the Federal Government. With advances in technology, the public's expectations of the Federal Government have continued to rise. In the spirit of openness and to better serve the public, the Administration pledged to reform Government websites in its Plan.

In the fall of 2011, the White House and GSA fulfilled the first prong of this commitment by sponsoring the online National Dialogue for Improving Federal Websites ("Dialogue"). Numerous ideas were received from the public on how to make Federal websites more user-friendly and better at achieving the needs of the public. The Administration has incorporated the results of this Dialogue into the larger effort of transforming digital services government-wide.

The second prong of this commitment – to revise Federal web policies – has been completed and expanded through the issuance of the Digital Government Strategy. Launched on May 23, 2012, the U.S. Government's Digital Government Strategy lays out a framework with milestones to deliver better digital services to the American public. This strategy works to:

- Enable the American people and an increasingly mobile workforce to access high-quality digital government information and services anywhere, and anytime, on any device.
- Ensure that as the government adjusts to this new digital world, we seize the opportunity to procure and manage devices, applications, and data in smart, secure and affordable ways.
- Unlock the power of government data to spur innovation across our Nation and improve the quality of services for the American people.

Taken together, these new policies will result in one of the most extensive revisions to Federal website policy in years.

5. Publish Data to Help Consumers and Scientists

NATIONAL ACTION PLAN

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.

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.

Government Assessment of Progress

The Obama Administration has promoted the proactive release of information that will open government, and at the same time contribute to economic growth and job creation. The release of information makes it possible for innovators to create tools that help Americans every day – whether to find the right health care provider for them, identify the college that provides the best value for their money, save money on electricity

bills through smarter shopping for the right rate plan, or keep families safe by knowing which products have been recalled. The Administration therefore promoted the smart disclosure of information to inform decision-making, and also pledged to publish guidelines to promote the use of scientific digital data, in the Plan. Both of these commitments have been fulfilled, and the Administration looks forward to continuing to further the goals of these initiatives.

Promote Smart Disclosure

The term "smart disclosure" refers to releasing data that empowers consumers to make better informed decisions. The Administration has made great progress implementing this initiative. In March 2012, the Smart Disclosure Summit brought together innovators from inside and outside of government to share best practices and practical advice on how to enhance smart disclosure activities within government. And in February 2013, the Administration launched the Smart Disclosure Community at Consumer.Data.gov. The Community is a centralized platform containing more than 500 smart disclosure data sets and resources from departments and agencies across the U.S. Government. Entrepreneurs and innovators can access data collected by the Federal Government for free, which is helping to spur economic prosperity and create consumer applications, products, and other services that help consumers make informed decisions. One startup, for example, has utilized downloadable information from HHS about the location and characteristics of health care providers to fuel a mobile application that has helped eight million people find the best local doctors and hospitals that meet their needs. In addition to saving lives, the startup has become a job creator, hiring more than ninety people.

Smart disclosure's potential for unlocking innovation and economic prosperity is still in its early stages. The Administration looks forward to its continuing work to expand the use of smart disclosure across the Federal Government.

Scientific Guidelines

President Obama has maintained that information is "a national asset." It is from this proposition that the Administration has taken the view that citizens deserve access to the results of research that is paid for by their tax dollars. With wide public support, including more than 65,000 signatures on a *We the People* petition, and as part of its commitment in the Plan, the Administration took one of the largest steps in history to increase access to the results of scientific research when, in February 2013, the Administration issued a Public Access Memorandum to Federal agencies with more than $100 million in research and development expenditures, directing them to develop plans to make the results of federally-funded research publically available free of charge within twelve months after original publication.

In addition, the Memorandum requires that agencies address the need to improve the management and sharing of scientific data that are produced with Federal funding by requiring federally-funded scientists to produce data management plans that detail how they will treat and share their data, and requiring agencies

to take steps to increase access to data. While the work to implement these directives is just beginning, the Administration expects that wider availability to scientific publications and data will be a significant driver of scientific progress and economic growth in the future.

6. Promote Innovation Through International Collaboration

NATIONAL ACTION PLAN

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.

Government Assessment of Progress

The International Space Apps Challenge was an exciting technology development effort to connect space agencies, external organizations, and citizens in a two-day event to help solve space-related and global challenges, while promoting innovation through international collaboration. During the event, representatives of the National Aeronautics and Space Administration (NASA) and other international space agencies gathered with scientists and participants to use publicly released data to create solutions for mobile applications, software, hardware, data visualization, and platform solutions that could contribute to space exploration missions and help improve life on Earth and life in space.

In all, more than 2000 participants took part in twenty-five cities around the world, on all seven continents, in person and online. The event was no small feat – in addition to the global organizing team that included NASA, there were 100 organizations and eight other government agencies that made the event possible. Due to the success of the Apps Challenge, NASA will host a second International Space Apps Challenge on April 20-21, 2013, in seventy-five cities around the world.

For the past three years, the Obama Administration has taken important steps to make prizes and challenges, such as the International Space Apps Challenge, a standard tool in every agency's toolbox. The use of public-sector incentive prizes and challenges to solve tough problems has expanded under the America COMPETES Reauthorization Act of 2010, which granted all Federal agencies authority to conduct prize competitions to spur innovation, solve tough problems, and advance their core missions. Federal agencies are achieving their

mission more efficiently and effectively through the nearly 250 prize competitions implemented by more than fifty Federal departments and agencies since the launch of Challenge.gov in 2010.

In his September 2009 Strategy for American Innovation, President Obama called on all agencies to increase their use of prizes to address some of our Nation's most pressing challenges. In March 2010, OMB issued a policy framework to guide agencies in using prizes to mobilize American ingenuity and advance their respective core missions. The White House Office of Science and Technology Policy (OSTP) released a comprehensive report in March 2012 detailing the use of prizes and competitions by U.S. Federal agencies to spur innovation and solve grand challenges.

To help agencies take full advantage of the new authority offered by America COMPETES, OSTP and OMB jointly issued a Fact Sheet and Frequently Asked Questions memorandum in August 2011. Agencies, including HHS, are establishing strategies and policies to expand their use of the new prize authority. The GSA launched a new contract vehicle to dramatically decrease the amount of time required for agencies to tap the private-sector expertise that is so critical to early success. And a new government-wide Center of Excellence for Collaborative Innovation, led by NASA, is providing guidance to agencies on the full lifecycle of prizes, from design through implementation to post-prize evaluation.

Conclusion

Through implementation of the National Action Plan, the Administration has worked to strengthen our democracy and promote a more efficient and effective government. The results thus far, outlined above, are measurable and substantial. The Federal Government has fully implemented many of its open government commitments, and made strong progress on others, working in close collaboration with civil society.

But opening government is a long-term task that requires both building the necessary tools and a transformation of agency culture. The Administration's broader goals cannot be completed in one year. Thus, while the Federal Government has taken yet another important step toward achieving lasting change, the Administration recognizes that there is more work that can be done. The Administration remains committed to a sustained and long-lasting effort to make government more open.

This assessment phase has offered the Administration an opportunity to reflect upon important lessons learned through the process of drafting and implementing the Plan.

First, open government efforts require high-level Administration leadership, but top-down directives are not sufficient. Real change depends on leadership and innovation at the agency level. And supporting and highlighting promising open government practices in the agencies is crucial to lasting success.

A second important lesson is the power of setting specific goals and timelines. While the government has broad open government objectives, committing to specific objectives makes it easier to measure progress. For example, the United States has made good progress implementing EITI partly because of the ambitious external and internal timelines that have been set. At the same time, flexibility remains important to achieve lasting change, especially when the ability to achieve a more ambitious open government goal means missing the original deadline. The U.S. Government observed this with the best practices for public participation initiative, which has been incorporated into a larger digital strategy effort. Meaningful change can best be achieved with a combination of concrete goals, iterative learning, and sustained long-term commitment and effort.

Finally, the experience of implementing the Plan illustrated the importance of government directly collaborating with civil society. Civil society provided valuable insight as the Administration was developing the Plan, and has been an integral partner to many of the implementation teams throughout the process.

With these lessons in mind, the Administration recognizes that there is still much to be done to make our government more transparent, participatory, and collaborative. The Administration shares the public's enthusiasm for and commitment to continuing this endeavor. The United States is determined to lead on these issues, and looks forward to continued participation in the Open Government Partnership and

continued collaboration with civil society and the public over the coming years, as we work to advance open government together.