IBM Center for
The Business of Government

Fostering Transparency
and Democracy Series

Assessing Public Participation in an Open Government Era

A Review of Federal Agency Plans

Carolyn J. Lukensmeyer
Joe Goldman
David Stern

America*Speaks*

Fostering Transparency and Democracy Series 2011

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Foreword

Jonathan D. Breul

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On behalf of the IBM Center for The Business of Government, we are pleased to present this report, *Assessing Public Participation in an Open Government Era: A Review of Federal Agency Plans*, by Carolyn J. Lukensmeyer, Joe Goldman, and David Stern.

When President Barack Obama took office, he launched an initiative to increase the openness of government by directing agencies to do three things:

- Make their data more transparent
- Engage the public in meaningful ways
- Increase the use of collaboration as a way to get things done

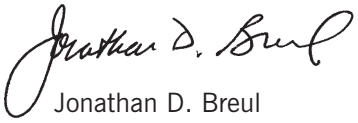
The initial guidance and attention focused on the first, data transparency, but agencies also developed plans on how they would increase public participation and collaboration.

This report focuses on the public participation and collaboration elements of the president's Open Government Initiative. It details the activities and programs underway in the 29 major agencies and provides case studies of the current and planned participation activities of four agencies: the Department of Transportation, the Environmental Protection Agency, the Department of Health and Human Services, and the National Aeronautics and Space Administration. The authors found that agency plans offer a great deal of promise in terms of the range of activities and commitments underway and planned, especially in the use of electronic tools and techniques. The authors also found that there is much room for improvement in several areas. The report presents a series of recommendations to agencies on how they can achieve enhanced public participation and collaboration.

Over the last several months, the IBM Center has released a series of reports examining the use and potential use of new technologies that offer to increase public participation and collaboration. *Using Wikis in Government: A Guide for Public Managers,* by Ines Mergel, describes how government organizations are using wikis to engage both the public and their own

employees. *Using Online Tools to Engage—and be Engaged by—The Public,* by Matt Leighninger, is a useful handbook that government managers can use in achieving increased public participation and collaboration.

This report provides the context and an opportunity to reflect on the progress and remaining challenges. We hope its recommendations for next steps in implementing agency open government initiatives are useful to open government champions in both the White House and in the agencies.



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Executive Summary

Barack Obama began his presidency with an unprecedented commitment to make the United States government more transparent, participatory, and collaborative. While the White House and federal agencies have taken significant steps to honor this commitment, insufficient research has been undertaken to understand what agencies are doing to provide the public with a greater voice in the governance process and to measure agency actions against standards of quality participation. With this report, The IBM Center for The Business of Government and America*Speaks* begin a conversation about public participation and what a participatory federal government should look like in this new era of open government.

The most prominent examinations of the Obama administration's open government activities to date have focused on the degree to which federal departments have met the explicit requirements of the Open Government Initiative as presented in the Open Government Directive. This report reviews the 29 agency open government plans included in the White House Open Government Dashboard in order to describe the activities and programs agencies are undertaking to fulfill the President's commitment to leading a more participatory government. In addition to cataloguing the types of participation included in the 29 agency plans and offering specific examples of each type, this report provides a detailed analysis of the participation activities in four of the 29 agencies to offer a better sense of how high-achieving agencies are addressing their participation goals.

Public Participation Activities Discussed in This Report

Online Public Participation

- Crowdsourcing or ideation
- Online contests or competitions
- Wikis
- Online town halls or chats
- Social media

Face-to-Face Public Participation

- Listening sessions and public hearings
- Stakeholder forums
- Resident and citizen forums

Formal Public Participation

- Federal advisory committees
- Rulemaking

Creating a Culture of Open Government

- Training and professional development
- Incentives
- New units and positions
- Standards of good participation
- Policies and systems for responding to public input
- Evaluation and measurement

Beyond simply describing what agencies have proposed to do, the report explores standards for what good participation looks like and considers the overall strength of agency plans relative to those standards. It does not attempt to grade individual agencies. Rather, it characterizes the level and amount of participation proposed in open government plans overall and note what types of activities may be missing from most plans. The authors offer recommendations for steps that could be adopted by the White House, the Open Government Initiative, and individual agencies to move the ball forward.

This report focuses on public participation—and, to a lesser extent, collaboration with the public—because the topic has received less attention than transparency and must play an essential role in an open government. Transparency and information access are valuable to the extent that the public does something with the information that is made available. While increasing transparency is by no means an easy task for federal agencies, the challenge of providing the public with a meaningful voice in the governance process is just as difficult, if not more so. It involves developing strategies to reach large numbers of citizens, facilitating their inclusion in a meaningful and productive manner, and opening up the decision-making process so that they may have influence.

The goals of this report, then, are twofold. First, the authors seek to support and encourage the efforts that have already been made to involve the public in the work of the federal government. Second, we aim to identify opportunities for agencies to make progress in the future.

Findings and Recommendations

After reviewing existing agency Open Government Plans against criteria commonly used by the professional association of experts who conduct public participation activities, the authors found that most agency plans did not fully meet the standards conducive to high-quality public participation. The authors recommend a set of actions by the White House, agencies, and the cross-government Open Government Working Group that will improve the quality of participation activities and lead to a broader change within agencies to embed a culture of including the public in their planning, policymaking, and implementation activities.

Finding One: The Open Government Initiative and most federal agency plans have failed to offer standards for what constitutes high-quality public participation. While some agencies do include commitments to establish more robust measurements for participation, few plans include indicators that would measure meaningful progress toward becoming more participatory.

Recommendation 1: The Open Government Working Group should develop guidance for agencies about what constitutes high-quality public participation.

Recommendation 2: The Open Government Working Group should provide agencies with guidance about the types of measurements that should be used to assess progress toward the goal of becoming more participatory.

Recommendation 3: Federal agencies should publish and regularly update their standards and metrics so that the public and employees can use them to evaluate the quality and impact of public participation efforts.

Finding Two: The public engagement activities described in open government plans display an admirable willingness to experiment with new tools and techniques to involve citizens with their decision-making processes. Nonetheless, even greater experimentation will be required to enable regular, meaningful public input opportunities.

Recommendation 4: Agencies should empower and encourage their employees to experiment with participatory projects, platforms, policy areas, and outreach strategies by streamlining bureaucratic hurdles and approval processes.

Recommendation 5: The GSA should encourage software developers to create new online and mobile applications that would enable agencies to solicit meaningful input from the public on policy.

Recommendation 6: The Office of Science and Technology Policy and General Services Administration should build the proposed ExpertNet platform.

Finding Three: While some agency plans describe how staff will respond to the public and include its input, most plans do not provide enough information to assess whether the public's input will be incorporated into plans, programs, or decisions.

Recommendation 7: All federal agencies should establish policies to make every effort to link participatory processes to actual planning, policies, and program development.

Recommendation 8: Among the standards for quality public participation, the Open Government Initiative should require agencies to respond to public input.

Finding Four: Open government plans include participatory activities on a wide variety of topics and programs. Little is included in most plans, however, to ensure that agencies will continue to solicit public input on those issues that the public cares most about. Few clear examples exist of efforts to incorporate participatory activities throughout the agency.

Recommendation 9: Agencies should continue to seek public input on individual program areas, while expanding requests for input related to agency-wide activities and policies.

Finding Five: Agencies appear to be moderately increasing the number of people who participate in public engagement initiatives. However, few plans include strategies to increase the diversity of those who participate.

Recommendation 10: The Open Government Working Group should convene federal managers and other experts with deep experience in public participation to assemble best practices in outreach and recruiting diverse public participation and disseminate these to federal agencies.

Recommendation 11: Agencies should set clear goals regarding the diversity and size of the groups that participate in public input initiatives, increase employee capacity to reach them, and measure the degree to which they are reached.

Finding Six: Open government plans provide few descriptions of programs that educate the public regarding policy issues under consideration, although this may simply reflect a lack of detail in the plans themselves.

Recommendation 12: The Open Government Inter-Agency Working Group should convene federal managers and other experts with deep experience in public participation to assemble best practices in developing educational resources to support public participation exercises and disseminate these to federal agencies.

Recommendation 13: Agencies should develop training programs to increase the capacity of federal employees to design participatory processes that adequately incorporate educational components to ensure informed participation.

Recommendation 14: Agencies should set clear goals for incorporating educational components into participatory processes.

Finding Seven: Agencies use a variety of online and face-to-face forums. However, deliberative processes, in which citizens learn, express points of view, and have a chance to find common ground, are rarely incorporated.

Recommendation 15: The Open Government Initiative should highlight those agencies that have done more to incorporate robust forms of public participation in order to encourage other agencies to learn from their examples.

Recommendation 16: Agencies should expand the use of public deliberation, negotiated rulemaking, and face-to-face engagement.

Finding Eight: Many agencies are taking important initial steps to embed a culture of participation into their organizations, including recognition, training, and the creation of new units and positions. These efforts should be celebrated, replicated, and expanded.

Recommendation 17: The Open Government Working Group should brighten the spotlight on best practices to change agency culture and publicize these practices across the federal government.

Recommendation 18: The Office of Management and Budget and Office of Science and Technology Policy should specifically work with agencies to identify those types of training and incentives that will be most important to promote public participation.

Recommendation 19: Agencies should provide more resources, training, and incentives for federal employees to incorporate public participation into their work.

Recommendation 20: Agencies should create strong, well-funded central teams and formal and informal agency-wide working groups and networks to serve as open government ambassadors throughout the agency.

The Open Government Directive and Public Participation

"My Administration is committed to creating an unprecedented level of openness in Government. We will work together to ensure the public trust and establish a system of transparency, public participation, and collaboration. Openness will strengthen our democracy and promote efficiency and effectiveness in Government."

President Barack Obama, January 21, 2009

A Commitment to Open Government

Toward the end of the Obama Administration's first year, the Director of the Office of Management and Budget (OMB) sent a directive[1] to all federal agencies describing what they must do to fulfill President Barack Obama's commitment to a more open government. The directive included a provision requiring that every federal department create an open government plan within 120 days, specifying the steps it would take to become more open.

The President's Memorandum on Transparency and Open Government,[2] which he signed on his first full day in office, called for OMB to develop a directive on Open Government. Since the release of the initial memorandum, federal agencies have made significant progress on the three principles of open government articulated by the President:

- Transparency
- Participation
- Collaboration

Among these milestones were the launch of Data.gov and USAspending.gov, the publication of an open government dashboard, and the creation of several new offices and positions to support open government, such as the General Service Administration's (GSA) Center for New Media and Citizen Engagement.

What are Transparency, Participation, and Collaboration?

The Open Government Directive, issued by OMB in December 2009, defined the goal of transparency as the promotion of accountability "by providing the public with information about what the Government is doing." In addition, transparency empowers citizens, stakeholders, and employees to make use of data to which they otherwise would not have access in order to create new innovations and resources. Transparency can not only instill trust in government by making information available to watchdogs, the media, and the general public; it can also

1. http://www.whitehouse.gov/open/documents/open-government-directive
2. http://www.whitehouse.gov/the_press_office/TransparencyandOpenGovernment/

spur innovation by making data available to technologists, entrepreneurs, and others who may use it for a broader set of commercial and non-commercial purposes.

The concepts of "participation" and "collaboration" are less clear to many inside and outside government. According to the directive, "participation allows members of the public to contribute ideas and expertise so that their government can make policies with the benefit of information that is widely dispersed in society," while "collaboration improves the effectiveness of Government by encouraging partnerships and cooperation within the Federal Government, across levels of government, and between the Government and private institutions."

By this definition, participation provides citizens with a voice in government. It improves the quality of government plans, policies, and programs by giving more people a chance to share their ideas, opinions, and knowledge with government in order to inform decision-making. Participation offers people who will be affected by plans, policies, and programs the opportunity to provide feedback and shape how agencies develop and implement them. Collaboration, on the other hand, tends to involve information sharing or cooperative programs between institutions within government or between government and private organizations. The line between these two principles tends to become muddied, however, especially when participatory activities involve government employees or when citizens work together to develop collaborative solutions to problems.

According to the President, all three principles are essential to open government. Government must do everything possible to make information available and useful. Government must create venues for citizens, stakeholders, and employees to share ideas, opinions, and priorities. And government must reach across internal and external barriers to solve problems collaboratively.

While focusing on public participation, this report will also look at public collaboration, in which citizens work with each other and with government officials to solve common problems. It is difficult to separate collaboration and participation and the two areas are conflated or inconsistently defined in agencies' open government plans.

An Initial Focus on Transparency

In the first two years of the Open Government Initiative, transparency has been first among equals, with participation and collaboration trailing. The most significant actions taken by the White House and federal agencies have involved the release of data previously inaccessible to the public or available only in difficult-to-digest formats. Government agencies have created significant infrastructure to support this release of information: new policy, staffing, and online platforms. New policies guiding agency behavior—like responses to Freedom of Information Act (FOIA) requests—have been established, chief technology officers and other staff have been hired, and online platforms like Data.gov have been created. By the beginning of 2011, agencies had released more than 300,000 data sets for public consumption through Data.gov.

The Open Government Directive (OGD) itself dedicates most of its specific provisions to transparency and data access. Among other things, the directive requires agencies to designate a senior official to oversee the dissemination of agency spending information, inventory high-value information currently available and not yet available, describe organizational structures in place to respond to FOIA requests and Congressional requests for information, and create a public website on the department's declassification program. In the areas of participation and collaboration, the OGD's provisions focus on general requirements to pursue greater participation with limited additional direction.

Important work has, indeed, been completed in the areas of participation and collaboration. Examples include wikis, crowdsourcing platforms, and other online tools used to solicit public feedback and generate innovative ideas from citizens, stakeholders, and employees. The administration has created new offices and initiatives to enable and encourage greater use of these tools, especially in the area of online contests and engaging the public to identify new, innovative solutions to problems faced by government. A significant focus has been placed on improving online public input to the rulemaking process. Nonetheless, the primary emphasis and implementation of the Open Government Directive have been on transparency and the most significant institutional changes have correspondingly occurred in this area.

Agency Open Government Plans and Public Participation

On April 7, 2010, every federal department published an open government plan. Each plan specified steps the department would take to make operations and data more transparent and to expand opportunities for citizen participation, collaboration, and oversight. While additional plans have been produced by sub-agencies, the White House's Open Government Dashboard[3] monitors 29 plans, including those of all major departments as well as the Office of Science and Technology Policy, the Office of National Drug Control Policy, the Office of Management and Budget, the Office of the U.S. Trade Representative, and the Council on Environmental Quality. Independent agencies like the Nuclear Regulatory Commission and the National Science Foundation are also included.[4] Each agency's plan shall be updated every two years.

The open government plans, while varying from one agency to the next, each attempt to respond to the specific requirements of the Open Government Directive. The directive requires that each plan include four primary components:

- Transparency elements
- Participation elements
- Collaboration elements
- A "flagship initiative" that will be implemented to address one or more of the openness principles

The Open Government Initiative uses 30 evaluation criteria, drawn directly from the text of the directive, to assess whether each plan is fulfilling the directive's requirements (see Appendix I). Twelve of the criteria focus specifically on transparency elements, three on participation elements, and five on collaboration elements, with the remainder focusing on flagship initiatives and the process used to formulate the plan. Those criteria[5] that involve or relate to public participation include:

- Does the plan explain how the agency will improve participation, including steps the agency will take to revise its current practices to increase opportunities for public participation in and feedback on the agency's core mission activities (including proposed changes to internal management and administrative policies to improve participation)?

3. http://www.whitehouse.gov/open/around

4. According to OpentheGovernment.org, additional plans have been completed by the Broadcasting Board of Governors, the Corporation for National and Community Service, the Export-Import Bank, the Merit Systems Protection Board, the National Archives and Records Administration, the National Endowment for the Arts, the Overseas Private Investment Corporation, the Railroad Retirement Board, the U.S. Peace Corps, and the Udall Foundation. Abbreviated plans have also been submitted by the Central Intelligence Agency, the Consumer Product Safety Commission, the Election Assistance Commission, the National Indian Gaming Commission, the Occupational Safety and Health Review Commission, the Office of the Director of National Intelligence, the Railroad Retirement Board, the Selective Service System, and the U.S. Access Board. This report's analysis does not include these plans.

5. http://www.whitehouse.gov/open/documents/evaluation

- Does the plan describe and provide links to websites for the public to engage in existing participatory processes?
- Are there proposals for new feedback mechanisms (including innovative tools and practices for public engagement)?

Other criteria related to public engagement include:

- Does the plan list steps the agency will take to revise its current practices to further collaboration with the public, including the use of technology platforms?
- Does the plan describe the innovative methods (e.g., prizes and competitions) to increase collaboration with the private sector, non-profit, and academic communities?
- Are there details of proposed actions (with clear milestones) to inform the public of significant actions and business of the agency (e.g., agency public meetings, briefings, press conferences, town halls)?

Two analyses have been conducted of agency open government plans to understand how well agencies have met the requirements of the Open Government Directive:

- The Office of Management and Budget and the White House's Open Government Initiative completed the first assessment in response to a specific requirement of the directive itself.
- A broad coalition of transparency watchdogs, advocates, journalists, and academics under the leadership of OpentheGovernment.org completed the second assessment.

Both evaluations found that agencies have largely satisfied the requirements of the directive, including those relating to participation. To learn more about the results of each evaluation, visit Appendix II.

What is Good Public Participation?

President Obama's commitment to make the federal government more participatory raises the question of what it means for agencies to adequately involve the public. The Open Government Directive provides little guidance about how to define good public participation and how to assess and evaluate the quality of current and planned participatory activities.

Confronted with the requirements of the directive, a federal manager might legitimately wonder:

- What are the minimum standards for good participation?
- What constitutes adequate levels of participation by the public?
- What kinds of participation are most appropriate for different circumstances?
- What are the appropriate measures for tracking and evaluating participation efforts?
- How should participation activities be compared across agencies?

The IBM Center for The Business of Government's 2006 *Public Deliberation: A Manager's Guide to Citizen Engagement* offers a useful starting place for evaluating the quality of participation in open government plans by providing a typology of different kinds of participation and a set of principles for good participation.[6] (Appendix III includes additional typologies and standards.)

In the 2006 IBM Center report, a public involvement spectrum adapted from the International Association of Public Participation clarifies the different types of participatory activities.

Inform	Consult	Engage	Collaborate	Empower
Provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions.	Obtain public feedback on analysis, alternatives, and/or decisions.	Work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	Partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	Place final decision-making authority in the hands of citizens.

Each type of participation has value and may be called for in a specific situation. Nevertheless, it is not the case that all types of participation are equal. According to the report's authors: "To simply inform and to consult are 'thin,' frequently *pro forma* techniques of participation that often fail to meet the public's expectation for involvement and typically

6. Carolyn J. Lukensmeyer and Lars Hasselblad Torres. *Public Deliberation: A Manager's Guide to Citizen Engagement.* IBM Center for The Business of Government. p. 6.

yield little in the way of new knowledge."[7] As we move to the right on the spectrum, the depth of involvement and value to the public is increased.

Based on the work of America*Speaks*, the IBM Center report also suggests that seven principles distinguish high-quality public participation from other participatory activities. According to the principles, a convener of high-quality public participation should:

- **Educate participants.** Provide accessible information to citizens about the issues and choices involved, so that they can articulate informed opinions.
- **Frame issues neutrally.** Offer an unbiased framing of the policy issue in a way that allows the public to struggle with the most difficult choices facing decision-makers.
- **Achieve diversity.** Involve a demographically balanced group of citizens reflective of the impacted community.
- **Get buy-in from policy makers.** Achieve commitment from decision-makers to engage in the process and use the results in policy making.
- **Support quality deliberation.** Facilitate high-quality discussion that ensures all voices are heard.
- **Demonstrate public consensus.** Produce information that clearly highlights the public's shared priorities.
- **Sustain involvement.** Support ongoing involvement by the public on the issue, including feedback, monitoring, and evaluation.[8]

The low level of detail offered in most agency open government plans makes it very difficult to know what type of participation is being described and what level of quality will be achieved. Nevertheless, this typology and set of standards are helpful in understanding the character of public participation in the plans.

Assessing Open Government Plans

With these standards in mind, we have created the following criteria for assessing public participation in the open government plans. After reviewing the plans, we evaluate them and provide a sense for what agencies can do in the future to strengthen their approach to becoming more participatory.

1. To what extent have agencies offered their own standards for what good public participation is and established a process for measuring their progress in meeting those standards?
2. To what extent are agencies experimenting with new forms of public participation to provide the public with greater and more meaningful opportunities to influence plans, policies, and programs?
3. How well are agencies responding to provide the public with opportunities for meaningful input over plans, programs, and decisions that agencies are undertaking?
4. To what extent are agencies offering the public an opportunity to participate in decisions involving issues that are important to them and on programs throughout the whole agency?

7. Carolyn J. Lukensmeyer and Lars Hasselblad Torres. *Public Deliberation: A Manager's Guide to Citizen Engagement.* IBM Center for The Business of Government. p. 7.
8. Ibid. pp. 9–10.

5. How well are agencies increasing the level and diversity of participation in shaping plans, programs, and agency decisions?
6. How well are agencies ensuring that public participation is informed?
7. To what extent are agencies providing the public with the chance to take part in more deliberative forms of participation in which they learn, express points of view, and have a chance to find common ground?
8. How well are agencies embedding public participation into the culture of their organizations?

Public Participation Activities Included in Open Government Plans

Each federal agency approaches the inclusion of public participation in its open government plan in a slightly different way, providing varying types of programs and levels of detail. Some plans provide highly detailed descriptions of initiatives that will break new ground in public participation, while other plans include participation as an afterthought to transparency activities. This diversity is not surprising, as agencies' varying structures and missions align with different types of approaches, and the Open Government Directive itself provides relatively little detail about what types of participation activities should be included in the plans. Nevertheless, significant themes emerge from the plans as a whole which reflect common types of programs that agencies are or will be implementing

The following section provides a summary of the different kinds of participatory activities that are included in the open government plans and is divided into four categories:

- Online public participation
- Face-to-face public participation
- Formal public participation
- Creating a culture of Open Government

In each category, the different types of programs included in agency plans, along with examples of these programs, are described.

Online Public Participation

By far, the most common set of approaches to engaging the public in the open government plans involves the use of online tools. Following the lead of the Open Government Initiative itself, which used a series of online tools to solicit public input in the development of the Open Government Directive, every agency has at least experimented with using online tools to reach out to the public to solicit ideas. Additionally, many agencies are using social media tools to inform the public about their programs, build relationships with customers and constituents, and solicit input about agency programs or activities. While most of these activities do not represent deep participation, they are the area in which the greatest amount of experimentation is taking place.

Generally speaking, online public participation is being used to generate new ideas or approaches to solve problems, provide greater public access to agency leaders, educate the public, encourage collaboration, and make it easier to provide formal or informal feedback about plans, policies, or programs.

The next section discusses the following types of online public participation:

- Crowdsourcing or ideation

- Online contests or competitions
- Wikis
- Online town halls or chats
- Social media

Public Participation Activities Described in This Section

Online Public Participation		
Crowdsourcing or Ideation	An open process in which citizens are invited to share and vote on ideas for addressing a specific question or problem	*Agency examples on page 20:* • Department of Homeland Security • Department of Housing and Urban Development • Department of Labor
Online Contests or Competitions	Online contests or challenges offer rewards to those who develop breakthrough solutions to specific problems or challenges	*Agency examples on page 21:* • Department of Defense • Department of Agriculture • U.S. Agency for International Development
Wikis	Websites that allow visitors to edit existing webpages, post links and documents, and create new interconnected pages. Most often used to aggregate information.	*Agency examples on page 22:* • Environmental Protection Agency • Department of Energy • Department of the Treasury • Office of the U.S. Trade Representative
Online Town Halls or Chats	Events in which the public submits questions or comments to agency leaders and decision-makers who respond in real time	*Agency examples on page 23:* • Department of Labor • Environmental Protection Agency • Office of Science and Technology Policy
Social Media	Blogs, Twitter, Facebook, YouTube and other web-based platforms that enable citizens to interact with agencies.	*Agency examples on page 24:* • Department of State • Department of Veterans Affairs • Department of the Interior
Face-to-Face Public Participation		
Listening Sessions and Public Hearings	Sessions that enable agency leaders to hear testimony and statements and respond to questions from citizens and stakeholders.	*Agency examples on page 25:* • Department of Education • Department of the Interior • Social Security Administration
Stakeholder Forums	Sessions that bring together stakeholders and experts with important knowledge to discuss agency programs.	*Agency examples on page 26:* • Department of Justice • Department of Education
Resident and Citizen Forums	Sessions that enable diverse groups of residents and citizens to engage appropriate government officials.	*Agency examples on page 26:* • General Services Administration • Nuclear Regulatory Commission

Formal Public Participation		
Federal Advisory Committees	Formally created, standing bodies that provide agencies with advice and feedback from the public, stakeholders, and experts.	*Agency examples on page 28:* • Department of Energy • Department of Homeland Security • Department of Health and Human Services
Rulemaking	The Administrative Procedure Act (APA) defines how regulatory agencies should create federal rules and regulatory agencies and what role the public should play in the rule-making process.	*Agency examples on page 29:* • Department of Transportation • Department of Veterans Affairs • Department of the Interior • Department of Agriculture
Creating a Culture of Open Government		
Training and Professional Development	Trainings provide agency staff with the opportunity to learn new processes, tools, and techniques and to increase their skill sets.	*Agency examples on pages 31–32:* • Environmental Protection Agency • Department of Transportation • Department of Labor • Department of Health and Human Services
Incentives	Incentives motivate employees to pursue specific activities or goals. They may include positive recognition, such as awards, or more rapid professional advancement.	*Agency examples on page 32:* • Department of Labor • Department of Transportation • National Aeronautics and Space Administration
New Units and Positions	Some agencies have created new units and position to work on open government goals.	*Agency examples on page 33:* • Nuclear Regulatory Commission • Office of National Drug Control Policy • National Aeronautics and Space Administration
Standards of Good Participation	Agencies are creating concrete standards and definitions of what constitutes good participation. These may include the use of specific tactics and other methods that lead to greater consistency.	*Agency example on page 33:* • Environmental Protection Agency
Policies and Systems for Responding to Public Input	Agencies are instituting systems or structures to ensure that ideas and feedback from the public are given consideration and to publicly explain why citizen input is or is not incorporated into policy.	*Agency examples on page 34:* • Department of the Interior • Department of Labor
Evaluation and Measurement	The Open Government Directive requires agencies to establish a system to measure progress toward reaching goals of greater transparency, participation, and collaboration.	*Agency examples on pages 34–35:* • Department of Defense • Environmental Protection Agency • Nuclear Regulatory Commission • Department of Agriculture

The different types of online participation found in the plans are described below.

Crowdsourcing or Ideation (Generate New Ideas)

Crowdsourcing or online ideation processes are the most prominent online approach used by agencies. Crowdsourcing refers to an open process in which anyone and everyone is invited to share ideas for addressing a specific question or problem. In addition to submitting ideas, crowdsourcing platforms incorporate voting and commenting mechanisms that allow users to discuss the ideas that are generated and rank them so that the most popular ideas rise to the top. These processes go beyond simple brainstorming, leveraging "the wisdom of crowds" to identify the best ideas as nominated by the critical mass of participants.

Almost every federal agency[9] has experimented with at least one online ideation or crowdsourcing platform to solicit ideas from the public. In fact, the Open Government Initiative encourages agencies to use an online ideation tool developed by the General Services Administration (GSA) with software from Ideascale to solicit input on the development of their open government plans.[10] According to the GSA, ideation tools "make it possible for agencies to engage with many more people and help analyze, absorb and use the public's ideas and suggestions."[11]

Many open government plans describe how they use the GSA Ideascale tool to solicit feedback on their open government plans and how they have responded to public comments. For example, the Department of Labor commits to categorize ideas by subject matter, route ideas to the appropriate agency subject matter experts, and create a webpage that highlights the ideas and how they were acted upon.

Beyond the use of ideation in the development of the open government plans, some agencies write that they are exploring how to improve their use of their ideation platform.

Examples of Crowdsourcing in Open Government Plans

Department of Homeland Security	More than 20,000 stakeholders from all 50 states participated in the DHS's National Dialogue on the Quadrennial Homeland Security Review (http://www.homelandsecuritydialogue.org/). Through this three-stage process, participants submitted and voted on ideas about goals and objectives for the review, decided how best to prioritize and achieve proposed goals and objectives, gave feedback on the final products, and identified next steps.[12]
Department of Housing and Urban Development	HUD's plan describes its *Ideas in Action* website (hudideasinaction.uservoice.com), which uses an ideation platform called UserVoice to offer three forums for public and employee input. First, a *Public Feedback Forum* provides the public with a generic forum for any kind of feedback to the agency. Second, *Transforming the Way HUD Does Business* is a forum for employees only to provide feedback and ideas to the agency. Finally, a *Rotating Forum* asks the public different questions on issues for which HUD is seeking feedback, rotating on a monthly or bi-monthly basis.[13]
Department of Labor	According to its plan, the Labor Department's *Tools for America's Job Seekers Challenge* (http://dolchallenge.ideascale.com) solicited input from 16,000 people to create a database of job-search websites. Through the forum, people could submit websites and then vote on their favorites to go in the database.[14]

9. http://www.usa.gov/webcontent/open/tool_agency_poc.shtml
10. http://www.usa.gov/webcontent/reqs_bestpractices/open/engagementtool.shtml
11. http://www.usa.gov/webcontent/reqs_bestpractices/open/tool_faqs.shtml
12. U.S. Department of Homeland Security Open Government Plan, Version 1.1, June 10, 2010, p. 20
13. U.S. Department of Housing and Urban Development Open Government Plan Version 1.1, Updated June 25, 2010, p. 37
14. U.S. Department of Labor Open Government Plan, Version 1.0, April 7, 2010, p. 27

Online Contests or Competitions

Most of the open government plans reference the current or future use of some form of online contest or challenge to solicit breakthrough ideas in order to solve a specific problem or challenge. The online contests tend to operate in a similar fashion to the ideation platforms in that they provide an open platform for people to submit and rank ideas. The principal distinction between the two is that a contest or challenge typically offers some sort of prize or recognition to incentivize the submission of ideas.

TO LEARN MORE

Managing Innovation Prizes in Government
by Luciano Kay

The report can be obtained:

- In .pdf (Acrobat) format at the Center website, www.businessofgovernment.org
- By e-mailing the Center at businessofgovernment@us.ibm.com
- By calling the Center at (202) 551-9342

The GSA launched Challenge.gov using a platform called *Challenge Post* to make it easier for federal agencies to launch challenges. The site explains that "challenges can range from fairly simple (idea suggestions, creation of logos, videos, digital games and mobile applications) to proofs of concept, designs, or finished products that solve the grand challenges of the 21st century." Similar to ideation, the motivation behind Challenge.gov is that "challenges and prizes can tap into innovations from unexpected people and places."[15]

Some open government plans describe very specific contests that have been initiated or completed. Many others include a general commitment to explore the use of contests without focusing on a specific problem or question.

Examples of Online Contests and Competitions in Open Government Plans

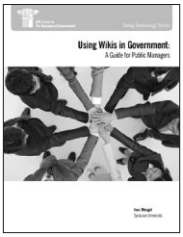
Department of Defense	The DoD's *Defense Cyber Crime Center Digital Forensics Challenge* (http://www.dc3.mil/challenge/2011/) is an annual contest begun in 2009 that invites the digital forensics community to compete "to pioneer new investigative tools, techniques, and methodologies." The contest includes approximately 25 different challenges ranging from basic forensics to advanced tool development. Prizes from DC3 Challenge sponsors range from trips to the 2012 DoD Cyber Crime Conference, tours of cyber crime facilities and academies, and official award recognitions, grants, and training.[16]
Department of Agriculture	The USDA partnered with the Office of Science and Technology Policy to organize "Apps for Healthy Kids" (http://www.appsforhealthykids.com), a contest to challenge software developers to use the USDA's nutritional data to create "innovative, fun and engaging tools and games that help kids and their parents to eat better and be more physically active." The challenge offers $60,000 in prizes as an incentive for developers.[17]
U.S. Agency for International Development	USAID plans to launch a second *Development 2.0 Challenge* that builds upon lessons from an initial contest launched in 2008. The 2008 USAID Development 2.0 Challenge, implemented by the Global Development Commons, invited innovators and entrepreneurs from around the world to apply an innovative mobile technology solution to a major challenge for maximum social benefit in developing countries, with prizes of $5,000–$10,000 for winners. (http://www.usaid.gov/press/releases/2008/pr081014.html)[18]

15. http://challenge.gov/faq#a1
16. http://challenge.gov/AirForce/42-dc3-digital-forensics-challenge
17. U.S. Department of Agriculture Open Government Plan, Version 1.1, p. 32
18. U.S. Agency for International Development Open Government Plan, April 7, 2010, p. 30

Wikis

About half of the open government plans describe specific use of a wiki to engage the public or intend to explore the use of a wiki. A wiki is a website that "allows the creation and editing of any number of interlinked web pages using a simplified markup language or text editor." Typically, a wiki enables communities to write documents collaboratively by making it easy to create, edit, and update text.[19]

TO LEARN MORE



Using Wikis in Government: A Guide for Public Managers
by Ines Mergel

The report can be obtained:

- In .pdf (Acrobat) format at the Center website, www.businessofgovernment.org
- By e-mailing the Center at businessofgovernment@us.ibm.com
- By calling the Center at (202) 551-9342

The Office of Science and Technology Policy used a wiki-like platform, called *MixedInk*, to encourage the public to collaboratively write recommendations for the creation of the Open Government Directive. In keeping with the directive's goals of collaboration and employee participation, many agencies have created various types of wikis for internal collaborative activities.

Within the open government plans, agencies tend to use wikis for the purpose of sharing and collaborating on the development of information resources by diverse groups of community organizations, advocates, or stakeholders.

Examples of Wikis in Open Government Plans

Environmental Protection Agency	The EPA's Watershed Central Website (http://www.epa.gov/owow/watershed/watershedcentral/wiki.html) hosts a wiki for watershed managers and communities to collaborate and share best practices through dialogue and document sharing. The wiki enables users to publish their watershed management plans and rate and comment on watershed management tools, among other things.[20]
Department of Energy	DOE has launched Open Energy Information (http://en.openei.org/wiki/),which uses a wiki platform to share resources and data among government officials, private sector, project developers, the international community, and others. The wiki brings together energy information to provide improved analyses, unique visualizations, and real-time access to data.[21]
Department of the Treasury	The Treasury Department plan discusses the creation of a wiki pilot to collect information on IRS codes on applications of recognition for non-profit exemption status. The process would reduce the need to print information in the Federal Register and would allow the sharing of information electronically with the Office of Information and Regulatory Affairs.[22]
Office of the U.S. Trade Representative	USTR is using a wiki to coordinate the documents used in the Trans-Pacific Partnership Free Trade Agreement negotiations, coupled with a 50-state outreach strategy to solicit input and dialogue from stakeholders and advocates about the negotiations.[23]

19. http://en.wikipedia.org/wiki/Wiki
20. U.S. Environmental Protection Agency Open Government Plan 1.1, June 25, 2010, p. 34
21. U.S. Department of Energy Open Government Plan, Version 1.2, June 2010, p. 16
22. U.S. Department of the Treasury Open Government Plan, Revised, May 2010, p. 9
23. Office of the U.S. Trade Representative Open Government Plan, Version 2.0, October 2010, p. 35

Online Town Halls or Chats

Many open government plans include references to some form of online town hall through which members of the public can ask questions or interact with agency leaders and decision-makers. Most references to these forums provide a very general description without offering significant detail about how they are used or with what regularity. Generally, these forums include some form of presentation and an opportunity to submit questions or comments that may be fielded via webcast or in a text-based chat format. In some cases, questions or comments for officials may be crowdsourced through some ranking mechanism.

TO LEARN MORE

Using Online Tools to Engage–and be Engaged by–The Public
by Matt Leighninger

The report can be obtained:

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Examples of Online Town Halls in Open Government Plans

Department of Labor	The Labor Department has instituted live web chats (http://www.dol.gov/dol/chat.htm) to give the public the opportunity to provide feedback on DOL's budget, regulatory agenda, strategic planning process, and a number of other initiatives. The department's worker protection agencies have used live chats to get feedback on upcoming rules. Its Women's Bureau also used live chats to talk about job opportunities for women in green technologies, and the Bureau of Labor Statistics conducted a live discussion on the release of the March employment report featuring statistical experts from their Current Population Survey (CPS) and Current Employment Statistics (CES) programs.[24]
Environmental Protection Agency	The EPA's plan includes online press conferences and town hall meetings on key issues. The plan provides little information about how these are being used.[25]
Office of Science and Technology Policy	According to OSTP's plan, the President's Council of Advisors on Science and Technology receives questions and comments from the public via Facebook and other social media during its regular meetings. Like the EPA's plan, the OSTP plan provides little information about how this engagement is being used.[26]

Social Media

The Obama administration has also made a major push to encourage agencies' active participation with the public via social media. Most agencies use blogs, Twitter, Facebook, YouTube and other platforms in various forms. According to the Government Accountability Office (GAO), 22 of 24 major federal agencies were using Facebook, Twitter, and YouTube in 2010. To encourage use of these tools, the Administrator of the Office of Information and Regulatory Affairs issued guidance to agencies about how to interpret existing regulations like the Paperwork Reduction Act in relation to social media.[27] The GSA has also streamlined the procedures needed to use these types of applications through its apps.gov clearinghouse (www.apps.gov).

Generally, social media activities focus on informing and educating the public about departmental programs, policies, and initiatives. However, these tools by their very nature do incorporate feedback and interaction with the agency.

24. Department of Labor Open Government Plan, Version 1.0, April 7, 2010, p. 27
25. U.S. Environmental Protection Agency Open Government Plan 1.1., June 25, 2010, p. 9
26. The Office of Science and Technology Policy Open Government Plan, Version 1.2, April 26, 2010, p. 25
27. http://www.whitehouse.gov/sites/default/files/omb/assets/inforeg/SocialMediaGuidance_04072010.pdf

Examples of Social Media in Open Government Plans

Department of State	The State Department's plan refers to DipNote, the State Department's official blog (blogs.state.gov), which gives the public context, clarity, and behind-the-scenes insights on U.S. foreign policy from State Department employees who are directly engaged in the work of diplomacy. According to the plan, DipNote recently passed 15,000,000 page views and 13,000 comments by the public. More than 2,500 individuals and organizations subscribe to DipNote via RSS feeds.[28] Several U.S. embassies maintain Facebook pages to communicate with the public. For example, the U.S. embassy in Jakarta has 123,000 Facebook fans.
Department of Veterans Affairs	The VA's plan describes it as among the Cabinet-level agencies with the most fans on Facebook, with over 36,000 across the United States. "VA has one of the fastest growing fan bases in the Federal Government and receives more than 180 comments per day responding to between 3–5 information posts. … Posts that draw the largest feedback are those that trigger discussion among VA's friends concerning topics such as benefits, hospital care and VA special events like the Winter Paralympics and our homeless stand downs held at VA Medical Centers." [29]
Department of the Interior	DOI is using Facebook, Twitter, and Flickr to reach out to youth for many of its youth-oriented outdoors programs, including the Youth in the Outdoors program, Youth Conservation Corps, Public Land Corps, Student Career Experience Program, and Student Temporary Employment Program. Among other things, the department is creating a Facebook group called *Outside and Involved—Youth Engaged in America's Public Lands and Communities,* as an alumni group for young people who have participated in employment or volunteer opportunities offered by the Department.[30]

Other Online Participation

Many agencies are using online tools in other innovative ways to engage the public.

Examples of Other Online Tools in Open Government Plans

State Department	The State Department's "Text the Secretary" program (http://www.state.gov/r/pa/ei/ask/secretary/) allows people around the world to submit a question to the Secretary of State via text message or the State Department homepage. Responses are posted on the website.[31]
Small Business Administration	SBA Direct (www.sba.gov/sba-direct) is a website where users can create a profile and view personalized content depending on their interest (wanting to start a new business, or current small business owner, for example). Users can also participate in discussion boards to find and contribute information.[32]
Department of Veterans Affairs	With an ever-expanding array of Web 2.0 platforms at its disposal, the VA's plan calls for an online communications hub (OCH), which will function as a central online gathering place for veterans, family members, and the general public. The purpose of the OCH will be to compete within the same media space as organizations like Iraq and Afghanistan Veterans of America (IAVA), Blackfive, and other similar drivers of traditional media coverage. According to the plan, VA's OCH will fully integrate internally produced media, externally produced media, mechanisms for feedback, relevant traditional media, social media, and links to VA's website.[33]
Department of the Interior	The United States Geographical Survey (USGS) has developed the Twitter Earthquake Detector (http://www.twitter.com/USGSted). This tool gathers real-time, earthquake-related messages from Twitter and applies place, time, and keyword filtering to gather geo-located accounts of tremors. This approach provides rapid first-impression accounts from the hazard's location.[34]

28. U.S. Department of State Open Government Plan, April 7, 2010, p. 19
29. U.S. Department of Veterans Affairs Open Government Plan, June 2010, p. 20
30. U.S. Department of the Interior Open Government Plan, Version 1.1, June 25, 2010, p. 43
31. U.S. Department of State Open Government Plan, April 7, 2010, p. 21
32. http://www.sba.gov/content/sba-open-government-plan-0
33. U.S. Department of Veterans Affairs Open Government Plan, June 2010, p. 20
34. U.S. Department of the Interior Open Government Plan, Version 1.1, June 25, 2010, p. 32

Face-to-Face Public Participation

Open government plans include a variety of face-to-face public participation activities, including listening tours, public hearings, roundtables, town meetings, and other deliberative forums. While the Open Government Initiative has encouraged agencies to experiment with online participation, it does not reach important segments of the public and is not yet as effective as face-to-face methods in terms of building consensus among citizens or stakeholders. It is therefore important to understand how face-to-face forums fit into agency activities.

While there are important similarities among many examples of public participation found in open government plans, they can generally be divided into at least three categories:

- Listening sessions and public hearings
- Stakeholder forums
- Resident and citizen forums

Notably, it is often difficult to differentiate what kind of face-to-face participation is being described in open government plans because of the limited detail provided.

Listening Sessions and Public Hearings

Listening sessions and hearings enable agency leaders to hear testimony and statements and respond to questions from citizens and stakeholders. Typically, these open forums give officials an opportunity to present information about their agency's activities and listen to individual responses from people who will be affected by that program.

These forums help officials to understand people's experiences and perspectives while simultaneously educating the public. The presence of high-profile officials in communities also attracts media coverage, providing for further public education.

Examples of Listening Sessions and Public Hearings in Open Government Plans

Department of Education	This past year, Secretary Duncan and senior staff visited all 50 states on a listening and learning tour. During this tour, parents, teachers, students, and the general public heard and shared information about the *No Child Left Behind Act* and new education reform. The department deployed social media tools to enable the public to join the discussion online.[35]
Department of the Interior	As part of the America's Great Outdoors program, the agency is hosting listening sessions around the country to hear from "ranchers, farmers and forest landowners, sportsmen and women, state and local government leaders, tribal leaders, public-lands experts, conservationists, recreationists, youth leaders, business representatives, heritage preservationists, and others" to learn about ways communities are conserving outdoor spaces.[36]
Social Security Administration	In March 2010, the Social Security Administration announced an expanded list of 38 conditions that meet disability standards for receiving Social Security benefits. These additions came as a result of holding public outreach hearings, working closely with the National Institutes of Health, the Alzheimer's Association, the National Organization for Rare Disorders, and other groups. The Social Security Administration also reviewed information gathered from previous hearings and consulted with internal expert medical staff.[37]

35. U.S. Department of Education Open Government Plan, June 25, 2010, p. 21
36. U.S. Department of the Interior Open Government Plan, Version 1.1, June 25, 2010, p. 30
37. Social Security Administration Open Government Plan, June 24, 2010, p. 13

Stakeholder Forums

Stakeholder forums bring together stakeholders and experts with important knowledge to discuss agency programs, as well as opportunities and challenges related to specific issues. These forums also provide agencies with an opportunity to develop relationships and secure buy-in from these stakeholders and experts. While these forums may include some form of testimony, they also often include exchanges and dialogue between participants and officials.

Examples of Stakeholder Forums in Open Government Plans

Department of Justice	The Justice Department's Civil Rights Division hosts a bi-monthly meeting that brings together leaders from the Muslim, Arab, Sikh, and South Asian communities with officials from the FBI and the departments of Homeland Security, Treasury, Transportation, and State along with the Equal Employment Opportunity Commission to discuss the civil rights issues that have faced these communities since the terrorist attacks of September 11, 2001. The plan says that the idea behind the meeting is to bring together a wide range of federal agencies whose policies impact these communities and allow the communities to raise a range of cross-cutting issues in a single forum.[38]
Department of Education	The department held 10 public meetings to accept input from experts and other stakeholders to ensure that the Race to the Top program makes the most effective use of funds. Forty-two invited assessment experts joined representatives from 37 state education agencies and nearly 1,000 members of the public at these meetings for over 50 hours of public and expert input. Additionally, the department received over 200 written comments.[39]

Resident and Citizen Forums

Agencies also reach out to diverse groups of residents and citizens who are affected by new programs and developments in their communities. The formats of these forums vary widely, but generally include some form of presentation, question-and-answer sessions, dialogue, and testimony. None of the plans indicate that extensive public deliberation is taking place at these forums, though this may be due to the brief descriptions of the events.

Examples of Resident and Citizen Forums in Open Government Plans

General Services Administration	GSA's Public Buildings Service did extensive public outreach in preparation for the construction of the new Homeland Security site in southeast D.C., including public hearings and meetings with stakeholders.[40]
Nuclear Regulatory Commission	The NRC regularly holds meetings, both in the vicinity of existing and proposed nuclear facilities and at NRC headquarters and regional offices, to inform local residents and other stakeholders and offer opportunities for feedback. The agency announces these meetings through a variety of channels, including the NRC's public website, news releases, and announcements in local community newspapers.[41] The NRC's public meeting schedule, meeting archives, and answers to frequently asked questions about public meetings are accessible on the NRC's Public Meeting webpage. In FY 2009, the agency was successful in meeting its public meeting notice timeliness target 94 percent of the time.[42]

38. U.S. Department of Justice Open Government Plan, Version 1.1, June 25, 2010, p. 21
39. U.S. Department of Education Open Government Plan, June 25, 2010, p. 20
40. U.S. General Services Administration Open Government Plan, Version 1.1, p. 33
41. U.S. Nuclear Regulatory Commission Open Government Plan, Revision 1.1, June 7, 2010, p. 46
42. Ibid., p. 39

Formal Public Participation

Federal rules and regulations provide for several formal mechanisms through which federal agencies should consult with the public and solicit input and participation. Agency open government plans often refer to these types of participation, either reporting on ongoing programs that have engaged citizens or stakeholders on a given topic for many years or describing how these traditional channels for consulting the public are being improved upon.

The two forms of formal participation most commonly referenced in open government plans are:

- Federal advisory committees
- Formal rulemaking processes

The GSA and the Open Government Initiative are currently exploring the creation of a third formal mechanism for soliciting public participation, provisionally called ExpertNet. ExpertNet would establish an online mechanism that would enable agencies to regularly solicit input, ideas, and feedback from experts to help solve specific problems.[43]

Federal Advisory Committees

Federal advisory committees are formally created, standing bodies that provide agencies with advice and feedback from the public, stakeholders, and experts on various types of federal decision-making. Advisory committees are governed by the Federal Advisory Committee Act, enacted in 1972 to ensure that advice by the various advisory committees formed over the years is objective and accessible to the public. The act formalized a process for establishing, operating, overseeing, and terminating these advisory bodies and created the Committee Management Secretariat to monitor compliance with the act.[44] Since 1972, a variety of revisions and executive orders have further modified the function of the more than 1,000 committees.

Many open government plans describe how agencies are using federal advisory committees to engage citizens or stakeholders. The Open Government Directive does not seem to have significantly altered the traditional use of these committees in agency operations, although the GSA has made strides over the last decade in identifying and disseminating best practices relating to federal advisory committees.[45]

43. http://www.whitehouse.gov/blog/2010/12/29/expertnet-wiki-update
44. http://www.gsa.gov/portal/content/104514
45. http://www.gsa.gov/portal/content/103139

Examples of Federal Advisory Committees in Open Government Plans

Department of Energy	According to its plan, the Department of Energy's Office of Science has established at least one federal advisory committee for each of its science programs to provide independent advice to the Director of the Office of Science on scientific and technical issues.[46]
Department of Homeland Security	The Department of Homeland Security has 27 federal advisory committees, comprised of more than 700 stakeholders. DHS advisory committees have issued roughly 2,448 recommendations, approximately 56 percent of which have been implemented and about 33 percent partially implemented. The agency says that its FACA meetings are usually open to the public, and any member of the public may file a written statement with the advisory committee. Members of the public may speak to an advisory committee and meetings are often made available to the public via video conference, the Internet, or other electronic medium.[47]
Department of Health and Human Services	HHS reports in its plan that its federal advisory committees represent diverse points of view, facilitate engagement with the public to address barriers and opportunities on important topics, and are usually held in the public domain. Virtually all public meetings of these bodies include representation by members of the public and are open for individual formal comment submissions. Many of these bodies also provide opportunities to follow the proceedings via the web or by phone, enabling remote participation.[48]

Rulemaking

The Administrative Procedure Act (APA) defines how regulatory agencies should create federal rules and regulations and what role the public should play in the rulemaking process. Specifically, agencies are required to provide public notice of a new rule and provide an opportunity for public input through some form of written or verbal comment. Over the years, new rules and agency experimentation have created opportunities for innovations and improvements in the quality and quantity of public participation. Most notably, negotiated rulemaking processes have provided a venue for stakeholders to work with agencies and each other to address opportunities and concerns in the development of a rule in a way that had not been possible in the past.

Launched in 2003, Regulations.gov established an online clearinghouse allowing the public access to and the ability to participate in the federal regulatory process for nearly 300 federal agencies. Through the site, the public can find a rule, submit a comment on a regulation or on another comment, submit petitions, and sign up for alerts about a specific regulation. The Obama administration has sought to foster better public participation through Regulations.gov by standardizing how regulations are issued, encouraging the use of accessible language for better public consumption, and clarifying rules that had served as barriers to agencies in the past.

President Obama's Executive Order 13563 seeks to improve public participation in rulemaking by requiring an open exchange of information among government officials, experts, stakeholders, and the public. According to OMB, "in this context, 'open exchange' refers to a process in which the views and information provided by participants are made public to the extent feasible, and before decisions are actually made." The executive order "seeks to increase participation in the regulatory process by allowing interested parties the opportunity to react to (and benefit from) the comments, arguments, and information of others during the rulemaking process itself."

46. U.S. Department of Energy Open Government Plan, Version 1.2, June 2010, p. 46
47. U.S. Department of Homeland Security Open Government Plan, Version 1.1, June 10, 2010, p. 21
48. U.S. Department of Health and Human Services Open Government Plan, Version 1.1, June 25, 2010, p. 58

A consortium of academic, legal, and transparency groups found that innovation is being hampered by a number of obstacles related to usability, governance, and funding. The Consortium's 2010 report offers recommendations for making e-rulemaking processes more scalable, democratic, transparent, accessible, and impactful.[49]

While few of these appear to have been implemented to date, improvements to Regulations.gov and the rulemaking process have clearly created important new opportunities for soliciting public input online during the creation or revision of rules. Most agencies refer to online input to rulemaking through Regulations.gov in their open government plans. A few agencies, such as the Department of Transportation, have developed more sophisticated online platforms for soliciting input on rules and regulations. Others use negotiated rulemaking or other face-to-face supplemental processes to solicit public participation.

Examples of Rulemaking in Open Government Plans

Department of Transportation	DOT partnered with Cornell University to create Regulation Room, an online space that makes it easier to comment on proposed rules (http://regulationroom.org). According to their open government plan, Regulation Room "reaches people who otherwise might not know about a proposed rule; engages the public in a less formal and intimidating way by going beyond traditional government communication channels; uses facilitators to bring out more detailed and better-supported information from the public; and supports a new process that, with facilitation, may achieve consensus."[50]
Department of Veterans Affairs	According to the VA's plan, the public comment period for the Gulf War Illness Task Force Report was the agency's first initiative to solicit public feedback on policy proposals utilizing both the Federal Register and an idea management platform. An idea management platform was web-enabled and featured 21 subject areas that directly aligned with the report's recommendations. Users were able to submit ideas, make comments, and cast votes in a totally transparent manner. The VA partnered with veteran service organizations to spread the word to veterans about the opportunity to submit comments on the draft written report. More than 150 new suggestions, including 28 formal written responses, were submitted, 300 comments were made, and 2,100 votes were cast. According to the VA plan, the response was historic—never before had the VA received so many public comments on a proposed rule, regulation, or policy in such a short period.
Department of the Interior	The Department of the Interior's plan discusses the agency's use of negotiated rulemaking to involve people and stakeholders who will be affected by a new rule in its development. Within DOI, the Office of Collaborative Action and Dispute Resolution (http://www.doi.gov/cadr) offers advice and assistance of the development of negotiated rulemaking and other public participation processes.[51]
Department of Agriculture	Through the USDA's Flagship Initiative in its open government plan, the Forest Service has launched a collaborative process to develop a new framework for national forests and grasslands policy. According to the USDA's plan, the process includes regional and national roundtables that will engage stakeholders in the development of the framework. Additionally, the agency has created a blog to encourage virtual discussions.[52]

49. http://ceri.law.cornell.edu/erm-comm.php
50. U.S. Department of Transportation Open Government Plan, Version 1.2, June 25, 2010, p. 54
51. U.S. Department of the Interior Open Government Plan, Version 1.1, June 25, 2010, p. 31
52. U.S. Department of Agriculture Open Government Plan, Version 1.1, June 30, 2010, p. 27

Creating a Culture of Open Government

Open government requires a wholesale change in the culture of federal agencies that are largely unaccustomed to reaching out to the public. The Open Government Directive recognizes this by including a section about creating and institutionalizing a culture of open government. The directive says that achieving a more open government will require the various professional disciplines within the government to work together to define and develop open government solutions. Specifically, the directive requires the creation of an interagency working group of senior level representatives to share best practices for promoting transparency, participation, and collaboration.

While the Open Government Directive emphasizes the importance of culture change, it provides relatively few guidelines or specific requirements that agencies should adopt in order to achieve that culture change. Most agency open government plans acknowledge the importance of changing their internal culture and emphasize the creation of internal governance structures to ensure that the whole agency is involved in open government activities.

A small minority of agencies, however, refer to specific activities they are undertaking to change the agency culture to foster greater public participation. The following section seeks to describe those culture change initiatives that have the greatest likelihood to specifically promote public participation. The section is divided into the following categories:

- Training and professional development
- Incentives
- New units and positions
- Standards of good participation
- Policies and systems for responding to public input
- Evaluation and measurement

In some cases, agency plans specifically reference public participation or collaboration. In other cases, a potential impact on public participation or collaboration is inferred.

Training and Professional Development

Many agencies include some form of training or professional development for employees in their open government plans. Often these provisions are relatively generic, and it is difficult to determine the skills for which employees will receive training. In these cases, it is possible that training will focus on transparency concerns—like responding to FOIA requests—as opposed to the facilitation, outreach, or communications skills more directly applicable to public participation. In a few instances, agency plans specifically reference public participation or collaboration-related training.

Examples of Training and Professional Development in Open Government Plans

Environmental Protection Agency	The EPA's plan states that it has and will continue to reward employees who significantly enhance the agency's transparency, participation, and collaboration. The agency encourages some employees to incorporate new media and web training into their individual development plans. The EPA will also foster collaboration through training, including programs that build collaboration skills and provide information on available tools and resources. The agency's skills building training programs cover areas such as negotiation, situation assessment, and collaboration. Training is sometimes made available to EPA partners as part of a program. For example, the Superfund Program has a Community Involvement University that provides public involvement and collaboration training, including methods to help staff manage difficult topics and situations.[53]
Department of Transportation	The DOT open government plan includes many provisions emphasizing the importance of training. One section notes the importance of clearly communicating with the public; the agency is providing training in "plain language" writing techniques to make information easier for general audiences to understand. The DOT will also enhance existing training classes and tools and remove barriers so the agency can maximize existing training venues to support greater participation. Social media training will stress that employee use of social media tools comply with departmental policy.[54]
Department of Labor	The Department of Labor will incorporate open government elements in its new employee orientation and develop training specifically about open government.[55]
Department of Health and Human Services	The HHS plans to hold open government trainings twice a year for communications staff. The agency will publicize the availability of training and workshops provided by the department, the GSA, and other organizations on open government topics. HHS is in the process of informing workers how to utilize Web 2.0 technologies responsibly and safely and encourage their use to promote participation and collaboration activities.[56]

Incentives

Some agencies include various forms of incentives in their plans. Incentives include positive recognition, like awards and promotions. Generally speaking, these incentives will be offered for excellence in any aspect of open government and are not focused specifically on public participation or collaboration.

Examples of Incentives in Open Government Plans[57]

Department of Labor	The Department of Labor created the Secretary's Award for Open Government to incentivize and reward employees who are furthering open government goals. This annual award will highlight the contributions of DOL employees who exemplify DOL's commitment to transparency, participation, and collaboration in support of "good jobs for everyone." One award will be given in each category. The agency will also encourage the creation of an open government award category within each agency-level employee recognition program.[57]

53. U.S. Environmental Protection Agency Open Government Plan 1.1, June 25, 2010, p. 7
54. U.S. Department of Transportation Open Government Plan, Version 1.2, June 25, 2010, p. 27
55. U.S. Department of Labor Open Government Plan, Version 1.0, April 7, 2010, p. 12
56. U.S. Department of Health and Human Services Open Government Plan, Version 1.1, June 25, 2010, p. 11
57. U.S. Department of Labor Open Government Plan, Version 1.0, April 7, 2010, p. 11

Examples of Incentives in Open Government Plans (continued)

Department of Transportation	Under the DOT's plan, the agency will seek to balance compliance activities, like program reporting and performance management, and employee incentives, such as secretary-level awards for open government. According to the plan, the department seeks to provide incentives (i.e., internal distinctions and financial awards) for employees and model administrations that demonstrate excellence and leadership in the areas of transparency, collaboration, and participation. By creating these incentives and recognition opportunities, the DOT plans to showcase "incremental" open government successes. Further, DOT declares that open government-related measures should relate to the performance measures in the DOT strategic plan. The agency's senior leadership will review the dashboard on a monthly basis and adjust strategies and initiatives as needed.[58]
National Aeronautics and Space Administration	A new NASA policy dictates that each space mission dedicate at least one percent of mission cost to education and public outreach, which is about $35 million a year. According to the plan, many of NASA's citizen engagement activities have resulted from this policy. For example, the public can help NASA count craters on two of the largest minor planets in our solar system to help the agency better understand the age and impact history of their surface. [59] Principle investigators on NASA science missions are provided with an incentive (up to .5 percent of the cost of the mission) to fund collaborations with students on science instruments. For example, undergraduate students will operate Mooncam, the student collaboration on the GRAIL mission, and provide the images to middle school students. According to the plan, NASA employees have incentives—and sometimes even requirements—to be open and collaborative. NASA's civil service performance management system specifically measures employee collaboration and teamwork. Within the agency's leadership development training promotes, each leadership level requires competencies in communication and advocacy, knowledge management, and customer, stakeholder, and partner relationships.[60]

New Units and Positions

Some agencies' plans describe positions or units within the organization that have been or will be created to help achieve open government goals. Frequently, these positions focus on the agency's use of technology through a chief information or technology officer, or social media. Other positions involve the facilitation of public participation or mediation of disputes and conflicts.

Examples of New Units and Positions in Open Government Plans

Nuclear Regulatory Commission	The NRC is training several employees as facilitation specialists who will ensure that "NRC public meetings and outreach activities are effective, inclusive, and fair, and they will further bolster the agency's capacity to collaborate and address issues with external stakeholders." Technology tools, including web conferencing, will be a part of these specialists' tool kits.[61]
Office of National Drug Control Policy	ONDCP created an Office of Intergovernmental and Public Liaison. The new office is charged with formalizing the input coming in to the agency and will create and maintain open dialogues with stakeholders and the public.[62]
National Aeronautics and Space Administration	NASA established the Participatory Exploration Office with the goal of making participation pervasive throughout the agency, and will "track progress of participation, help identify where participation can be infused into agency work, and create a model for strong participation."[63]

58. U.S. Department of Transportation Open Government Plan, Version 1.2, June 25, 2010, p. 15
59. NASA Open Government Plan, April 7, 2010, p. 21
60. Ibid., p. 7
61. U.S. Nuclear Regulatory Commission Open Government Plan, Version 1.1, June 7, 2010, p. 20
62. http://www.whitehouse.gov/open/around/eop/ondcp/plan
63. NASA Open Government Plan, April 7, 2010, p. 94

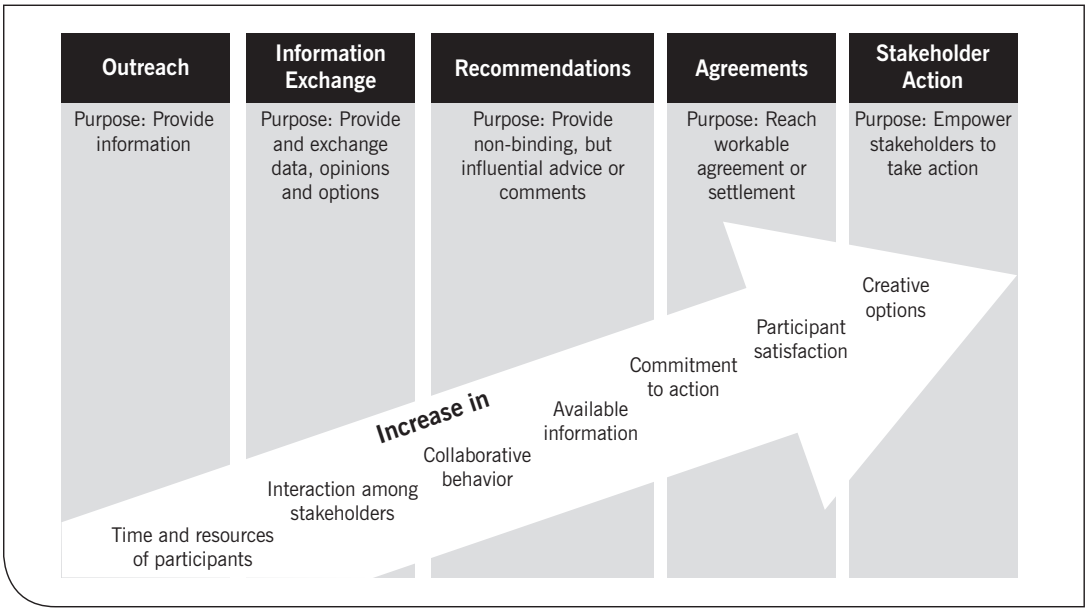
Standards of Good Participation

To create a culture of participation in agencies, it is important to define what good participation looks like. Without clear standards for high-quality or even minimal participation, agencies will be unable to measure progress or establish goals. Unfortunately, few agencies articulate a specific definition or standard for meaningful participation.

The Environmental Protection Agency establishes the clearest standards. According to the EPA plan:

> At EPA, we have an established policy (www.epa.gov/publicinvolvement/pdf/policy2003.pdf) with a variety of tools to help our staff reach out to and involve the public (www.epa.gov/publicinvolvement/index.htm). We strive to:
>
> - Involve the public early and often throughout a decision-making process.
> - Identify, inform and listen to the affected public (providing extra encouragement and technical or financial resources, where possible, to support public participation).
> - Involve the public in developing options and alternatives when possible and, before making decisions, seek the public's opinion on options or alternatives.
> - Use public input to develop options that resolve differing points of view.
> - Tailor public involvement efforts based upon many factors.
> - Work in partnership with state, local and tribal governments, community groups, associations, and other organizations to enhance and promote public involvement.
>
> Our current policy calls for Agency staff to strive for the most meaningful public involvement opportunities appropriate to each situation. In addition, we have established an interim policy on the use of social media platforms that offer us the chance to engage with guidance to employees on the use of these tools. EPA has identified a range of possible levels of public involvement, shown in Figure 1.[64]

Figure 1: EPA—Possible Levels of Public Involvement



(Note that, at a conceptual level, the above figure is closely aligned with the table on page 14 drawn from the IBM Center for The Business of Government 2006 report, Public Deliberation: A Manager's Guide to Citizen Engagement.*)*

64. U.S. Environmental Protection Agency Open Government Plan 1.1, June 25, 2010, pp. 7–8

Policies and Systems for Responding to Public Input

Implicit in the President's pledge to make federal agencies more participatory is a commitment to respond to the public's input. Several agency open government plans include specific commitments to institute systems or structures to ensure that ideas and feedback from the public are sent to appropriate staff and given consideration.

Examples of Systems for Responding to Public Input in Open Government Plans

Department of the Interior	The Department of the Interior's plan notes the importance of ensuring that good ideas are directed to the appropriate staff or program areas to be considered and, if practical, implemented. According to the plan, DOI will develop a workflow to help manage the stream of information, and make public feedback an integral part of the day-to-day work of the department.[65]
Department of Labor	The plan calls for the agency to develop a public code of conduct setting reasonable expectations for responding to online public inquiries and developing mechanisms for internal accountability. The agency recognizes that managing and responding to public feedback will require significant information and staff infrastructure before meaningful engagement can begin.[66]

Evaluation and Measurement

The Open Government Directive requires agencies to establish a system to measure progress toward reaching goals of greater transparency, participation, and collaboration. Generally, measures of participation set out in open government plans involve the number of comments received through an online crowdsourcing tool, the number of opportunities provided to the public to provide input to a department's work, and the number of people who are trained in open government principles. Measurements tend not to reference the quality of participation, the degree to which public input is being responded to by an agency, or the impact that participation may have on policy. However, in several cases, agency plans indicate intent to create more robust measurements that address more meaningful indicators of quality participation.

Examples of Evaluation and Measurement in Open Government Plans

Department of Defense	The DoD plans to measure the total number of open government suggestions received by both internal and external stakeholders. Although the agency expects to devise more sophisticated metrics over time, as of June 25, 2010, these measurements include the total number of suggestions received from stakeholders on its ideation platform: • Ideas Posted—123 • Comments—238 • Votes—1387 • Users—402[67]
Environmental Protection Agency	The EPA is initially measuring the number of opportunities the public has to provide input to the department's work, as well as the number of electronic town halls held by the agency. The EPA expects that these metrics will have to be refined and others added. The agency will develop standard metrics to measure the success of efforts to engage the public. These metrics will go beyond volume of participation (e.g., number of comments received) to the impact of participation (e.g., number of ideas from the public that are adopted and what impact they have on results delivered by EPA).[68]

65. U.S. Department of the Interior Open Government Plan, Version 1.1, June 25, 2010, p. 41
66. U.S. Department of Labor Open Government Plan, Version 1.0, April 7, 2010, p. 29
67. U.S. Department of Defense Open Government Plan, Version 1.1, June 25, 2010, p. 14
68. U.S. Environmental Protection Agency Open Government Plan 1.1, June 25, 2010, p. 6

Examples of Evaluation and Measurement in Open Government Plans (continued)

Nuclear Regulatory Commission	The NRC plans to use several methods for measuring the effectiveness of its efforts to improve transparency, participation, and collaboration, including: • Average score and feedback on public online survey responses; surveys will be updated to incorporate new questions assessing transparency, participation, and collaboration. • Average participation rates for public meetings using new technologies to foster engagement. • Usage metrics for new tools and services made available to foster open government goals. • Measures for new collaboration communities to assess community growth and collaboration activity.[69]
Department of Agriculture	The USDA plan focuses its measurements on improved participation and collaboration. These will be benchmarked against traditional forms of public involvement such as "Federal Register notices, postings in newspapers of record, letters or emails to participants in the planning, rule-making, and environmental analysis." Measurements will include frequency and timeliness of responses to public input and collaborative public meetings, as well as effectiveness in shaping a planning rule through online participation. Performance measures will also compare the improvement in public interaction and communication to traditional forms of public involvement. Most important, the department plans to assess the degree to which "broader support and acceptance of the final rule emerge as a result of the transparency, participation, and/or collaboration realized through the initiative."[70]

69. U.S. Nuclear Regulatory Commission Open Government Plan, Version 1.1, June 7, 2010, p. 35
70. U.S. Department of Agriculture Open Government Plan, Version 1.1, p. 30

Spotlight on Four Agencies

Based on the content of their open government plans, four agencies deserve special recognition for their leadership in striving to increase meaningful citizen participation: the Environmental Protection Agency (EPA), the Department of Transportation (DOT), the National Aeronautics and Space Administration (NASA) and the Department of Health and Human Services (HHS).

These four agencies are profiled because they provide some of the best examples of how agencies are pursuing their open government mandate with regard to public participation. Consideration of the plans' approaches as a whole offers a more complete picture of the agencies' strategic approach to public engagement.

This is certainly not to say that these plans represent the best examples of participation in all respects. All of the 29 plans reviewed have unique strengths and weaknesses from which other agencies and open government practitioners can learn. In this section, we highlight strong participation examples, recurring themes, and notable points of differentiation among the plans of these agencies.

After selecting these four agencies for further study based on their plans, we interviewed each of the open government teams. This provides a more complete picture of each agency's approach. However, the bulk of the analysis presented here focuses on the plans themselves.

Department of Transportation (DOT)

Key Success Factors

Effective integration of activities across the department. The agencies most successful in participatory activity do not limit public input to issues directly relating to open government, but aim to build infrastructure for participation into the fundamental activities and goals of the agency. The Department of Transportation has clearly been a leader in laying the groundwork for public engagement efforts across the agency.

The DOT plan states that, "Open Government objectives will be integrated into the programs of the DOT and adopted at every level within the Department." Many agencies include such language in their plans, but DOT is unique in posting its draft strategic plan online—not merely in its open government plan—and then inviting the public to evaluate it using a crowd-sourcing tool. While it is not clear whether this input was ultimately incorporated into the plan, it certainly represents an important symbolic step toward granting the public influence over the agency's basic mission and strategies. The DOT plan recognizes that the effort to incorporate public opinion into its open government plan would have far less impact on the department than obtaining input on agency-wide, mission-related strategies with significant implications for resource allocation.

Ability to distinguish participation levels. The Department of Transportation differentiates somewhat between meaningful forms of participation and those that do not aim primarily to enable policy impact. While the DOT's plan does describe activities on Facebook and Twitter, it successfully avoids the mistake of treating social networks as inherently participatory; instead, it openly acknowledges that its social networking has been primarily for outreach, rather than for incorporating public feedback.

Emphasis on the diversity of participation. The DOT plan considers how outreach strategies and participant targeting influence the scale and diversity of participation, which in turn determine the credibility and weight of the engagement effort's outcomes. Without large-scale participation in an engagement project, it is difficult for policymakers to assign weight to the project's results. Through partnership with the Cornell e-Rulemaking Initiative, the DOT e-Rulemaking effort incorporated innovative online outreach strategies to help generate a critical mass of participants. For example, the project team:

- Extended invitations to advocacy groups connected with the subject matter to let staff and members know about the initiative
- Posted links on blogs relevant to the rulemaking subjects to the comment site
- Invited users of social networks with relevant interests to participate
- Promoted the effort on other sites pertaining to the subject of the proposed regulation

The agency reports that it is building a database of external stakeholders—a "network of networks"—that will be used to push information about participation opportunities to those who would be interested. Given the hurdles of generating ongoing engagement at scale, this offers a helpful model to other agencies.

High comfort level with experimentation. The Cornell partnership involves contributing to the development of an experimental new tool and process for gathering public input on proposed rules. Among the project's innovations is the ability for users to post comments in line with the rule paragraph currently under discussion. This increases the likelihood that feedback will be specifically targeted to the precise language and context in which it will be most useful, and makes it easier for rulemakers to incorporate.

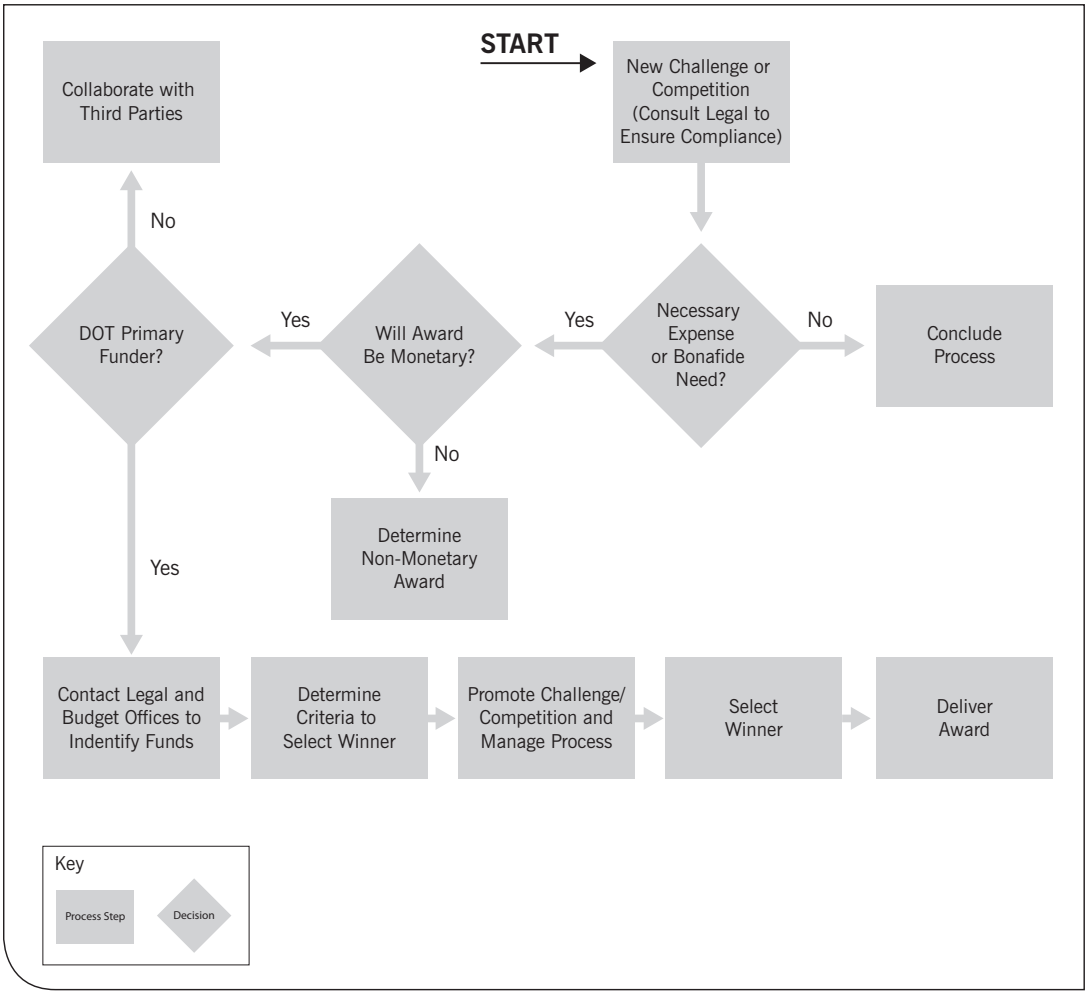
Indeed, the DOT plan repeatedly demonstrates a willingness to experiment—a prerequisite for advancement in the area of public engagement. DOT representatives describe using public phone calls to disseminate news and address the public's questions. Along similar lines, the agency's plan considers the possibility of videoconferencing with the public. Large-scale two-way video or telephone conferencing with the public enables a more intimate, personal connection between policymakers and citizens—and, with the right structure, potentially among and between citizens themselves. Until now, such depth of interaction has only been possible via face-to-face engagement.

Extensive face-to-face engagement. The DOT has also employed a unique form of face-to-face deliberation in its external engagement efforts. For many years, the agency has used "negotiated rulemakings," in which key stakeholders come together with trained facilitators to build consensus and lay a foundation of principles upon which a proposed new rule can be built. The plan also references other non-digital methods for engagement, including conferences, forums, conference calls, and advisory group meetings. For decades, agencies have used federal advisory committees to solicit stakeholder input, and most of the leading agencies either launched new programs or continued to maintain significant previously existing programs to solicit input via live, in-person meetings. Yet the DOT efforts are particularly notable for their inclusion of targeted outreach to key stakeholder groups, their use early in the rule-making

process, and their incorporation of trained facilitators. All are key components of meaningful and impactful participation.

Investment in competitions. Like other agencies, the DOT emphasizes competitions as a primary strategy for promoting collaboration with the public. At the time of the first plan's publication, there were three current or recently implemented competitions, two actively supported partner-led competitions, and two future competitions anticipated. Perhaps most significant, though, the plan lays out clear sequential decision-making steps and implementation processes for establishing and managing competitions, as detailed in Figure 2.[71]

Figure 2: DOT—Infrastructure Supporting Competition



Dedicated staffing. The agency has developed a core staff with expertise in open government that works to support, train, communicate, provide technology and legal infrastructure, and codify key processes so that employees can incorporate public engagement initiatives into programs throughout the department. In contrast with other large agencies where such teams may be distributed throughout departments and program areas, this group appears to be concentrated within just two central departments. Team members describe close linkages with the secretary's office.

71. U.S. Department of Transportation Open Government Plan, Version 1.2, p. 39

Environmental Protection Agency (EPA)

Key Success Factors

Effective integration of activities across the agency. As an agency, the EPA is notable for the incorporation of open government into its core mission. Its strategic plan defines five mission goals and three cross-goal strategies, one of which is innovation and collaboration; it explicitly links these strategies to an open government agenda.

Like HHS and others, the agency has gone to significant lengths to involve employees from across the department in shaping its participatory and collaborative projects. EPA's open government management work group, which meets weekly to develop actions, provide input, and track progress, is comprised of senior managers from across the agency and includes representatives from regional offices.

Ability to distinguish participation levels. Clear differentiation between varying levels and types of participation enables better evaluation of existing engagement initiatives or potential projects under consideration, yet few of the plans attempt to explicitly incorporate such a framework. EPA is an exception. Its open government plan includes a diagram of the spectrum of public involvement that aligns roughly with the framework described on page 14. The diagram clearly distinguishes public participation projects by level of engagement, ranging in intensity from pure information dissemination to empowered stakeholder action. While it would be desirable for the agency to unambiguously contextualize its public participation projects by indicating exactly where each would appropriately be placed on the diagram, the internal dissemination of the diagram and its inclusion in the plan are an important step toward advancing to more meaningful levels of engagement.

Emphasis on the diversity of participation. The participants offering input must reflect the composition of the communities that are influenced by a policy in order to justify their inclusion in the policymaking process.

The EPA plan goes furthest in detailing efforts to ensure broader representation:

> **Improve Delivery of Information to At-Risk and Remote Communities**
> We are connecting with communities historically underrepresented in EPA decision making, to enhance their abilities to be informed and meaningfully participate in EPA decisions about land cleanup, emergency preparedness and response, and the management of hazardous substances and waste. A national EPA work group will evaluate how information is provided and make recommendations to improve our processes. The group will focus on electronic access and the digital divide, and ways to provide technical information so that it is clear, accessible and timely for use by affected communities. [72]

This effort will hopefully lead to greater inclusion of the full range of demographic, income, and geographic groups impacted by EPA programs and policies via targeted outreach efforts.

Effectively responding to citizen input. Several agencies embed outreach efforts within a framework of genuine dialogue by explicitly responding to public input. The EPA plan demonstrates this approach most directly by responding to each of the five most popular proposals on the Open EPA site—even if only to say an idea is under consideration. More responses to

72. U.S. Environmental Protection Agency Open Government Plan, Version 1.1, p. 40

these proposals should be published, and this approach should continue and be expanded to all participation projects within the agency.

High comfort level with experimentation. Together with DOT, EPA is clearly leading the effort to break new ground in the area of e-rulemaking. The agency is experimenting with public involvement earlier in the process of revising a rule, a critical step in enabling regular, meaningful public impact on the rulemaking process. For example, before EPA started updating the Total Coliform Rule, it invited external stakeholders to form an advisory committee that would recommend rule revisions. The agency's new NPDES electronic reporting rule webpage includes discussion forums, public meeting information, and rulemaking progress updates, "all well in advance of the legal requirement for public comment."

Even before the Open Government Initiative's institutionalization, EPA developed an automated public comment tool and process to bring the rulemaking process online. The platform later became Regulations.gov, an e-rulemaking platform now employed across the entire federal government to alert the public about rules in development, publish documents related to each proposed rule, and solicit public comment.

Public commitment to deadlines. In an appendix to its plan, the EPA offers a detailed timeline of planned activities, exemplifying the best practice of making transparent, public commitment to progress on participation and public engagement. More important, the agency has issued quarterly progress reports on its open government page—providing a useful way to assess the status of open government activities by the agency.

Department of Health and Human Services (HHS)

Key Success Factors

Enhancing internal support infrastructure. Several agency plans detail the creation of internal consulting and knowledge-sharing units. Rather than simply concentrating an agency's open government responsibilities and expertise within these internal groups, these specialists' function should be to support the efforts of those elsewhere in the agency.

The HHS plan possibly goes the farthest in formalizing and emphasizing this approach. It describes the creation of a community of practice that allows innovators within the agency to network, compare results, share and document best practices, collaborate to address shared challenges, and develop participation and collaboration tools for others in the agency to use. This support network serves as an internal consulting team that can be called upon by those who want to involve the public in policy formulation or implementation, but lack the expertise and experience with citizen engagement to do so. Several different areas of specialty have emerged within this community, including an ideation subgroup and a competition-focused subgroup.

The HHS open government teams hold "open gov days," when meetings are held with different centers throughout the agency. At these meetings, the teams present ideas and brainstorm with program staff about how to engage the public in their particular issue areas and offer better services. The meetings also enable employees to provide input and feedback on the offerings made available by the central open government team.

The open government team reports that demand for the practice network's services and expertise far exceed its capacity to meet it. As a response, the group publishes white papers, conducts training on best practices and available tools, and relies heavily upon Howto.gov in order to help share knowledge without significantly increasing costs.

Implementing cultural and institutional change. An effective way to change government culture and encourage meaningful citizen input is to offer employee incentives to incorporate engagement and innovation into regular work. HHS created a "secretary's innovation awards" program to recognize and reward employees who contribute significant innovations to enhance HHS operations. Texts4Health, a popular mobile health education service, emerged from last summer's innovation contest. The most recent award contest generated 10,000 employee votes; the winner received recognition by and lunch with the secretary. Given the success of the contests, the agency expects to continue running them at least twice per year.

By celebrating these entrepreneurs and demonstrating in high-profile fashion that careers can be built on leadership in this area, the agency is ensuring that innovation will be an internal priority. We expect these to be future winners for innovative work in the area of public participation.

High comfort level with experimentation. The blog of the Office of National Coordinator for Health IT offers a fairly rare feature: according to the agency's open government plan, users can rank comments. The open government team also indicates that this functionality has been incorporated into the Healthdata.gov blog. By fusing the regularity, familiarity, and community-building nature of a blog with the scalability and democracy of an ideation tool, this could develop into a powerful platform for ongoing input.

Extensive face-to-face engagement. HHS was a leader in incorporating deliberative, face-to-face events into its public engagement activities. It holds in-person forums with health care industry professionals, including town hall meetings and open-door forums. The agency has created over 230 federal advisory committees (the largest figure seen). Rather than limit participation in the committees to invited expert stakeholders, one of HHS's key innovations has been to engage the public in these committee meetings. The agency strongly encourages public participation, often soliciting questions and comments via the web in advance of live meetings and then broadcasting them online. HHS also enables citizens to identify and track committees that interest them, and offers resources related to the issues involved.

National Aeronautics and Space Administration (NASA)

Key Success Factors

Enhancing internal support infrastructure. NASA formed a participatory exploration office to evaluate new and existing approaches to participation and to advise programs on how to best incorporate participation opportunities into their work. The office would offer a tool set and capabilities that could be utilized across mission activities within the agency, including a how-to guide on using citizen engagement within each program area. Among other areas of focus, the agency planned for this team to deploy Ideascale throughout the agency using a "software as a service" model. This would enable public ideation to occur around a variety of agency efforts on an ongoing basis.

High level of citizen participation. Of all the agencies that utilized crowdsourcing sites to invite the public to submit and vote on ideas to be included in open government plans under development, NASA recruited the most participation, with 453 ideas, 868 comments, 8,000 votes, and 1271 registered users. NASA's plan describes the outreach tactics it utilized, including publishing stories on the agency's homepage, posting on its Facebook and Twitter pages, and e-mailing all employees to contribute to the discussion. Extensive and intentional outreach is a prerequisite for strong, meaningful participation in any online or offline process. NASA has demonstrated an understanding of how to integrate different social media and online platforms to contribute to this kind of strong participation.

Effectively responding to citizen input. Like the EPA, NASA describes its response to ideas gathered via the agency's Ideascale site with some specificity:

> "After the period for idea collection had ended, we began an extensive overview of the submitted ideas, classifying them into one of five categories:
>
> - Things we can do
> - Things we do or have done
> - Things we cannot do
> - Unclear
> - Off-topic"

As part of the process, these "things we can do" ideas were tagged to specific topic areas (such as education, public affairs, NASA spinoff, etc.). In April 2010, relevant ideas will be delivered to the corresponding NASA office along with an explanation of the engagement process.[73]

NASA's plan also expresses an intention to devise a framework and procedures for handing popular but un-implementable ideas. NASA considered such innovative approaches as working with the contributor to make the idea more realistic or implementable. Both NASA and the EPA's approach demonstrate an admirable, if not yet fully realized, commitment to taking public input seriously, handling it publicly and transparently, and not simply incorporating it—or not—behind closed doors.

High comfort level with experimentation. NASA's plan includes the apt statement, "No one is an expert in Open Government. We are taking an experimental and scientific approach to Open Government." Indeed, NASA has led experimentation with a broad array of conventional social media tools. At the main agency blog, NASA employees share personal accounts of their experiences. Visitors can comment on and rate news articles and other content. The agency holds online chats that enable the public to directly communicate in real time with NASA experts about topics that interest them. Also, the agency plans to develop a new on-demand video player so that members of the public can discuss videos with their peers and with NASA employees.

Investment in competitions. While a majority of agencies report setting up a competition of some sort, NASA's plan contains the strongest examples of the genre. Its challenges are unique because of their relevance to the core issues faced by the agency, and because of the size of the financial awards provided to winners. Between 2005 and 2009, NASA held 19 competitions across seven challenge areas, awarding $4.5 million to 13 different teams. In an interview, the agency suggested that, as of the first quarter of 2011, $8.5 million had been given away. These prize winnings have proven sufficiently large to attract the most innovative scientists and firms to enter. The competitions also offer visibility and credibility to entrants. As part of a challenge to the procurement community to identify ways to share larger amounts and more useful content, finalists were recognized and invited to present their ideas at a meeting of NASA procurement leaders. The winner of another challenge competition was recognized as "Space Entrepreneur of the Year" by *Aviation Week*.

73. NASA Open Government Plan, p. 96

Furthermore, NASA has excelled in defining challenges in such a way that businesses focus their efforts on a key area relevant to NASA's fundamental goals. In contrast to challenges run by other agencies, many of the challenges require several years for entrants to generate solutions, demonstrating the difficulty of the task. The agency's plan describes the intention to launch many more challenges, with greater reward funding and even more ambitious targets, including spaceflight and exploration demonstrations like "low cost access to space, activities on the International Space Station, [and] lunar sample returns."[74]

Although not emphasized in the agency's open government plan, NASA indicated in conversation that the independent allocation of funding for competitions was a key reason for its success. Programs do not have to identify the funding for a potential competition; they merely have to propose the concept and participate in the contest's implementation. This incentive removes a critical barrier to launching public contests, while motivating program staff to think creatively about how to achieve their missions through public collaboration.

Public commitment to deadlines. NASA's plan goes into significant detail in specifying deadlines for each project or program described. It explicitly states the implementation goals that it aims to achieve within a three-month, six-month, one-year, or two-year time period. Furthermore, the agency has set up an open government dashboard where it publicly tracks its performance relative to 186 milestones identified in the plan. On the dashboard, the milestones—including many relating to participatory programs—are displayed with a color-coded designation as complete or in progress, enabling visitors to assess overall advancement toward achieving open government goals.

74. NASA Open Government Plan, p. 53

Findings and Recommendations

Based on the preceding analysis of ongoing open government plans, this section assesses agency progress on the public participation goals of the Open Government Directive. While the limited detail provided in many plans makes it difficult to evaluate the quality of the participation that will result, it is possible to draw some conclusions about the programs and accomplishments described by the plans and the areas that still require significant effort to achieve the president's commitment to a more participatory federal government.

The findings and recommendations described below correspond to the criteria for quality public participation offered on pages 12–13 of this report.

Finding One: The Open Government Initiative and most federal agency plans have failed to offer standards for what constitutes high-quality public participation. While some agencies do include commitments to establish more robust measurements for participation, few plans include indicators that would measure meaningful progress toward becoming more participatory.

Few agency plans define what "good public participation" looks like or provide meaningful measures of the progress agencies are making in meeting the president's commitment to become more participatory. The Environmental Protection Agency's plan does the best job of defining quality participation. The agency's standards include provisions about when the public should be involved, how it should be involved, and what connection participation should have to decision-making.

While the Open Government Directive requires agencies to establish a system to measure progress toward reaching goals of greater transparency, participation, and collaboration, the directive provides little guidance about the types of measures that should be included. Generally, measures of participation set out in the plans involve the number of comments received through online crowdsourcing tools, the number of opportunities provided to the public to provide input to a department's work, and the number of employees who are trained in open government principles. Measurements offered in plans tend not to reference the quality of participation, the degree to which public input is being responded to by an agency, or the impact that participation may have on policy.

Several agencies, like the Nuclear Regulatory Commission, the Department of Agriculture, and EPA, do suggest that more robust measures will be instituted in the future to provide more meaningful indicators of progress.

> **Recommendation 1: The Open Government Working Group should develop guidance for agencies about what constitutes high-quality public participation.** The Open Government Working Group is comprised of senior level representatives for their respective departments and agencies who focus on transparency, accountability, participation, and collaboration within the federal government. Any standards that are developed should build upon

those created by institutions in the public participation field, including the International Association for Public Participation, the National Coalition for Dialogue & Deliberation, and the Organisation for Economic Cooperation and Development (see Appendix II). Standards should relate to key aspects of successful participatory initiatives, including the selection of policies or programs for input, public education, project management and staffing, timing, issue framing, outreach, linkages to decision-making, and post-input communication.

Recommendation 2: The Open Government Working Group should provide agencies with guidance about the types of measurements that should be used to assess progress toward the goal of becoming more participatory. In developing the measures, the working group should consult with federal employees with the greatest experience with public participation.

Recommendation 3: Federal agencies should publish and regularly update their standards and metrics so that the public and employees can use them to evaluate the quality and impact of public participation efforts. The White House Open Government team should assemble and aggregate measures of agency progress.

Finding Two: The public engagement activities described in open government plans display an admirable willingness to experiment with new tools and techniques to involve citizens with their decision-making processes. Nonetheless, even greater experimentation will be required to enable regular, meaningful public input opportunities. If the risks involved with public engagement are significant, they are even greater online. They include the possibility that the input gathered may not be useful or well-informed; that transparent, democratic processes may reveal underlying conflict between the public, stakeholders, and policymakers; that new, unproven technologies may fail; that those who participate will become vocal opponents when their input is not incorporated; and that the initiative may be embarrassingly unable to attract a critical mass of participants.

On the whole, agency plans display remarkable tolerance for such risks, and even exuberance for utilization of new online tools and processes in spite of them. This is evident from the rapid uptake of social networking platforms, crowdsourcing tools, blogs with open comments, and other new online platforms as described in the plans.

The agencies that strive for a high rate of low-cost failure seem to have achieved the greatest successes. They establish systems for approving and incorporating innovative tools, attempt to remove legal and administrative barriers, and build internal awareness about ways to invite public input. They have taken advantage of government-wide infrastructure like the e-rulemaking platform at Regulations.gov and the participatory tools at Apps.gov and the GSA toolkit. They experiment with new, externally developed participatory platforms and find external partners willing to cooperate on outreach efforts.

Perhaps the most significant experiment currently under consideration is ExpertNet. Proposed by the White House Office of Science and Technology Policy six months after the plans were published, ExpertNet would be an online community and network of input providers. ExpertNet would build a permanent online community of citizens and subject-matter experts that could be approached for input on a recurring basis. As of May 2011, the funding and implementation of this initiative remain uncertain.

Recommendation 4: Agencies should empower and encourage their employees to experiment with participatory projects, platforms, policy areas, and outreach strategies by streamlining bureaucratic hurdles and approval processes.

Recommendation 5: The GSA should encourage software developers to create new online and mobile applications that would enable agencies to solicit meaningful input from the public on policy. One tactic to achieve this would be to launch an application development contest ("Apps for Participation") in which the winners are invited to present the tools they develop to the Federal Web Managers Council and/or the White House Open Government Working Group. One approach might be to use Challenge.gov as the platform for this initiative.

Recommendation 6: The Office of Science and Technology Policy and General Services Administration should build the proposed ExpertNet platform. It is difficult for agencies or political leaders to launch standalone public engagement projects within the unpredictable policymaking timeframe. ExpertNet would be a turnkey input-gathering mechanism through which input initiatives could be created on an as-needed basis on nearly any policy issue, drastically lowering the expense and time required for outreach and promotion. This would increase the rate of experimentation for input solicitation; new issues and situations would likely increase significantly with this new platform in place.

Finding Three: While some agency plans describe how staff will respond to the public and include its input, most plans do not provide enough information to assess whether the public's input will be incorporated into plans, programs, or decisions. It is often unclear what the relationship is between participation activities discussed in agency open government plans and actual decision-making taking place in agencies. In some cases, agencies describe intentional efforts to ensure that ideas submitted from the public are routed to appropriate staff or otherwise appropriately considered. More often than not, however, agency plans are silent on this question.

In general, many common public participation activities found in the plans fall on the educational end of the participation spectrum. Most uses of social media and some forms of public forums primarily focus on informing the public about issues, giving people a chance to ask questions, and building a relationship between citizens and government officials. Some crowdsourcing, public forums, and town halls provide the public with an opportunity to share ideas, feedback, or opinions, but few agency plans provide any detail about how data from these forums will actually be used to influence decisions or the degree to which the public is asked to respond to choices that can be influenced. Many contests or more collaborative activities involve citizens in solving problems, but generally do not provide the public with an opportunity to influence actual decisions or policies.

Formal participation mechanisms like federal advisory committees and e-rulemaking processes tend to be more closely connected to the policymaking process. Unfortunately, rather than involving the general public, these forums tend only to provide influence for experts, advocates and organized stakeholders. A few innovative efforts, like those at HHS, are exceptions. Hopefully, innovative improvements to the rulemaking process will increase the number of people who have an opportunity to weigh in on new rules and policies over the Internet.

Negotiated rulemaking has been the most likely to provide stakeholders and citizens with a significant degree of influence over policies and decisions. Few agencies, however, refer to this practice in their open government plans, and there is little evidence to suggest that this type of practice is expanding through the Open Government Initiative.

Recommendation 7: All federal agencies should establish policies to make every effort to link participatory processes to actual planning, policies, and program development. Government is only truly open if public participation activities are transparently linked to

decision-making. Input processes must align with policymakers' internal timetables; the questions posed to the public should correspond with those being wrestled with internally; and those with decision-making authority must be informed about the outcomes of participatory initiatives with a fairly significant degree of detail in order to understand public priorities. While we would not propose that policymakers base their decisions solely on public input, well-designed processes to solicit informed, shared priorities from the public must provide citizens with an authentic opportunity to shape plans, decisions, and programs.

Recommendation 8: Among the standards for quality public participation, the Open Government Initiative should require agencies to respond to public input. In doing so, agencies will display a commitment to taking public input seriously. When citizens observe that their input has (or might have) impact, they will be more motivated to participate in future efforts. Whenever possible, federal agencies should commit to having a high-profile official offer an explicit, public, well-considered, and specific response to citizen input. Agencies should clearly describe examples of public input that have been incorporated into policy or otherwise acted upon. Not every comment can or should be responded to, but there should be a clear effort to explicitly reply to those that achieve a threshold level of popularity. Other metrics, such as those relating to quality or source, may also be used to identify input deserving of a response.

Finding Four: Open government plans include participatory activities on a wide variety of topics and programs. Little is included in most plans, however, to ensure that agencies will continue to solicit public input on those issues that the public cares most about. Few clear examples exist of efforts to incorporate participatory activities throughout the agency.

Several agencies describe efforts to invite comment on agency-wide strategic plans or other key agency-wide initiatives. Although it is not always clear that the public was able to have influence on these broad strategic issues, this is an encouraging precursor to what will hopefully grow into regular opportunities for the public to influence the fundamental direction of federal agencies.

However, opening core strategic issues to public comment was not the norm among the projects described in agencies' plans. Within many plans, the majority of the engagement opportunities are focused on a limited number of specific program areas. This is not to imply that such efforts are ultimately less valuable or participatory; on the contrary, in the short term, they may be more effective than cross-departmental efforts because the input gathered tends to be more narrowly targeted and can more easily be incorporated.

Unsurprisingly, the topic on which agencies most commonly describe seeking input is open government itself. This is a requirement of the Open Government Directive; it is unfortunate that the directive does not require public participation on other topics that are more central to agency missions and core programs.

Recommendation 9: Agencies should continue to seek public input on individual program areas, while expanding requests for input related to agency-wide activities and policies. Over time, selection of areas for input should be based both on areas of greatest public interest and areas where the likelihood of policy impact and improvement is greatest. Toward the same end, the Open Government Initiative should require agencies to solicit public input in the development of plans and programs that influence or span the entire agency, not only those relating to a single department or initiative.

Finding Five: Agencies appear to be moderately increasing the number of people who participate in public engagement initiatives. However, few plans include strategies to increase the diversity of those who participate.

One of the most basic indicators of whether the Open Government Directive is producing a more participatory government is the amount of participation taking place and the diversity of who is able to participate. Policymakers will be better able to justify the inclusion of public input if they can point to the diversity of participants and the size of the group engaged through the input process.

While there are no baselines with which to compare, it certainly appears that agency plans are committing to more opportunities for engaging with the public, which presumably should enable engagement of larger and more diverse groups of people. It is, however, helpful to look more closely at the forms of participation in use to determine who is likely to participate.

The most prominent form of public participation found in the plans is online forums. At least in some instances, these online forums seem to be creating opportunities for much broader participation among federal agencies. For example, the Department of Veterans Affairs reported that it received a record level of public comments for its Gulf War Illness Task Force Report (150 new suggestions, 300 comments, and 2,100 votes). Where there are well-organized constituencies involved, online forums may be especially effective at opening up the policymaking process and reaching people who otherwise would not be heard.

On the other hand, many online forums created by federal agencies have experienced relatively low levels of participation. For example, the Department of Commerce's OpenCommerce forum received 38 ideas.[75] The Small Business Administration's forum for feedback on its open government plan received 32 ideas.[76] The Department of the Treasury's forum for feedback on its plan received 55 ideas.[77] Without significant marketing and outreach, the potential of online forums to involve the public will not be realized. Unfortunately, very little is written in the open government plans about how agencies will work to reach out to the public and raise participation in these forums.

Perhaps more important, little data exists about the diversity of participants in most online forums. It is difficult to ascertain how well those who participate represent the citizens and organizations with a stake in the agencies' core issues. Most agencies say relatively little in their open government plans about taking steps to recruit representative or diverse groups to take part in public processes or reaching out to harder-to-reach groups like immigrants, low income residents, and young people. Without extensive, proactive outreach, it is reasonable to assume that only those who are highly motivated and invested will be aware of and motivated to participate in these forums.

In some cases, more detail is provided about efforts to produce diverse participation in face-to-face forums than online ones. For example, a listening tour by the secretary of education explicitly reached out to teachers and students in communities across the country. The Department of the Interior's plan says that listening sessions for the agency's America's Great Outdoors program are reaching out to ranchers, farmers and forest landowners, sportsmen and women, state and local government leaders, tribal leaders, public-land experts, conservationists, recreationists, youth leaders, business representatives, and heritage preservationists.

75. https://opencommerce.ideascale.com/
76. https://opensba.ideascale.com/
77. https://opentreasury.ideascale.com/

Recommendation 10: The Open Government Working Group should convene federal managers and other experts with deep experience in public participation to assemble best practices in outreach and recruiting diverse public participation and disseminate these to federal agencies. Best practices should address:

- The factors agencies should consider in deciding what fraction of an input project's budget should be allocated to marketing and communications
- How to explicitly target those most likely to be affected by the particular policy in question
- Specific traffic-generating tactics like paid advertising, posting links on agency homepages and popular government websites, and developing outreach partnerships with external stakeholders, the media, and technology companies

Recommendation 11: Agencies should set clear goals regarding the diversity and size of the groups that participate in public input initiatives, increase employee capacity to reach them, and measure the degree to which they are reached. Agencies should be required to take the following steps to implement the recommendation:

- Set clear goals for the size and diversity of the groups that participate in developing plans, programs, and policies.
- Collect information to provide reasonable estimates regarding the diversity and size of participant groups, thereby establishing a baseline by which future progress can be measured.
- Develop training programs to increase the capacity of federal employees to recruit diverse participants and ensure that adequate resources are available to recruit representative individuals to participate.

Finding Six: Open government plans provide few descriptions of programs that educate the public regarding policy issues under consideration, although this may simply reflect a lack of detail in the plans themselves.

Many agency plans include a significant focus on stand-alone public education efforts, but provide little detail on efforts taken to ensure that citizens will be informed when they provide input or feedback at agency forums. While it may be the case that educational activities are left out of participation process descriptions, it seems more likely that this was not an area focused on by the authors of the open government plans. Without explicit criteria that specify the importance of informed public participation, it may be unlikely that significant efforts will be put into linking high-quality educational processes with forums that are connected to decision-making.

Recommendation 12: The Open Government Working Group should convene federal managers and other experts with deep experience in public participation to assemble best practices in developing educational resources to support public participation exercises and disseminate these to federal agencies. Best practices might address the involvement of issue experts in developing educational content, as well as strategies to ensure that it is neutral, entertaining, accessible, and as easy to understand as possible.

Recommendation 13: Agencies should develop training programs to increase the capacity of federal employees to design participatory processes that adequately incorporate educational components to ensure informed participation.

Recommendation 14: Agencies should set clear goals for incorporating educational components into participatory processes.

Finding Seven: Agencies use a variety of online and face-to-face forums. However, deliberative processes, in which citizens learn, express points of view, and have a chance to find common ground, are rarely incorporated.

The types of forums agencies use to engage the public have a significant impact on the character of the input that the public offers. Some forms of town halls produce only questions to be answered by public officials. Hearings or public forums that feature testimony produce formal statements from experts and interested parties. Crowdsourcing platforms generate lists of ideas ranked by popularity. Deliberative forums produce statements of shared priority among diverse groups of citizens. Negotiation enables compromise between different interests.

Most instances of public participation included in the plans fall into three categories: (1) forums that produce questions from the public to be responded to by officials or experts, (2) forums that generate prioritized ideas for responding to a type of problem, (3) forums that produce formal or informal statements of policy preference or need by inviting participants to testify, write comments, or otherwise share relevant opinions and experiences.

While public deliberation may be incorporated into some activities described in the plans, there is little explicit evidence that is the case. Similarly, few agencies described the use of any mediated discussions or negotiations.

Recommendation 15: The Open Government Initiative should highlight those agencies that have done more to incorporate robust forms of public participation in order to encourage other agencies to learn from their examples. Face-to-face public deliberation, negotiated rulemaking and other types of forums can be very effective at identifying areas of shared priorities, securing deeper buy-in from participants, attracting media attention to an issue, educating people about other points of view, and building trust in government leaders. As appropriate, agencies should follow the lead of peers who already have excellent engagement programs in place that use face-to-face participation, to experiment more with this type of public engagement.

Recommendation 16: Agencies should expand the use of public deliberation, negotiated rulemaking, and face-to-face engagement. While agencies should be congratulated for their experimentation with online tools and encouraged to build upon progress to date, it is essential that their efforts not be confined to online forums.

Finding Eight: Many agencies are taking important initial steps to embed a culture of participation into their organizations, including recognition, training, and the creation of new units and positions. These efforts should be celebrated, replicated, and expanded.

Many agencies clearly have taken the directive to change agency culture seriously. Cross-agency committees established in many agencies to manage open government often incorporate the range of key departments that will be necessary to create significant change. Some agencies are experimenting with interesting programs and structures, like incentives, new positions and units, and training for staff, that will be important to shift how agencies approach participation and open government.

Still, several of the leading agencies have reported encountering major challenges in convincing their colleagues. They describe a lack of motivation to contribute to open government activities and an aversion to the risks associated with tinkering with the status quo. One official blames the fact that employee performance evaluations do not include any open government-related metrics.

Going forward, it will be important for agency officials to learn from peers who are doing the most innovative work in culture change. It will also be essential to place more effort on specific culture-change activities that can foster public participation among open government priorities.

Recommendation 17: The Open Government Working Group should brighten the spotlight on best practices to change agency culture and publicize them across the federal government. Everyone acknowledges that realizing the goals of open government will require culture change, which will only be possible through intentional efforts to create well-targeted incentives and infrastructure to support greater transparency, participation, and collaboration. Several agencies profiled in this report have pioneered these types of efforts. The White House Open Government team should raise awareness about and evaluate the impact of these efforts, but primarily it should fall to agencies to follow the lead of their peers.

Recommendation 18: The Office of Management and Budget and Office of Science and Technology Policy should specifically work with agencies to identify those types of training and incentives that will be most important to promote public participation. This will ensure that culture change efforts are not solely focused on increasing access to data.

Recommendation 19: Agencies should provide more resources, training, and incentives for federal employees to incorporate public participation into their work.

Recommendation 20: Agencies should create strong, well-funded central teams and formal and informal agency-wide working groups and networks to serve as open government ambassadors throughout the agency. These groups should include high-level officials and significant numbers of policy and project staff from outside the information technology, public affairs, communications, and/or social media functions in their ranks. Members of these groups should report to top management within the agency. Their leading members should be granted the responsibility of leading and incorporating participatory values into key training, knowledge management, research, and other infrastructure-building initiatives within each agency. If necessary, agencies should create new positions that have significant authority to improve public participation efforts throughout the government.

Appendix I: Open Government Plan Evaluation Criteria

The following criteria were developed by the Open Government Initiative based on the Open Government Directive. They served as the basis for agency self-evaluations that were used to produce an Open Government Dashboard.[78]

Formulating the Plan in the Open

1. Was multidisciplinary collaboration involved in formulating the plan?
2. Was public consultation involved in crafting the plan?
3. Was the plan published in an open format, online, on time and on the open government page and with raw data?
4. Is there a plan for continued public engagement as part of the review and modification of the open government plan?

Transparency Strategic Action Plan

5. Does the plan contain a strategic action plan that inventories agency high-value information currently available for download?
6. Is there a plan to foster the public's use of this information to increase public knowledge and promote public scrutiny of agency services?
7. Does the action plan identify high value information not yet available and establish a reasonable timeline for publication online in open formats with specific target dates?
8. For agencies providing public information in electronic format: Is there a plan for timely publication of underlying data for public information maintained in electronic format?
9. Does the plan identify key audiences for information and their needs, and the agency endeavors to publish high-value information for each of those audiences in the most accessible forms and formats?
10. Is there a plan to demarcate educational material as free for re-use?
11. Does the plan detail compliance with transparency initiative guidance, and where gaps exist, detailed steps the agency is taking and the timing to meet the requirements for each initiative:
    - Data.gov
    - eRulemaking
    - IT Dashboard

78. http://www.whitehouse.gov/open/documents/evaluation

- Recovery.gov
- USAspending.gov

12. Are there details of proposed actions (with clear milestones) to inform the public of significant actions and business of the agency (e.g., agency public meetings, briefings, press conferences, town halls)?
13. Does the plan address existing record management requirements by providing:
    - Website link
    - Identifying and scheduling all electronic records
    - Timely transfer of all permanently valuable records to the National Archives
14. Does the plan address FOIA by providing:
    - Website link?
    - Staffing, organizational structure, and process for responding to FOIA requests?
    - Assessment of capacity to analyze, coordinate and respond to requests in a timely manner?
    - If there is a significant FOIA backlog, details on how the agency will reduce the backlog by 10% each year?
15. Does the plan address congressional requests by providing a:
    - Website link?
    - Staffing, organizational structure, and process for responding to Congressional requests?
16. Does the plan address declassification, if applicable by providing a:
    - Website link?
    - Where the public can learn about declassification programs, accessing declassified materials, and provide input about what types of information should be prioritized for declassification?

Participation

17. Does the plan explain how the agency will improve participation, including steps the agency will take to revise its current practices to increase opportunities for public participation in and feedback on the agency's core mission activities (including proposed changes to internal management and administrative policies to improve participation)?
18. Does the plan describe and provide links to websites for the public to engage in existing participatory processes?
19. Are there proposals for new feedback mechanisms (including innovative tools and practices for public engagement)?

Collaboration

Does the plan list steps the agency will take to revise its current practices to further collaboration:

20. With other Federal and non-Federal government agencies? Including the use of technology platforms to this end?
21. With the public? Including the use of technology platforms?
22. With non-profit and private entities? Including technology platforms?

23. Are there links to websites that describe existing collaboration efforts of the agency?
24. Does the plan describe the Innovative methods (e.g., prizes and collaborations) to increase collaboration with the private sector, non-profit, and academic communities?

Flagship Initiative

25. Does the plan include at least one specific flagship engagement?
26. Does the description provide an overview of the initiative: how it addresses one or more of the three openness principles and how it aims to improve agency operations?
27. Does it identify external partners for collaboration (if appropriate)?
28. Is there a plan for public participation in contributing innovative ideas to the flagship?
29. Does the description explain how the improvements to transparency, participation and/or collaboration will be measured?
30. Does the flagship include a description of sustainability and room for improvement?

Appendix II: How Well Do Agency Open Government Plans Fulfill the Open Government Plan Evaluation Criteria?

The most basic way to assess the agency open government plans is to look at how well each plan responds to the specific requirements of the Open Government Directive. As noted in the previous appendix, the directive provides agencies with at least 30 specific provisions that must be fulfilled by a specific date. The provisions range from relatively minor requirements to substantial, labor-intensive standards.

Two analyses have been conducted of agency open government plans to understand how well agencies have met the requirements of the Open Government Directive. The Office of Management and Budget and the Open Government Initiative completed the first assessment in response to a specific requirement of the directive itself. A broad coalition of transparency watchdogs, advocates, journalists and academics under the leadership of OpentheGovernment.org completed the second assessment.

Open Government Dashboard

The Open Government Directive required the creation of an open government dashboard in order to track agency progress on the deliverables set out in the Open Government Directive.[79] The dashboard tracks the progress of 29 agencies across four general categories and six elements of the open government plans. For each category, the dashboard assigns a "green", "yellow" or "red" ranking to designate whether an agency has met expectations, is making progress on expectations, or has failed to meet expectations.

As of February 2011, the updated dashboard found that all but 12 agencies had met all expectations set by the Open Government Directive. Among those agencies that had not yet met expectations:

- Two had not yet provided three high-value data sets.
- Three had not fulfilled expectations in the formulation of their plans.
- Eleven had not fulfilled expectations in the area of transparency.
- One had not fulfilled expectations in the area of participation.
- Seven had not fulfilled expectations in the area of collaboration.
- Six had not fulfilled expectations with a flagship initiative.

The one agency that had not yet fulfilled expectations in the area of public participation was the National Science Foundation. The Open Government Directive does not specify any consequences for failing to meet its expectations and deadlines.[80]

79. http://www.whitehouse.gov/open/around
80. Wendy Ginsberg, "The Obama Administration's Open Government Initiative: Issues for Congress." Congressional Research Service, January 28, 2011.

Table B.1: Categories Tracked by the Dashboard

High-Value Data	Whether the agency had registered three high-value data sets.
Data Integrity	Whether the agency had assigned a high-level senior official to be responsible for data integrity.
Open Webpage	Whether the agency had launched a webpage with all required elements.
Public Consultation	Whether the agency webpage included a mechanism for public feedback.
Overall Open Government Plan	Whether the agency's Open Government Plan met 30 criteria drawn directly from the text of the Open Government Directive.[80]
Formulating the Plan	Whether the plan (a) was developed through multidisciplinary collaboration, (b) involved public consultation, (c) was published in an open format, online, and on time, and (d) included a plan for continued public engagement.
Transparency	Whether the plan fulfilled the requirements for opening the doors and data of an agency according to nine evaluation criteria.
Participation	Whether the plan fulfilled the requirements for improving public participation by (a) explaining how the agency will improve participation, (b) providing links to websites for the public to engage in existing participatory processes, and (c) offering proposals for new feedback mechanisms.
Collaboration	Whether the plan fulfilled the requirements for collaboration with the department, across agencies and levels of government, and with the private sector.
Flagship Initiative	Whether the plan included a specific and ambitious open government project.

Open Government Plans Audit

OpentheGovernment.org convened a group of volunteers from nonprofit groups, academia, and other organizations that serve the public interest[83] to evaluate agencies' progress in developing plans for and implementing open government.[84] The first stage of the group's efforts was an audit, which assessed the degree to which each open government plan met requirements from the directive. When the initial results were released, the OpenTheGovernment.org coalition announced the contributors would re-evaluate any plans updated by June 2010.

According to the auditors:

> Most of the agencies that produced substantive Open Government Plans have made significant improvements to their plans since their initial release. The wide variation in strength among the plans required under the OGD revealed by our initial audit is noticeably less dramatic; many plans that did not meet the minimal requirements have addressed these weaknesses by, for example, providing more specificity on deadlines and identifying where certain items mentioned in the plans can be found. The updated audit results also reveal several agencies are going beyond the minimal requirements of the OGD.[85]

81. http://www.whitehouse.gov/open/around
82. http://www.whitehouse.gov/open/documents/evaluation
83. The partners that developed the audit included the American Association of Law Libraries, the American Library Association, the Center for Democracy and Technology, Citizens for Responsibility and Ethics in Washington, the College of Information Studies at the University of Maryland, OMB Watch, the Project on Government Oversight, and the Union of Concerned Scientists.
84. https://sites.google.com/site/opengovtplans/home
85. https://sites.google.com/site/opengovtplans/home

The volunteer auditors used 30 criteria[86] (somewhat different from those created for the open government dashboard) to record whether an agency had fulfilled a requirement (2 points), whether an agency included an aspirational reference (1 point), or if it did not include the component in the plan (0 points). A "bonus point" was awarded for plans that exceeded the requirements of the directive, allowing a maximum of three points for each requirement.

Six of the criteria used by OpentheGovernment.org refer most directly to the degree to which an agency is making progress toward the goal of becoming more participatory. Table B.2 presents the results of the audit.

86. https://sites.google.com/site/opengovtplans/home/required-components-of-the-open-government-plan

Table B.2: Open Government Plans Audit Results

Agency	Revises current practices to increase opportunities for participation in and feedback on agency's core activities	Includes proposed changes to internal management and administrative policies to improve participation	Includes descriptions of and links to web-sites where public can engage in participatory processes	Includes new innovative tools and practices that create new and easier methods for public engagement	Includes technology platforms to improve collaboration among people within and outside agency	Includes innovative methods to obtain ideas from and to increase collaboration with private sector, non-profit, and academic communities	Total
NASA	3	3	3	3	2	3	17
HHS	2	3	2	2	3	3	15
HUD	3	3	2	3	2	2	15
Transportation	3	3	2	2	2	2	14
Education	2	3	2	2	2	2	13
Veterans	2	2	2	2	3	2	13
SSA	2	2	2	2	3	2	13
Agriculture	3	2	2	2	2	1	12
Treasury	2	2	2	2	2	2	12
EPA	2	2	2	2	2	2	12
GSA	2	2	2	2	2	2	12
OPM	2	2	2	2	2	2	12
Commerce	2	2	2	2	2	1	11
Interior	2	2	2	2	1	2	11
Justice	2	2	2	2	1	2	11
Labor	2	2	2	2	2	1	11
NRC	2	2	2	2	2	1	11
Defense	1	1	2	2	2	2	10
SBA	3	1	2	2	2	0	10
Homeland Sec	2	0	2	1	2	2	9
NSF	2	2	2	2	1	0	9
OSTP	2	1	2	1	1	2	9
CEQ	2	2	1	2	1	0	8
State	2	0	2	2	2	0	8
OMB	1	1	2	2	1	1	8
Energy	1	0	2	2	1	1	7
Drug Control	2	1	1	2	1	0	7
USAID	1	0	0	1	2	2	6
USTR	1	0	2	1	2	0	6

Appendix III: Standards and Typologies for Assessing the Quality of Participation

Practitioners and scholars of public participation have developed at least two types of resources that may be helpful in assessing quality of participation. First, several typologies of public participation describe the various purposes and attributes of participatory activities. Second, principles and values of "good" public participation offer guidance for evaluating participatory processes.

Typologies of Participation

Public participation has many diverse forms and occurs in many different environments. Before assessing the quality of participation, a typology can help clarify the types of participation that may be chosen from given a variety of goals. While placing a given participation process into one category or another may not indicate whether it is "good" or "bad," doing so can at least clarify what is being assessed.

Ladder of Participation

The classic typology defining levels of participation was developed by Sherry Arnstein in 1969 in the Journal of the American Institute of Planners.[87] Arnstein describes a "ladder of participation" with eight rungs, moving from the least participatory to the most participatory activity. Arnstein describes her first two rungs—manipulation and therapy—as forms of "non-participation." She writes that the objective of these types of participation is often to serve as a substitute for genuine participation. A second set of rungs—informing, consultation and placation—is described by Arnstein as "tokenism." She writes that citizens may hear and be heard through these forms of participation, but there is no decision-making authority in their recommendations. Finally, Arnstein describes partnership, delegated power, and citizen control as rungs in the category of citizen power in which decision-making authority lies partially or solely with the public.

Spectrum of Participation

The International Association for Public Participation (IAP2) created a "Spectrum of Public Participation" that was updated in 2007.[88] In the spectrum, IAP2 identifies five types of participation, again moving along a spectrum from least to greatest citizen influence. For each type of participation, the spectrum clarifies the goal, the promise to the public, and examples of participatory techniques. Table C.1 describes the elements of the spectrum created by IAP2.[89]

87. Arnstein, Sherry R. "A Ladder of Citizen Participation," JAIP, Vol. 35, No. 4, July 1969, pp. 216–224.
88. International Association for Public Participation, 2007
89. http://www.iap2.org/displaycommon.cfm?an=5

Table C.1: Spectrum of Participation

	INFORM	CONSULT	INVOLVE	COLLABORATE	EMPOWER
Public Participation Goal	To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities, and/or solutions.	To obtain public feedback on analysis, alternatives, and/or decisions.	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place final decision-making in the hands of the public.
Promise to the Public	We will keep you informed.	We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision.	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will look to you for advance and innovation in formulating solutions and incorporate your advance and recommendations in the decision to the maximum extent possible.	We will implement what you decide.
Example Techniques	• Fact sheets • Web sites • Open houses	• Public comment • Focus groups • Surveys • Public meetings	• Workshops • Deliberative polling	• Citizen advisory committees • Consensus building • Participatory decision making	• Citizen juries • Ballots • Delegated decision

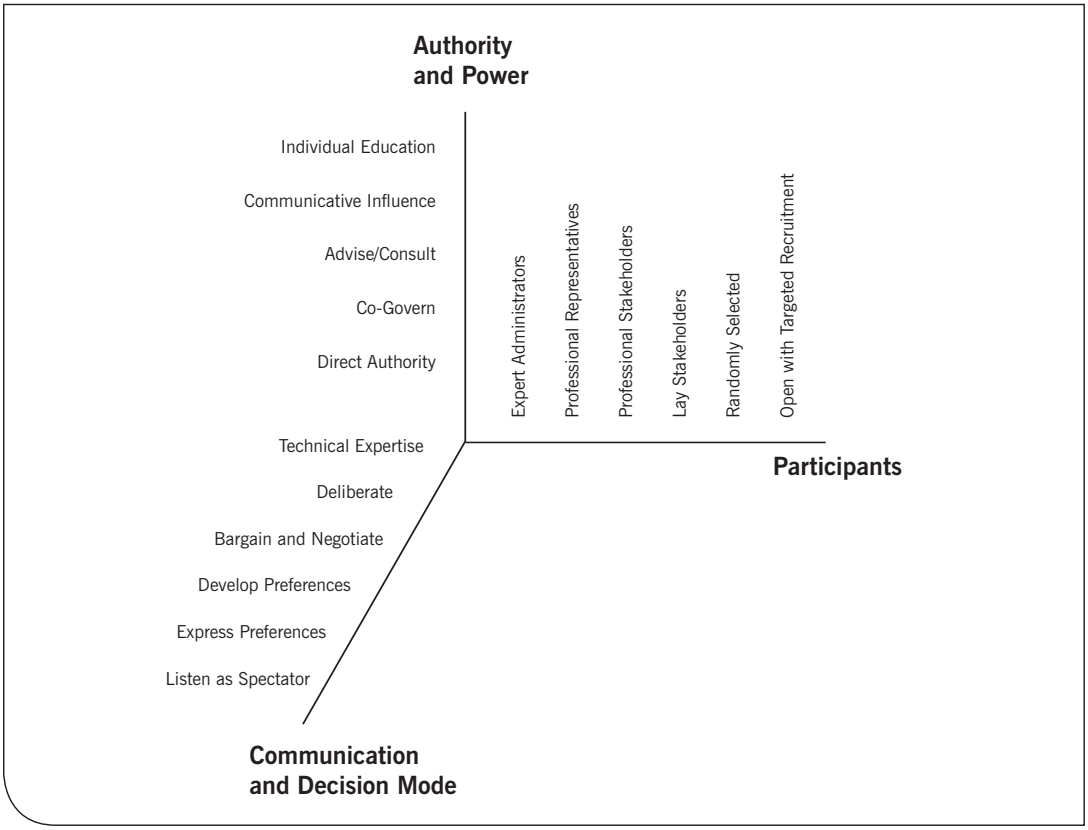
Democracy Cube

Professor Archon Fung at Harvard's Kennedy School of Government developed a broader typology in 2006 to go beyond differences in citizen influence and also look at who participates in the kind of process through which citizens communicate and make decisions.[90] Fung describes a cube in which the first axis displays the authority and power of the participants in the process, the second axis shows who participates in the process, and the third axis reveals how decisions are made.

The first axis is similar to the previous two typologies, moving from individual education and communicative influence to advising or consulting, co-governing, and having direct authority. The second axis moves from the most exclusive to the most inclusive forms of participation. Participation by expert administrators, elected representatives, and professional stakeholders sits on one end of the axis; different forms of representative and non-representative groups of citizens sit on the other end. Finally, the third axis charts the least to the "most intense" forms of participation; beginning with listening as a spectator and moving to expressing preferences, developing preferences, aggregating preferences, deliberating and negotiating, and deploying expertise.

90. Archon Fung. Varieties of Participation in Complex Governance, *Public Administration Review.* December 2006.

Figure C.1: The Democracy Cube



By applying a typology like the three described above, one can better describe and understand the kinds of participation activities that federal agencies are initiating in their open government plans.

Principles and Values of Public Participation

Going beyond typologies, many entities have also developed standards for what "good" public participation should look like by describing a variety of different principles, values, or qualities that should be found in high-quality participatory processes. While each set of principles and values differs in its specific composition, the various standards share many similar themes.

Core Values of Public Participation

The International Association for Public Participation created a set of core values that described the implicit attributes and commitments of high quality public participation. The seven core values created by IAP2 were:

1. Public participation is based on the belief that those who are affected by a decision have a right to be involved in the decision-making process.
2. Public participation includes the promise that the public's contribution will influence the decision.
3. Public participation promotes sustainable decisions by recognizing and communicating the needs and interests of all participants, including decision makers.
4. Public participation seeks out and facilitates the involvement of those potentially affected by or interested in a decision.

5. Public participation seeks input from participants in designing how they participate.
6. Public participation provides participants with the information they need to participate in a meaningful way.
7. Public participation communicates to participants how their input affected the decision.[91]

Core Principles for Public Engagement

A coalition of leading participation organizations led by the National Coalition for Dialogue and Deliberation (NCDD) and the International Association for Public Participation also developed a set of Core Principles for Public Engagement. Similar to IAP2's Core Values, these principles outline the standards and best practices for high-quality public engagement. While the core values listed above are structured as commitments, these core principles serve more as guidance for those who are facilitating a participation process. The seven principles[92] are:

1. **Careful Planning and Preparation**: Through adequate and inclusive planning, ensure that the design, organization, and convening of the process serve both a clearly defined purpose and the needs of the participants.
2. **Inclusion and Demographic Diversity**: Equitably incorporate diverse people, voices, ideas, and information to lay the groundwork for quality outcomes and democratic legitimacy.
3. **Collaboration and Shared Purpose:** Support and encourage participants, government, community institutions, and others to work together to advance the common good.
4. **Openness and Learning:** Help all involved listen to each other, explore new ideas unconstrained by predetermined outcomes, learn and apply information in ways that generate new options, and rigorously evaluate public engagement activities for effectiveness.
5. **Transparency and Trust:** Be clear and open about the process, and provide a public record of the organizers, sponsors, outcomes, and range of views and ideas expressed.
6. **Impact and Action:** Ensure each participatory effort has real potential to make a difference, and that participants are aware of that potential.
7. **Sustained Engagement and Participatory Culture:** Promote a culture of participation with programs and institutions that support ongoing quality public engagement.

OECD Guiding Principles for Open and Inclusive Policy Making

The Organization for Economic Co-operation and Development (OECD) also established a set of guidelines for public participation projects. According to the OECD, these "guiding principles are designed to help governments strengthen open and inclusive policy making as a means to improving their policy performance and service delivery."

1. **Commitment:** Leadership and strong commitment to information, consultation, and active participation in policymaking is needed at all levels—from politicians, senior managers and public officials.
2. **Rights:** Citizens' rights to access information, provide feedback, be consulted, and actively participate in policy-making must be firmly grounded in law or policy. Government obligations to respond to citizens when exercising their rights must also be clearly stated. Independent institutions for oversight, or their equivalent, are essential to enforcing these rights.

91. http://www.iap2.org/displaycommon.cfm?an=5
92. "Citizens as Partners: Information, Consultation and Public Participation in Policy Making," Organization for Economic Cooperation and Development, 2001

3. **Clarity:** Objectives for, and limits to, information, consultation and active participation during policy-making should be well defined from the outset. The respective roles and responsibilities of citizens (in providing input) and government (in making decisions for which they are accountable) must be clear to all.
4. **Time:** Public consultation and active participation should be undertaken as early in the policy process as possible to allow a greater range of policy solutions to emerge and to raise the chances of successful implementation. Adequate time must be available for consultation and participation to be effective. Information is needed at all stages of the policy cycle.
5. **Objectivity:** Information provided by government during policy-making should be objective, complete and accessible. All citizens should have equal treatment when exercising their rights of access to information and participation.
6. **Resources:** Adequate financial, human and technical resources are needed if public information, consultation, and active participation in policy-making are to be effective. Government officials must have access to appropriate skills, guidance, and training as well as an organizational culture that supports their efforts.
7. **Co-ordination:** Initiatives to inform, request feedback from, and consult citizens should be coordinated across government units to enhance knowledge management, ensure policy coherence, avoid duplication, and reduce the risk of "consultation fatigue" among citizens and civil society organizations. Coordination efforts should not reduce the capacity of government units to ensure innovation and flexibility.
8. **Accountability:** Governments have an obligation to account for the use they make of citizens' inputs received through feedback, public consultation, and active participation. Measures to ensure that the policy-making process is open, transparent, and amenable to external scrutiny and review are crucial to increasing government accountability overall.
9. **Evaluation:** Governments need the tools, information, and capacity to evaluate their performance in providing information, conducting consultation, and engaging citizens, in order to adapt to new requirements and changing conditions for policy-making.
10. **Active citizenship:** Governments benefit from active citizens and a dynamic civil society, and can take concrete actions to facilitate access to information and participation, raise awareness, strengthen citizens' civic education and skills, as well as to support capacity-building among civil society organizations.[93]

93. "Focus on Citizens: Public Engagement for Better Policy and Services," Organization for Economic Cooperation and Development, 2009

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Carolyn Lukensmeyer is Founder and President of America*Speaks*. Under Carolyn's leadership, America*Speaks* has earned a national reputation as a leader in the field of deliberative democracy and democratic renewal. She and America*Speaks* have won a number of awards, including two from the International Association for Public Participation (2001 and 2003), the Organizational Development Network's Sharing the Wealth Award (2006), a Department of Housing and Urban Development (HUD) award for best practices, a Distinguished Service Award from the Federal Managers Association for Outstanding Leadership (1994), and a Best Practice Award from the National Training Laboratories Institute (1993).

Prior to founding America*Speaks*, Carolyn served as Consultant to the White House Chief of Staff from November 1993 through June 1994. In this capacity she ensured that systematic thinking was part of the White House's work on internal management issues and on government-wide reform. She also served as the Deputy Project Director for Management of the National Performance Review (NPR), Vice President Al Gore's reinventing government task force. From 1986 to 1991, Carolyn served as Chief of Staff to Governor Richard F. Celeste of Ohio. She was both the first woman to serve in this capacity and, at the time of her appointment, the only Chief of Staff recruited from the professional management field. Carolyn also led her own successful organizational development and management consulting firm for 14 years, working with public and private sector organizations on four continents.

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Joe has spent his career working to strengthen democratic institutions through public deliberation and policy reform. Most recently, he served as the Interim Executive Director at the Campaign for Stronger Democracy, a coalition that encourages collaboration among democracy reform advocates. Previously, Joe was Vice President of Citizen Engagement at America*Speaks*, where he directed and consulted on some of the largest public deliberations in the world, including the New Orleans recovery plan after Hurricane Katrina, post-9/11 redevelopment of the World Trade Center site, the creation of Washington D.C.'s municipal budget priorities, and regional economic and land-use plans for the Chicago area and Northeast Ohio. Joe has trained federal managers, legislative staff, and public officials on engaging the public and has written and spoken about the need for more open, collaborative government.

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Previously, David cofounded MixedInk, an online democratic collaborative writing platform that allows large groups to express collective viewpoints by weaving their ideas and language together. MixedInk has been used to incorporate citizen input by a number of prominent government officials, agencies, and media outlets, including the White House, the Associated Press, and Slate Magazine. The company earned coverage from ABCnews.com, Wired, the Guardian, the Economist and other media outlets. Earlier in his career, David was a consultant at The Cluster Competitiveness Group, an economic development strategy firm, and a research assistant at the Urban Institute's Center on Nonprofits and Philanthropy.

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