Open Government Federal Advisory Committee

Public Meeting #3

January 8, 2025

U.S. OPEN GOVERNMENT SECRETARIAT

Members of the Open Government Federal Advisory Committee with Administrator Carnahan, October 23, 2024

Call to Order and Welcome

Arthur Brunson
Designated Federal Officer, OG FAC

General Announcement

This event will be open to the public, and is being recorded. A copy of who attended the event, the agenda, meeting minutes, and the recording of the meeting will all be posted publicly to the gsa.gov website.

Meeting Recording Disclaimers

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Open Government Website

https://www.gsa.gov/usopengov

1. Select the link for the **Open Government Federal Advisory Committee**.
2. Select the **Meetings** tab to see all the meeting materials.

Attendance and Agenda

Arthur Brunson
Designated Federal Officer, OG FAC

Attendance

Members	
Dr. Joyce Ajayi	~~Janice Luong~~
Charles Cutshall	Ade Odutola
John Dierking	Dr. Suzanne Piotrowski
Amy Holmes	Daniel Schuman
Dr. Kristen Honey	Joshua Tauberer
Kiril Jakimovski	Corinna Turbes
Ronald Keefover	Bobak Talebian
Dr. Steven Kull	

Agenda

Time	Item	Speaker(s)
1:00 - 1:05	Call to Order and Welcome	Arthur Brunson
1:05 - 1:10	Committee Chair Opening Remarks	Daniel Schuman
1:10 - 2:10	High level overview of NAP RFI	Alexis Masterson Laura Szakmary
2:10 - 2:20	Break	
2:20 - 3:20	Report out from Evaluation Group	Kiril Jakimovski
3:20 - 3:30	Administrative Updates	Daniel Schuman Arthur Brunson
3:30 - 3:55	Public Oral Comments	Arthur Brunson
3:55 - 4:00	Closing Remarks and Adjourn	Daniel Schuman Arthur Brunson

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Chair Remarks

Daniel Schuman
 OG FAC Chair

NAP 6 RFI Responses

Alexis Masterson & Laura Szakmary, U.S. Open Government Secretariat, GSA
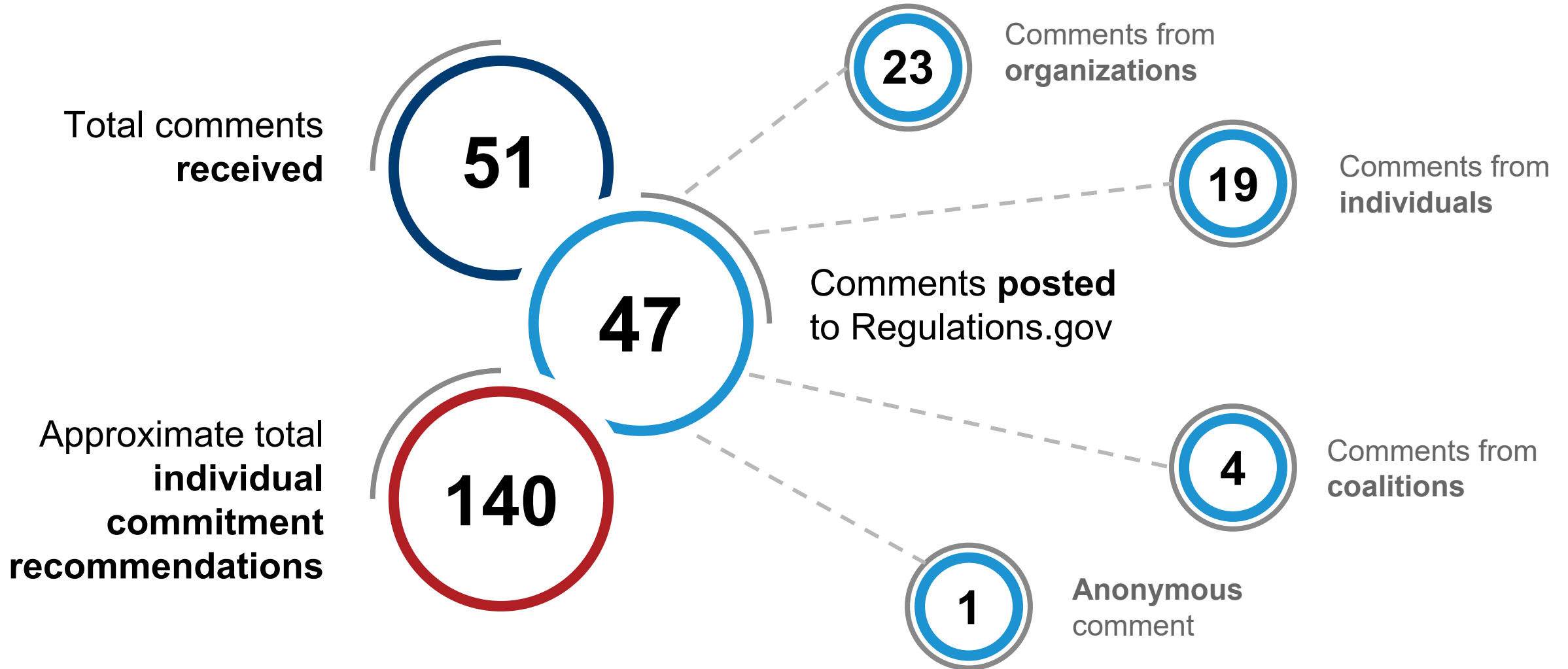
January 8, 2025

RFI Background

- **Purpose**: Solicit public input to shape the 6th U.S. Open Government National Action Plan
- **Comment Period**: September 12 through November 12 (61 days)
- **Link**: https://www.federalregister.gov/d/2024-20702

GUIDING TOPICS
Problem Identification
Existing Work
Innovative Approaches
Resources and Recommendations

THEMES	
Access To Information	Anti-Corruption
Civic Space	Climate and Environment
Digital Governance	Fiscal Openness
Equity and Inclusion*	Justice
Media Freedom	Public Participation

Overview of Responses

Total comments **received**: 51

Approximate total **individual commitment recommendations**: 140

Comments **posted** to Regulations.gov: 47

23 — Comments from **organizations**

19 — Comments from **individuals**

4 — Comments from **coalitions**

1 — **Anonymous** comment

RFI Responses: Most Represented Themes

Access to Information	**25**	53%
Digital Governance	**20**	43%
Public Participation	**13**	28%
Anti-Corruption	**12**	26%
Fiscal Openness	**11**	23%

Count and percentages based on 47 posted RFI comments

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RFI Responses: Least Represented Themes

Theme	Count	Percent
Justice	**8**	17%
Equity and Inclusion	**5**	11%
Climate and Environment	**3**	6%
Civic Space	**2**	4%
Media Freedom	**1**	2%

Count and percentages based on 47 posted RFI comments

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Access to Information

- **Proactive Disclosure**: Develop frameworks to proactively publish government data, including legal opinions, performance reports, visitor logs, and federal contractor information.

- **FOIA Modernization**: Allocate sufficient resources for FOIA processing, automate repetitive processes, and address inefficiencies through oversight and modernization of outdated systems.

- **Centralized, Standardized, and Open Formats**: Centralize information in accessible platforms like dashboards or e-file systems, ensure data is machine-readable, and implement open data standards.

- **Leveraging Technology**: Use digital tools like AI to manage FOIA backlogs, create APIs for public data access, and develop compliance visualization dashboards.

Access to Information - *Commitment Ideas 1*

- "*Improve agency implementation of the Access to Congressionally Mandated Reports Act by bolstering transparency and reporting requirements*: **Maintain a Comprehensive Lists of Reports**: OMB should remind each agency of its legal obligation to annually compile a list of all reports required by Congress or directed in congressional reports. OMB should issue guidance that each agency's list incorporate appropriate data fields and be published in a structured data format." (https://www.regulations.gov/comment/GSA-GSA-2024-0016-0014)

- "**Publish all public performance reports** – at all levels of government – in an **open, standard, machine-readable** format like StratML Part 2, Performance Plans and Reports (formerly ANSI/AIIM 22:2017)" (https://www.regulations.gov/comment/GSA-GSA-2024-0016-0017)

Access to Information - *Commitment Ideas 2*

- "Ensure Immediate and Equitable **Access to and Reuse of Government-funded Research**...Address the barriers to reuse of research articles and require that articles reporting on federally funded research carry full reuse rights (e.g., Creative Commons licenses)" (https://www.regulations.gov/comment/GSA-GSA-2024-0016-0026)

- "Fully implement the **Evidence Act's data inventory requirements** by … a coordinated effort between the Office of Management and Budget, the General Services Administration, and federal agencies to develop government-wide **standards for metadata and data documentation** that fulfill Section 3511's requirements while ensuring consistency across agencies." (https://www.regulations.gov/comment/GSA-GSA-2024-0016-0037)

Access to Information - *Commitment Ideas 3*

- "OMB could commit to issuing **guidance** on the **OPEN Government Data Act** …Then, implement in the open like the DATA Act and focus capacity on structuring government data to ensure that any **AI tools** in the future have high quality data" (https://www.regulations.gov/comment/GSA-GSA-2024-0016-0049)

- "Convene the U.S. Digital Service, 18F, and the nation's civic tech community to work on **improving FOIA.gov** using the same human-centric design principles you've applied to service delivery elsewhere." (https://www.regulations.gov/comment/GSA-GSA-2024-0016-0049)

- "Direct the Department of Justice to finally roll out the "**release-to-one, release-to-all**" policy for FOIA." (https://www.regulations.gov/comment/GSA-GSA-2024-0016-0049)

Anti-Corruption

- **Ethics Commitments:** Introduce a strong ethics pledge for federal officials, enforce anti-corruption policies, and advocate for transparency through visitor logs, financial disclosures, and decision rationales.

- **Whistleblower Protections:** Strengthen protections, hold retaliators accountable, and educate appointees on rights.

- **Data Accessibility:** Enhance systems like USAspending.gov and the beneficial ownership registry to improve data utility and accessibility.

- **Anti-Money Laundering (AML):** Advance AML regulations in vulnerable sectors and fund agencies addressing financial crimes.

- **Transparency Tools:** Publish advisory committee data, expand DOJ crime databases, and ensure public access to legal opinions and FARA filings.

Anti-Corruption - *Commitment Ideas 1*

- "**Implement Sections 885 and 847**….[Call] on the Federal Acquisition Regulatory (FAR) Council to finalize a rule… implementing Section 885's requirement that prospective **federal contractors and grantees disclose their beneficial owners** in the System for Award Management (sam.gov). The Sixth National Action Plan should also call on the Department of Defense (DOD) to issue rules implementing Section 847 (2019), requiring companies with **DOD contracts valued at more than $5 million** to disclose their beneficial owners." (https://www.regulations.gov/comment/GSA-GSA-2024-0016-0031)

Anti-Corruption - *Commitment Ideas 2*

- "Include Additional Information in e-File Templates and Web Forms: The FARA [Foreign Agents Registration Act] e-File system can be updated to indicate, **precisely, what information** registrants are required to disclose and to ensure that it is universally submitted in **standardized, machine-processable formats** that make use of common entity identifiers." (https://www.regulations.gov/comment/GSA-GSA-2024-0016-0032)

- "Federal Advisory Committees should be better balanced to avoid industry capture and a **central database of FAC members** should be created that includes more robust financial disclosures." (https://www.regulations.gov/comment/GSA-GSA-2024-0016-0040)

Civic Space

- **Public Spaces**: Launch a federal prize competition to incentivize the development of a centralized, user-friendly online platform for public engagement.

Civic Space - *Commitment Ideas*

- "Include a Federal **Prize Competition** to create a **massive online centralized space** for citizens/public engagement that the public can easily find online and utilize and that the government will participate with." (https://www.regulations.gov/comment/GSA-GSA-2024-0016-0009)

Climate and Environment

- **Data Quality and Accessibility**: Create standardized, high-quality, timely, and accessible environmental data, with attention to data privacy and interoperability between public and private sources.

- **Open Data and Tools**: Use user-friendly tools, APIs, and platforms to improve access to environmental information and facilitate public engagement.

- **Modernization and Integration**: Modernize data systems, create centralized National Environmental Policy Act (NEPA) platforms, and scale innovative projects to streamline environmental permitting and decision-making processes.

- **Community Engagement and Collaboration**: Integrate community-generated data, address community needs, and support community capacities for meeting environmental data standards.

Climate and Environment - *Commitment Ideas*

- "Prioritize the Council on Environmental Quality (CEQ)'s recommendation to develop a **data fabric and taxonomy** for NEPA-related data." (https://www.regulations.gov/comment/GSA-GSA-2024-0016-0035)

- "**Centralize access** to NEPA documents and ensure that a **user-friendly platform** is available to facilitate public engagement." (https://www.regulations.gov/comment/GSA-GSA-2024-0016-0035)

Digital Governance

- **Transparency and Open Data**: Require standardized, machine-readable formats for data and reports to enhance accessibility, usability, and public trust.

- **Modernization of Tools and Systems**: Develop or modernize databases, user-friendly dashboards, and mobile apps, and leverage technologies like AI and blockchain for streamlined processes and increased efficiency.

- **Public Engagement**: Use real-time, collaborative platforms, public feedback tools, and user-centered design to foster trust and meaningful civic participation.

- **Interagency Collaboration**: Integrating systems, harmonizing standards, and improving cross-agency efforts for seamless governance.

Digital Governance - *Commitment Ideas*

- "Recommend the government research, explore, test and develop a US Govt **mobile app** that is accessible to the public and aggregates all required data and information that should be available to our taxpayers." (https://www.regulations.gov/comment/GSA-GSA-2024-0016-0012)

- "The Sixth National Action Plan commit to a government-wide effort to apply **AI techniques** to assist agencies in managing their **FOIA backlogs**." (https://www.regulations.gov/comment/GSA-GSA-2024-0016-0047)

Fiscal Openness

- **Beneficial Ownership Transparency**: Strengthen registries to identify and disclose company owners, improve public accessibility, and ensure compliance with laws like the Corporate Transparency Act.

- **Data Quality and Accessibility**: Upgrade platforms like USAspending.gov and financial databases for greater usability and accuracy.

- **Technology Integration**: Use blockchain for tracking public contracts and AI for policy feedback management.

- **Federal Reporting and Compliance**: Centralize report publication, standardize financial statements, and use dashboards to monitor agency compliance.

- **Expanded Disclosures**: Proactively share legal opinions, advisory records, and corporate crime data.

Fiscal Openness - *Commitment Ideas 1*

- "Engage the American people at the local level by identifying infrastructure projects that were built with [**Recovery Act**] dollars and then make sure that we **engage the public in monitoring those efforts** and awareness of investments in local communities." (https://www.regulations.gov/comment/GSA-GSA-2024-0016-0020)

- "Governments reporting **financial statements** and **budget data** in the **same format** will greatly enhance the usability of all data reported. Making Federal Audit Clearinghouse (FAC) data **machine-readable** would also satisfy the requirements of the Grants Reporting, Efficiency and Transparency (GREAT) Act which was passed in 2019 but has yet to be fully implemented." (https://www.regulations.gov/comment/GSA-GSA-2024-0016-0027)

Fiscal Openness - *Commitment Ideas 2*

- Improve **award descriptions on USAspending.gov** to make it easier for government agencies, business and civil society to understand how the government is spending its money…The General Services Administration, Office of Management and Budget and the Government Accountability Office could support the development of a **quality framework for award descriptions**, ideally including measurable quality indicators (i.e. adherence to plain language principles)."
(https://www.regulations.gov/comment/GSA-GSA-2024-0016-0028)

Equity and Inclusion

- **Inclusive Cost-Benefit Analysis**: Agencies should consider health, safety, and well-being when analyzing rules, moving beyond strictly economic measures.

- **Voting Access**: Strengthen agency compliance with the Voting Access EO to empower historically excluded communities.

- **Data Equity**: Implement OMB's updated race and ethnicity standards, prioritize disaggregated data by sex and gender, and ensure granular, transparent reporting.

- **Public Engagement**: Enhance access for underserved groups (e.g., language support, disability accommodations), and foster inclusive stakeholder participation.

- **Community-Specific Outreach**: Tailor agency materials and outreach strategies to meet diverse language and cultural needs regionally.

Equity and Inclusion - *Commitment Ideas*

- "In order to ensure that access to information is made publicly available, we further recommend the following [re: **Statistical Policy Directive No. 15**]:

  - Ensure agency commitment to producing data for as **many groups** as feasible to produce quality data, and not just the "top six" within each racial category;

  - Ensure the [creation/production] of an **Enterprise Data Inventory**, or similar list of agency datasets, surveys, and administrative forms;

  - Require the development and publication of **progress reports** related to federal agencies' compliance with SPD-15; and

  - Provide greater transparency into **agency exemptions** to collecting detailed data as such exemptions will result in inconsistent implementation of SPD 15 across all federal agencies.

    (https://www.regulations.gov/comment/GSA-GSA-2024-0016-0044)

Justice

- **Transparency in Legal Opinions**: DOJ should publish a comprehensive index and release OLC opinions, with exceptions for national security or statutory exemptions.

- **Strengthening Whistleblower Protections**: Update policies, ensure agency cooperation with investigations, and prohibit non disclosure agreements that conflict with whistleblower laws.

- **Justice System Accessibility**: Fund modernization of PACER for free access to court records and create open databases for police accountability and corporate violations.

- **Improved Whistleblower Databases**: Modernize OSHA's Whistleblower Protection Program for accuracy and accessibility.

Justice - *Commitment Ideas*

- "Publish a comprehensive, regularly updated **index of all final OLC** [Office of Legal Counsel] **opinions**, including titles, dates, and authors, following the provisions in the Knight v. DOJ settlement agreement." (https://www.regulations.gov/comment/GSA-GSA-2024-0016-0015)

- "Consider prohibiting implementation or **enforcement of nondisclosure policies**, forms or agreements that conflict with **rights under federal whistleblower laws** or the Lloyd Lafollette Act protecting communications with Congress. This would be significant as it would elevate transparency over gag orders; it would be low-hanging fruit, because its purpose would be to enhance implementation of a cornerstone right in the Whistleblower Protection Act" (https://www.regulations.gov/comment/GSA-GSA-2024-0016-0023)
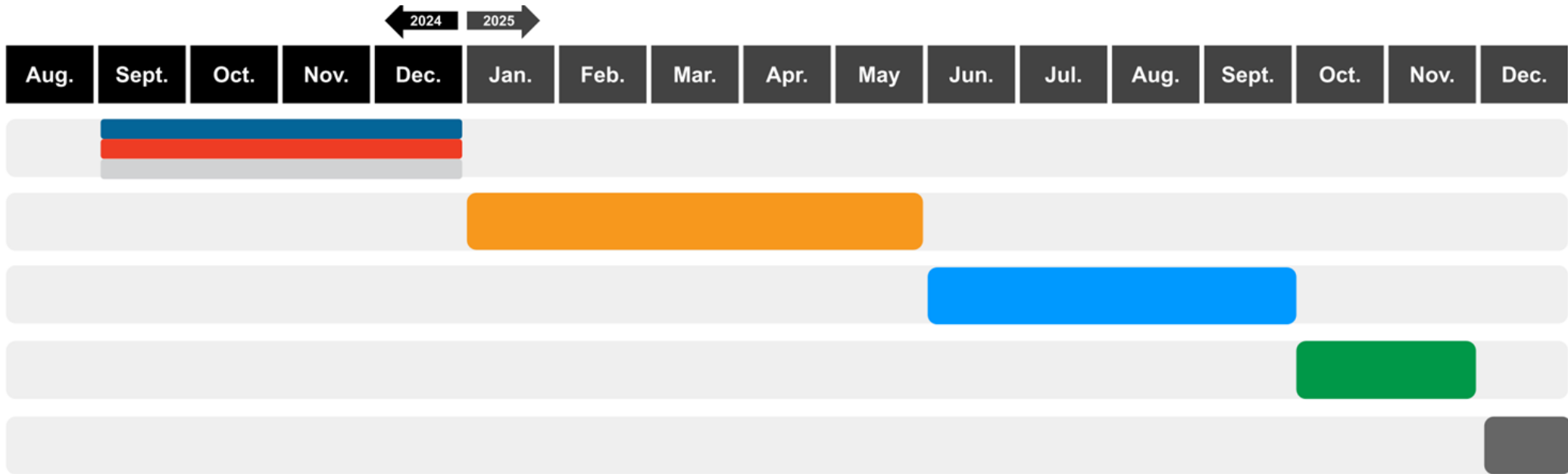
Media Freedom

- **Reporter Protections**: Advocate for Congress to pass a federal shield law to protect the press and media freedom.

Public Participation

- **Open Access**: Encourage open meetings at agencies like the CDC and FDA, with accessible formats and equal representation of diverse views.

- **Digital Engagement**: Build centralized platforms for real-time interaction, feedback tracking, and collaborative policymaking.

- **Improved Accessibility**: Enhance language resources, distribute user-friendly materials, and consider regional language needs.

- **Modernization**: Adopt collaborative tools, upgrade data systems, and publicize engagement opportunities widely, including through innovative media strategies.

Public Participation - *Commitment Ideas*

- "Creating commitments around **real-time engagement formats** (e.g., virtual town halls or forums focused on high-stakes issues) could foster a more interactive approach." (https://www.regulations.gov/comment/GSA-GSA-2024-0016-0018)

- "A valuable addition to the 6th U.S. Open Government National Action Plan would be a **dedicated public feedback portal**. This portal could leverage data visualization to show how public feedback has influenced policies and decisions." (https://www.regulations.gov/comment/GSA-GSA-2024-0016-0018)

ANALYZING INPUTS

IDENTIFYING SOLUTIONS

REASONED RESPONSE

DEFINING THE PROBLEM

DRAFTING COMMITMENTS

FINALIZATION

2024 | 2025

Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sept.	Oct.	Nov.	Dec.

NAP 6 RFI

Co-Creation Kick-Off and Listening Sessions

FAC Kick-Off

Commitment Language Drafted

Draft NAP 6

RFI for NAP 6 Draft and Listening Sessions

Final Draft

Communications & Approval Processes

NAP 6 Submitted to OGP

Break (10 minutes)

Report out from Evaluation Group Preparatory Meeting

Kiril Jakimovski
U.S. Department of State,
Bureau of Democracy, Human Rights, and Labor

Administrative Updates

Daniel Schuman, OG FAC Chair
Arthur Brunson, DFO, OG FAC

Potential Meeting Dates

Full Committee Meetings
- March 19, 2025
- April 23, 2025
- May 21, 2025
- June 18, 2025
- July 23, 2025
- September 24, 2025
- October 22, 2025
- November 19, 2025
- December 10, 2025

Subcommittee Meetings
- February 26, 2025
- April 2, 2025
- May 7, 2025
- June 4, 2025
- July 9, 2025
- August 20, 2025
- September 10, 2025
- October 15, 2025
- November 5, 2025

U.S. OPEN GOVERNMENT SECRETARIAT

Public Oral Comments

Arthur Brunson
Designated Federal Officer, OG FAC

Public Comment Guidelines

- We have a total of 5 volunteers who registered to provide oral comments

- **3 minutes** per speaker limit

- We kindly request that all individuals providing public oral comments remain respectful and adhere to the commenting policy.- See commenting policy

Public Oral Comment Participants

1. Dr. Dwight Sanders
2. Xylie Eshleman
3. Dustin Bryce
4. Alexander Howard
5. Stephen Buckley

Closing Remarks & Adjourn

Daniel Schuman, OG FAC Chair
Arthur Brunson, DFO, OG FAC