

# Fifth U.S. Open Government National Action Plan Reasoned Response

## A. Introduction

As part of drafting the fifth U.S. National Action Plan for Open Government, the Federal government received valuable feedback from the public across multiple venues, including online engagement sessions, public Requests for Information, and written submissions. The ideas and feedback the Federal government received helped shape the commitments outlined in the National Action Plan (NAP) to be released later this month. The report will focus on the following five themes identified and sharpened during the drafting process, corresponding to public feedback and alignment with Biden-Harris Administration priorities:

[Theme 1: Improve Access to Government Data, Research, and Information](#)

[Theme 2: Increase Civic Space to Engage the Public](#)

[Theme 3: Transform Government Service Delivery](#)

[Theme 4: Counter Corruption and Ensure Government Integrity and Accountability to the Public](#)

[Theme 5: Ensure Equal Justice Under the Law](#)

This report summarizes public feedback and ideas, and shares how we are addressing these inputs. More information about the 2022 U.S. National Action Plan and the drafting process can be found at [open.usa.gov](https://open.usa.gov).

As we have shared in our past engagements, we are using the following criteria to select commitments for inclusion in the National Action Plan:

**Solving a Problem:** Does the commitment solve a problem that is clearly defined and has widespread effects on the American public? Will it actually help to open up government (i.e., by promoting transparency, accountability, or public participation and collaboration)?

**Demand:** Does the commitment respond to vocal public demand? Did we receive a substantial number of comments or feedback around this theme? Are partners in civil society, the private sector, or academia asking for this commitment? Has the idea been discussed in the media, online publications, or social media? Is there public interest research supporting the commitment?

**Feasibility:** Is the commitment realistic? Can we find a lead department or agency in government? Do we have the resources to do it? Are there any legal, privacy, security, or other concerns that would prevent us from doing it?

**Alignment:** Is the commitment consistent with current Biden-Harris Administration priorities and principles? Commitments do not necessarily need to relate to existing initiatives, but they will be more feasible if they are in alignment and not in opposition to current national priorities.

**Openness:** Does the commitment create a more open government or use the principles of open government to solve a problem? Openness refers to principles of transparency, accountability, participation, and collaboration.

## B. Theme 1: Improve Access to Government Data, Research, and Information

### B1.1 - What We Heard

Data practitioners and public stakeholders have an interest in expanding the granularity of government data to include capturing characteristics like race and ethnicity, gender identity, disability status, sexual orientation, education, and information on those who fall into multiple categories. Data at these levels allows members of the public, non-governmental organizations, academic researchers, and others to better understand the impact of Federal programs and policies on different communities.

### B1.2 - Our Response

We have aligned the commitments to be detailed in the fifth National Action Plan to this feedback. Specifically, the recommendations of the Equitable Data Working Group (called for in the [Executive Order](#) on Advancing Racial Equity and Support for Underserved Communities Through the Federal Government, E.O. 13985) are being turned into action by the National Science and Technology Council (NSTC) Subcommittee on Equitable Data. The NSTC Subcommittee includes representatives from across the Federal government so that the commitments will be implemented across agencies. The NSTC Subcommittee will publish public progress reports in 2023 and 2024.

In addition, the Office of Management and Budget (OMB), through the Chief Statistician of the United States, has initiated processes to [review and revise](#) the Federal government's standards for maintaining, collecting, and presenting data on race and ethnicity. The Chief Statistician is also evaluating practices for collecting sexual orientation and gender identity and plans to update reports, guidance, or directives, as necessary. Both of these efforts are summarized in the National Action Plan. These initiatives support the availability of more granular demographic data, consistent with Federal policies designed to protect privacy for individuals and limit respondent burden.

### B2.1 - What We Heard

There is public demand for the Federal government to provide more user-friendly tables, charts, and filters that accompany standardized machine-readable detailed data files. Public commentators suggested agencies provide short summaries, such as blogs, that explain data in plain language and spotlight key disparities. Standardization of terminology and definition, paired with multiple modes of information sharing, could contribute to more equitable data access.

### B2.2 - Our Response

We agree. Federal data efforts often fall short of reaching practitioners at all levels of capacity and experience. The fifth National Action Plan will detail two main ways we plan to address these gaps. First, OMB, the General Services Administration (GSA), and the Chief Data Officer Council will review and update existing guidance and best practice resources (e.g., [resources.data.gov](#) and [digital.gov](#)) to better help agencies make government data more user friendly and machine-readable. These updates include highlighting methods that agencies can use to best engage with the public to

improve the availability of and access to government data while factoring in a wide variety of viewpoints, interests, and abilities across different demographic groups and geographic areas. This can help ensure that a diverse set of perspectives and experiences are considered by Federal agencies, including but not limited to members of underserved and marginalized communities.

Second, the Equitable Data Working Group recommended that government provide tools that allow for civil society organizations and communities to use and visualize Federal data and chart progress towards more equitable outcomes. One example of this is the [Climate and Economic Justice Screening Tool](#), which permits users to easily identify communities that are marginalized, underserved, and overburdened by pollution. The Federal government commits to implementing these recommendations through the NSTC Subcommittee on Equitable Data, and creating a working group to support building tools that can encourage community participation in government equity efforts. These efforts will be mindful of the need to meet individuals where they are in terms of data analysis capacity and resources.

### B3.1 - What We Heard

Data practitioners would like government to expand data availability and details of government programs and their implementation. Examples mentioned include providing more details on spending for COVID relief and implementation of the Bipartisan Infrastructure Law, as well as further details about immigration, police misconduct, justice data, contract awards, and government loans and grants. Members of the public also suggested taking a customer experience approach to releasing data, such as how fast Federal loans are approved or how many steps it takes to receive a public benefit.

### B3.2 - Our Response

We agree on the importance of providing additional data on available Federal programs, spending, and activities. Doing so allows for meaningful evaluation of Federal programs and supports fair and equitable practices and outcomes.

When it comes to Federal programs, the Administration will advance efforts to develop a single inventory that provides a coherent picture of all Federal programs through [the Federal Program Inventory \(FPI\)](#) initiative. However, the two-year implementation period for NAP commitments does not make it feasible for us to include this goal in the current NAP. The process for creating the inventory will be iterative, and OMB has committed in a 2021 Report to Congress that it will work closely with stakeholders to assess usefulness and develop recommendations for continuous improvement.

In the shorter term, the Bipartisan Infrastructure Law provides an opportunity to pilot ways to improve discoverability of, and access to, funding for all communities. Additionally, as will be included in the National Action Plan, OSTP is currently creating a plan to make tabular datasets on [Build.gov](#) available via modern Application Programming Interfaces (APIs), making it easier for intermediaries to build applications that are context-specific and tailored to the constituents they serve.

Similarly, centralized, machine-readable data on programs for individual Americans would also reduce access barriers. The Federal government is currently exploring how it might raise awareness

about standards such as the Human Services Data Specification (HSDS) and API protocols (HSDA) for public-facing Federal and Federally-funded human services programs.

On spending oversight, agencies implementing programs in the Bipartisan Infrastructure Law will use data and evidence to guide infrastructure investments and track progress, document selection criteria and review processes, and report on awards and subawards.

Last, we are including a NAP commitment related to greater transparency around Made in America waivers in Federal procurement, providing the public with more information online about agencies' requests for exceptions to Made in America laws — helping members of the public better understand what their tax dollars are supporting. This transparency can also help with accountability for requested waivers, as members of the public can make comments on waivers listed on the website, thereby empowering civil society to understand where the Federal government is meeting its Made in America goals.

#### B4.1 - What We Heard

Members of the public expressed interest in strengthening access to government information through the Freedom of Information Act (FOIA). Specifically, members of the public noted that more data should be publicly available to reduce the need for some of the most common FOIA requests. They additionally noted that the user experience for engaging in the FOIA process could be improved to make requesting information easier, as well as understanding what is and is not made available through FOIA.

#### B4.2 - Our Response

We share the vision of strengthening the FOIA process and improving access to government information. The Attorney General released [updated guidance](#) to Chief FOIA Officers that reflects that vision. The Federal government commits to implementing this guidance, with provisions that emphasize proactive disclosures of information, including data, and encourage agencies to release information in the most useful, searchable, and open formats possible. We are working on increasing agency capacity to make proactive disclosures through the Chief FOIA Officers Council by sharing best practices. We are also looking to enhance the user experience on FOIA.gov for making a request by developing the guided feature we have for now termed as a "FOIA Wizard." Finally, the Guidelines also note working with requesters in a spirit of cooperation to make sure they understand the FOIA process and the types of records that agencies maintain that can be requested. This is an area we will continue to build on.

In the fifth NAP, the Federal government will commit to strengthening FOIA and open government by issuing an updated self-assessment toolkit that includes new milestones for proactive disclosures, use of technology, and implementation of the Attorney General's FOIA Guidelines. The Federal government also commits to developing shared business standards for FOIA and improving the user experience on FOIA.gov through a guided feature that helps individuals locate records that are already available online or helps find the right agency to submit FOIA requests when information is not already posted online.

While the initiatives above strengthen the FOIA process on the whole, we recognize that challenges and resource needs relating to processing the over 800,000 incoming requests a year vary by agency.

### B5.1 - What We Heard

Many data practitioners had recommendations for improving the utility of Federal datasets for conducting equity assessments. However, there are no straightforward mechanisms for giving direct feedback to Federal data stewards on data needs from the public.

### B5.2 - Our Response

The Subcommittee on Equitable Data is piloting a process for collecting recommendations from public data practitioners, sharing those ideas with relevant Federal agencies, and releasing a public response to the original ideas. The Subcommittee on Equitable Data is using recommendations received as part of a Request for Information on equitable data partnerships issued earlier this fall. As part of this pilot process, the Subcommittee commits to exploring how agencies can strengthen channels between members of the public who have specific data questions and needs and relevant points of contact for data sets in Federal agencies.

## C. Theme 2: Increase Civic Space to Engage the Public

### C1.1 - What We Heard

Efforts to increase civic space to engage the public should be interwoven with efforts to improve access to government data, research, and information, as well as efforts to transform government service delivery. Members of underserved communities may not even be aware of services they can access, or government data that can help support efforts to improve their communities.

Members of the public also noted that Tribal, territorial, state, and local governments are important actors in this space. Effective coordination with other levels of government is a critical aspect of this work.

### C1.2 - Our Response

Availability and accessibility of government data is crucial to helping members of the public, especially from underserved communities, hold government accountable for equitable service delivery and outcomes. As part of the National Action Plan commitments related to equitable data, the NSTC Subcommittee on Equitable Data commits to supporting community engagement and access to equitable data in several ways.

The Subcommittee will publish a report over the next year containing lessons for how Federal agencies can encourage partnerships with local communities around equitable data collection, storage, curation, production, dissemination, and use.

In addition, the Subcommittee will continue to collect public perspectives, including through future listening sessions, to inform its work and share these perspectives with Federal agencies.

Last, the Subcommittee will organize a community of agency staff to support the development of new initiatives and share best practices related to equitable data partnerships with members of the public.

While the NAP will not include a specific commitment related to Tribal, territorial, state, and local governments given its focus this year on the Federal government, commitments related to improving equitable data partnerships with other levels of government will be part of the Subcommittee's work. The Subcommittee considers partnerships with Tribal, territorial, state, and local governments essential. The Federal government will continue working in this area and will consider potential thematic focus on Tribal, territorial, state, and local partnership for future NAPs. In addition, the Federal government will continue to explore possibilities of learning from best practices for community engagement at different levels of government, as well as supporting greater community engagement through Federal activities — like grantmaking or joint program administration — that involves other levels of state, local, territorial, and Tribal governments.

### C2.1 - What We Heard

Agencies do not have consistent approaches to community and public engagement. Thus, there may be differences across agencies in their understanding of possible participatory methods, the value of those methods for different processes and communities, and how to engage the public while meeting the requirements of important Federal statutes, like the Paperwork Reduction Act.

### C2.2 - Our Response

As part of NAP commitments related to community engagement, the U.S. government — including through OMB — commits to developing tools and resources over the next year to help agencies understand how greater community and public engagement can support agency work. These resources will include discussions of community engagement methods supported under existing statutes, like the Paperwork Reduction Act, with a particular focus on how agencies can work with community-based organizations to better reach underserved communities.

In addition, the U.S. government commits to releasing guidance about how agencies can better support community engagement in the regulatory process, including as called for in the [Presidential Memorandum](#) on Modernizing Regulatory Review.

### C3.1 - What We Heard

In addition to the views above, commenters also noted the particular importance of improving public participation throughout all stages of the regulatory process, from identification of policy needs or problems, to the design and consideration of alternatives, to implementation and evaluation of outcomes.

Commenters highlighted that Federal agencies need further guidance on the best means of engaging the public, including through mediums that reach a broader audience, such as videos and infographics, and providing information in a more readily understandable manner, including using plain language and translated material for non-English language proficient communities.

Relatedly, commenters suggested that the Federal government provide more accessible background on the regulatory process so that members of the public can better understand how the process works, how regulations affect relevant outcomes, and how to engage with agencies at each step in the regulatory process, including examples of comments members of the public could submit drawing from individual experiences.

In addition, commenters suggested that agencies make greater use of listening sessions when developing regulations, paying attention to potential barriers to participation individuals might face, and where possible engaging in iterative communication, responding to past comments and ideas from the public.

Another suggestion was to identify clear and consistent moments where agencies could encourage greater participation, including by proactively reaching out to communities likely to be affected by potential regulations.

A final set of suggestions related to [regulations.gov](https://www.regulations.gov), the primary public access point for agency regulations and filing comments. Commenters suggested making it easier for members of the public to identify relevant issues and regulations and then to submit comments, including submitting text in multiple languages, as well as connecting content on agency websites with the relevant content on [regulations.gov](https://www.regulations.gov).

### C3.2 - Our Response

In the NAP, the Federal government will commit to a number of steps to improve public participation in the regulatory process, including providing further guidance to agencies on the best means of engaging the public as called for in OMB's implementation of the Presidential Memorandum on Modernizing Regulatory Review. This guidance will include specific steps and examples that agencies can explore to better engage all affected communities across the different stages of the rulemaking process, taking into account barriers that some communities may face as a result of levels of knowledge about or trust in government processes, available time, financial costs, physical distance or location, Internet access, English language proficiency, or disability.

While we do not have a specific commitment in the NAP related to [regulations.gov](https://www.regulations.gov), we plan to explore opportunities for website improvements that could make the site more accessible and useable by members of the public given the important role the site serves as the public gateway to the regulatory docket. Given the time required for examining potential changes to the platform, it is not feasible to issue specific commitments in this year's NAP, but we will continue to examine what could be done in the future.

### C4.1 - What We Heard

Stakeholders noted that standardizing information presented to the public — for instance, using clear, well-defined terms for different stages of the policy development and implementation process — can make it easier for members of the public to quickly find information and act on that information.

One specific example offered by commenters related to the regulatory process involved having agencies ask standardized, plain language questions in Requests for Information or during notice-and-comment rulemaking.

### C4.2 - Our Response

While we will not include a specific commitment related to standardizing the terms used by Federal agencies given the need for further exploration of this idea, we will investigate the use of plain language terms in the context of our commitment related to reducing administrative burden in access to public services and benefits and improving customer experience (see Theme 3). The

Federal government will also explore agency examples of using standardized plain language prompts or questions for Requests for Information and during notice-and-comment rulemaking to determine whether to make a commitment related to this in a future plan.

## D. Theme 3: Transform Government Service Delivery

### D1.1 - What We Heard

Commenters expressed frustration with how the government communicates, and shared opportunities for how the government can improve those communication. These include ideas concerning the content and design of communications products themselves, the channels through which they are distributed, reading level of content, language accessibility, and other elements that ultimately determine the degree to which the public can access and understand information.

Individuals and entities can encounter onerous experiences when trying to access public services, increasingly known as “administrative burdens.” This can include the time spent on paperwork, as well as factors like traveling to in-person visits, learning costs of understanding complex programs, navigating multiple websites, and collecting documentation required to prove eligibility. Research indicates that where there are administrative burdens, they do not fall equally on all entities and individuals. This can lead to the underutilization of critical services, often by the people and communities who need them the most.

### D1.2 - Our Response

Making government more accessible to all, especially those underserved communities, will be an essential part of the fifth National Action Plan.

To this end, the Federal government commits to implementing the [Executive Order](#) on Transforming Federal Customer Experience and Service Delivery to Rebuild Trust in Government, E.O. 14085. This includes launching a sustained, cross-government service delivery process that aligns to moments that matter most in people’s lives, like approaching retirement and recovering from a disaster. This will also include public accountability measures to be selected by agency leaders and shared on [performance.gov](#) so that members of the public can track progress in this important work.

In addition, the Federal government commits to improving High Impact Service Providers — agencies that provide services to the public on a significant scale and scope. This will include greater transparency into their performance through online indicators, as well as in-depth capacity assessments that will inform action plans for improvements (posted online). Accountability for this work will also come from the inclusion of success metrics on reducing burden and increasing post-interaction trust in service providers into the President’s Management Agenda, as published on [performance.gov](#).

Last, the Federal government commits to prioritizing reductions in administrative burdens faced by the public in accessing public benefits and services. This includes developing guidance, tools, and resources to support agencies in better estimating and addressing administrative burdens, as well as continuing to identify high-impact burden reduction opportunities through data analysis and engagement with the public.



### D2.1 - What We Heard

Commenters want to be able to “see” the process they are experiencing when interacting with Federal agencies and programs. This includes knowing when their information has been received and reviewed, understanding all steps in the process from start to finish, and having greater overall clarity into why the process takes the time that it does. Notification services, including the ability to select a preferred channel for reminders (e.g., text, email, phone, mail) could be helpful for many navigating programs.

### D2.2 - Our Response

A critical element of improving individuals’ interactions with government involves greater process and status transparency. The Federal government commits to increasing transparency into government interactions through the High Impact Service Provider initiative, as well as through implementation of the Executive Order on Transforming Federal Customer Experience and Service Delivery to Rebuild Trust in Government. That Executive Order requires development of cross-government service standards so that the public both knows what to expect and has a more consistent experience across government. These standards will be tracked and shared as part of the President’s Management Agenda, including on performance.gov.

### D3.1 - What We Heard

As one commenter articulated through an example, moments in which government may be interacting with an individual or family — be it a child navigating foster care or a family facing a financial shock and turning to support programs for the first time — require trauma-informed, culturally competent, human-first, dignity-of-all communication approaches.

### D3.2 - Our Response

Ensuring better coordination between Federal agencies to support individuals going through significant shocks, so that the support provided is culturally competent, puts people first, and enhances dignity, is a major commitment to be included in the fifth NAP.

Through the implementation of the Executive Order on Transforming Customer Experience, the Federal government is prioritizing delivering more trauma-informed care in the disaster experience, including training for staff and leading practices to raise the standard of communications materials across agencies and levels of government.

The Federal government commits to expanding this work over the next year, including by developing lessons learned, methods, and templates that can be used in other contexts and experiences.

### D4.1 - What We Heard

Particularly following a disaster, providing an original title document can be difficult for home and small business owners. This can also be frustrating in communities in which families pass their home from one generation to the other, but may not have transferred ownership on the title document itself. This can result in unnecessary delays and hinder individuals’ ability to seek assistance.

#### D4.2 - Our Response

The Federal government will commit in the fifth NAP to better supporting individuals and small businesses during disaster recovery through implementation of the Executive Order on Transforming Federal Customer Experience and Service Delivery to Rebuild Trust in Government. As part of this work the Department of Homeland Security, through the Federal Emergency Management Agency, is committing to make it easier for survivors to navigate disaster assistance, particularly when it comes to providing documentation relating to ownership, occupancy, and self-certification.

### E. Theme 4: Counter Corruption and Ensure Government Integrity and Accountability to the Public

#### E1.1 - What We Heard

Commenters noted the importance of making sure Inspectors General (IGs) have the data they need to investigate Federal programs, including data on sub-award and sub-recipients, and through state and local governments. Commenters noted the important role of the Pandemic Response Accountability Committee (PRAC) in addressing fraud and identifying cross-cutting needs for support for the work of IGs related to COVID-19 relief programs. Commenters suggested the government work closely with Inspectors General going forward to understand what appropriations and support they need.

#### E1.2 - Our Response

We agree that the role of IGs is essential for accountability, stewardship, and preventing and addressing fraud, waste, and abuse. We will include information in the fifth NAP about guidance OMB has already issued to Federal agencies. This guidance recommends, among other steps, that agencies designate a senior official to serve in a liaison role within the agency to work with IG staff and hold routine meetings to have candid discussions in a non-audit setting and maintain clear lines of communication between the appropriate IG officials and agency leadership. That guidance also noted that those discussions should include the resource needs of the office of the IG to both ensure that they have adequate funding to fulfill their statutory mission, while leveraging technology and shared services, to the greatest extent feasible, to do their work as efficiently as possible.

The government's American Rescue Plan (ARP) implementation efforts have demonstrated the benefits of proactive and transparent engagement among agencies, IG offices, and the PRAC. Agencies have been encouraged to proactively engage with their IGs in the design of new or expanded ARP programs. The White House ARP Implementation Coordinator, working with OMB, developed a new process — bringing together the agency, their IG, the PRAC, OMB, and the ARP Implementation team to collectively review and assess program design, financial controls, and reporting measures prior to the release of funds from programs that were newly created, received substantial funding increases, or required significant changes to program design. This approach has resulted in strong collaboration among Federal agencies, IG offices, and OMB, and demonstrated the clear benefits from proactive and transparent engagement.

To support transparency and strong stewardship of funds related to the implementation of the Infrastructure Investment and Jobs Act and the Inflation Reduction Act, the Federal government will continue the effective practices for cooperation with agency IGs that it practiced in implementing ARP — and this is a commitment reflected in our National Action Plan. This includes collaboration

with the Council of the Inspectors General on Integrity and Efficiency and its working group on infrastructure, including on areas where IGs have identified they need support from Federal agencies or state and local governments in accessing the data they need to complete their audits.

### E2.1 - What We Heard

Commentators emphasized that strong ethics rules for government officials, and transparency surrounding compliance and enforcement of ethics rules, will help restore public confidence in government decision making and prevent even the appearance of government corruption. Commenters suggested that the Federal government should consider establishing policies including additional restrictions on post-employment lobbying for former executive branch officials, requiring Federal agencies to disclose visitor logs, and measures to require greater transparency of any potential political spending by Federal contractors.

### E2.2 - Our Response

On his first day in office, President Biden issued an [Executive Order](#) on Ethics Commitments by Executive Branch Personnel, E.O. 13989, requiring officials in his administration to sign a stringent ethics pledge. In the NAP, the Federal government will commit to implementing this executive order, and the White House will continue to provide public financial disclosure forms, ethics pledge waivers, White House visitor logs, and the President and Vice President's tax returns at an accessible online location on ongoing basis.

Among other provisions, E.O. 13989 heightens existing post-employment restrictions, bans the "revolving door" between government service and lobbying by preventing ex-officials from engaging in lobbying contacts with Administration officials for the remainder of the Administration or two years following the end of the appointment, whichever is later. It also prohibits senior officials from holding themselves out as available to engage in lobbying activities in support of communications they could not make themselves, or to engage in such activities, for one year after leaving the government.

The Federal government will continue to explore measures to restore ethics and integrity to government, counter the corrupting influence of money in politics, and ensure that public servants are accountable to the American people.

### E3.1 - What We Heard

Civil society stakeholders voiced strong interest in the Federal government enacting beneficial ownership disclosure requirements for legal entities, mirroring commitments that the Federal government has made in previous NAPs. Beneficial ownership disclosure requirements involve verifying the identity of the individuals who actually own or control a company. In particular, civil society stakeholders urged public disclosure of corporate beneficial ownership records. Others noted that existing statutes required establishment of an additional public registry of beneficial ownership for Federal government contractors and urged issuance of implementing regulations. Other suggestions noted the importance of machine readability and the need for interoperability of data on beneficial ownership in order to facilitate information exchange and full transparency. Further regulatory action was urged to revive efforts to extend anti-money laundering requirements to investment advisers.

### E3.2 - Our Response

Ensuring effective disclosure of beneficial ownership information for legal entities is crucial to government efforts to combat illicit finance. Consistent with the [U.S. Strategy on Countering Corruption](#), the Federal government remains committed to full implementation of the Corporate Transparency Act (CTA). In addition to the beneficial ownership reporting rule issued on September 29, 2022, the Federal government will commit in the fifth NAP to issuing the two additional implementing rules in the CTA: (1) a rule governing who will have access to the beneficial ownership information and for what purposes, as well as how the information will be protected, and (2) an update to existing regulations to account for the new beneficial ownership requirements. The Federal government has committed to establishing the infrastructure for reporting under the beneficial ownership reporting rule by the time it takes effect on January 1, 2024, which will necessarily take into account issues involving data readability and systems compatibility.

Transparency in government contracting is also crucial to public trust and effective administration of government programs. The Federal government committed to the implementation of Section 885 of the FY2021 National Defense Authorization Act — which requires prospective Federal contractors and grantees to disclose beneficial ownership in a database for Federal agency contract and grant officers — in the U.S. Strategy on Countering Corruption and as part of its commitments at the 2021 Summit for Democracy. The Federal government remains committed to publication of a proposed rule to implement this statute.

Similarly, as part of the U.S. Strategy on Countering Corruption, the Federal government has already committed to the re-examination of a past regulatory proposal regarding minimum standards for anti-money laundering and suspicious activity reporting for certain investment advisers. Consistent with this commitment, in its National Money Laundering Risk Assessment published in May 2022, the Department of the Treasury highlighted some of the particular money laundering vulnerabilities for investment advisers and others. As an element of the Federal government's ongoing effort to safeguard the U.S. financial system from illicit finance, the Treasury Department commits to consider whether additional authorities are needed to apply anti-money laundering obligations to investment advisers and other gatekeepers to the U.S. financial system.

### E4.1 - What We Heard

Civil society stakeholders emphasized the need for greater transparency and accountability in U.S. foreign assistance programs and urged greater detail in examination of such expenditures, particularly with respect to current large investments in Ukraine, international climate investments, and prior expenditures involving Afghanistan. Commenters noted the importance of accountability to maintaining and restoring public trust, while others noted that coordination with foreign partners on such accountability measures would be useful. Additionally, some suggestions related to ensuring vacancies in inspectors general positions were filled.

### E4.2 - Our Response

Foreign assistance, especially in an increasingly globalized world where threats do not respect national borders, is key to safeguarding national security and other interests vital to the American people. Ensuring cost effectiveness and financial integrity of Federal government expenditures across the range of its international and transnational programs is important to advancing U.S. foreign policy objectives. The Federal government is not including a further commitment related to greater transparency in foreign assistance in this year's NAP because existing rules and regulations

are in place and will continue to be enforced that provide for transparency and accountability for U.S. aid. For foreign assistance programs, as well as in the domestic context, IGs remain an important means through which we can ensure cost effectiveness and financial integrity. As will be addressed in the fifth NAP, the Federal government remains committed to reaffirming the integrity and independence of the IG function in government programs, including through implementation of OMB guidance to Federal agencies and departments, which called on agency heads to establish productive and cooperative relationships with agency IGs.

## F. Theme 5: Ensure Equal Justice Under the Law

### F1.1 - What We Heard

Commentators emphasized the importance of criminal justice and access to justice reforms, and suggested that these policy areas would be fertile ground for commitments in the NAP.

### F1.2 - Our Response

The Federal government is committed to creating a fairer, more accessible, and more equitable criminal justice system. The fifth NAP will include several commitments to improve our criminal justice and public safety systems, including implementation of the [Executive Order](#) on Advancing Effective, Accountable Policing and Criminal Justice Practices to Enhance Public Trust and Public Safety, E.O. 14074, which among other directives, requires the Attorney General to establish the National Law Enforcement Accountability Database as a centralized repository of official records documenting instances of law enforcement officer misconduct as well as commendations and awards for all Federal law enforcement agencies.

## G. Conclusion

Improving government transparency, accountability, inclusiveness, and responsiveness relies on collaboration with the people government serves. Public engagement was critical to driving the themes, commitments, and content of America's fifth National Action Plan — and will continue to be essential to meeting the vision laid out in the plan in the coming years. The plan will be released by December 31, 2022 on [open.usa.gov](https://open.usa.gov). That site can also be used to monitor our progress as we implement the actions outlined in the plan. We look forward to finding new ways to increase public engagement as we look towards the implementation phase of the fifth National Action Plan and development of our sixth National Action Plan in 2024.