January 21, 2011

Keith D. Thurston,

Assistant Associate Administrator,

Citizen Services and Innovative Technologies

General Services Administration

1275 First Street Northeast, Room 1118

Washington, DC 20417

Dear Mr. Thurston:

OMB Watch welcomes the opportunity to comment on the General Services Administration's ExpertNet platform concept. As a non-profit organization dedicated to open government, accountability, and citizen participation since 1983, we have continually supported efforts to expand public participation. The ExpertNet concept represents a promising attempt to do so and to supply the information needed for policymaking. We appreciate the administration's steps to solicit early public feedback on the ExpertNet concept and are glad to provide our perspective.

OMB Watch is a nonprofit research and advocacy organization whose core mission is to promote government accountability and improve citizen participation. Public access to government information has been an important part of our work for more than 20 years, and we have both practical and policy experience with disseminating government information. For example, in 1989 we began operating RTK NET, an online service providing public access to environmental data collected by the Environmental Protection Agency. Additionally, we are engaged in agency regulatory processes and encourage agency rules to be sensible and more responsive to public needs.

President Obama's January 2009 memorandum on open government identified transparency, participation, collaboration as the pillars of open government. OMB Watch agrees that these three principles are critical to a robust and functioning democracy. There is nothing that can replace the power of an informed and engaged citizenry. Many of the problems we face as a nation would benefit from greater constructive participation by the public in seeking out and implementing the best possible solutions.

If well-implemented, ExpertNet could be a valuable tool for expanding such participation and collaboration, alongside other policy reforms and new participation practices. We agree that the best approach to standing up such a system is to experiment and iterate, launching early "beta" versions to the public.

The central question for ExpertNet is how to solicit knowledge and ideas from the public in the manner that will be most useful to policymakers. The draft design concept details the mechanics of the proposed site, but leaves unanswered significant questions of how to get the right information at the right time to improve policymaking. Research on knowledge utilization has shown that policymakers often do not use information in ways that information providers expect, sometimes to the provider's chagrin. Related research also has attempted to identify characteristics of information that policymakers find most useful. For ExpertNet to succeed, the system must provide useful information to public officials in an efficient manner and meaningfully explain to participants how their contributions are used.

The design concept is commendable in its emphasis on seeking the broadest possible participation by allowing any member of the public to participate. However, we would suggest elaborating on Principle 11 to comply with legal and policy issues. Not requiring participants to disclose information about themselves may encourage participation; however, some exceptions are necessary. Lobbyists and foreign agents should be required to disclose their identity and status. Participants with conflicts of interest should disclose those conflicts. Federal employees should be encouraged to participate, but the site should provide guidance on relevant procedures, disclaimers, or disclosures to be applied.

We believe that the expert outreach described in the second step of the concept will be a critical issue to the success of this promising approach. While OMB Watch strongly believes in the power of public engagement, we recognize that it can be difficult to get the public to engage. In the modern world, citizens are subject to many competing demands on their time. Especially challenging will be connecting with those members of the public who have knowledge and expertise on particular issues. Finding such individuals, informing them of the opportunity, and convincing them to participate will take time, perhaps more time than officials may be expecting. The typical notification process of publishing in the Federal Register and posting on government websites requests for input will likely spur very limited involvement since, relatively speaking, only a narrow portion of the public review such sites regularly.

OMB Watch urges an early effort to identify key constituencies and begin outreach to intermediary groups that could speed up the process of reaching experts and convincing them to participate. As the design concept suggests, such intermediary groups could include professional associations, academic networks, unions, and other community groups. Outreach to these organizations will be valuable to identifing and recruiting experts to engage . ExpertNet and participating agencies should brief these organizations and their members, with a commitment to ongoing communications and continual outreach to new constituencies.

On another point we would urge GSA to reconsider the requirement to subscribe to a topic prior to participating. We are concerned that the requirement could reduce participation. The two-step process of registration on the site followed by subscription to a topic prior to participation could be unnecessarily cumbersome. Additionally, people may worry that subscribing would commit them to ongoing involvement for which they do not have the time. Instead, the approach could be changed to offer an option to subscribe when a user takes a participation action. In addition, registration with an OpenID account or single sign-in should be optionally offered, with appropriate privacy safeguards.

With regard to synthesizing public input and returning feedback, ExpertNet should emphasize feedback early and often from officials, both to encourage participation and to orient

conversations in directions useful to the topic owner. Feedback should continue after the topic is closed, to the extent possible, updating participants on how their input was applied.

OMB Watch appreciates the opportunity to comment on the proposed ExpertNet platform and we hope you take our recommendations into consideration. If you have questions about our comments or want to discuss the issues further, please feel free to contact us.

Sincerely,

Sean Moulton   Gavin Baker
Director, Federal Information Policy   Federal Information Policy Analyst
OMB Watch   OMB Watch