PARTNERSHIP FOR PUBLIC SERVICE

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May 21, 2010

The Honorable Susan Tsui Grundmann
Chairman
U.S. Merit Systems Protection Board
1615 M Street, NW
Washington, DC 20419-0002

Dear Ms. Grundmann,

Max Stier, President and CEO of the Partnership for Public Service asked me to respond to your letter of April 27, 2010 inviting the Partnership's comments on the Merit System Protection Board's (MSPB's) Open Government Plan. I have carefully reviewed the Plan and I have also reviewed the MSPB website at www.mspb.gov; your Open Government webpage at www.mspb.gov/open; and the 3 data sets posted on www.data.gov. I am pleased to offer the following comments.

1. The February 24, 2010 "refresh" of the MSPB's primary public website (www.mspb.gov) referenced on page 5 of your plan does provide the benefits noted in the plan and it represents a noticeable improvement over the previous website. For example, having all of the MSPB's Annual Reports, the current strategic plan, and the Performance and Accountability Reports under an "Agency Plans and Reports" tab makes locating these useful documents much easier than before. Likewise, quick links to the MSPB's own annual employee survey data is welcomed as is the new layout for the MSPB Studies page. Kudos to the responsible MSPB staff for these improvements.

2. Unfortunately, as of May 21, 2010, the files available on MSPB's Open Government webpage—which are the same as those at www.data.gov do not open in a readable format (e.g., Excel, Word, or PDF) for the average user. I'm not sure who the intended audience is for these data files and it's possible that they were loaded in a format other than that which was intended. In any case, they are currently not useful to a non-technical audience who may be interested in the data.

3. The timeliness of the data that is available in other more user-friendly formats such as the annual reports and the excellent MSPB studies is also an issue and a potential obstacle to fulfilling the goals of the President's Open Government initiative. For example, among the most useful data in the annual reports consists of the case processing statistics (e.g., tables 1 through 6 in the Annual Report for FY 2008, dated November 17, 2008). However, those data

are now over two years old and if a more recent analysis exists, I was unable to locate it. Similarly, the very well written and analyzed MSPB report, "Fair and Equitable Treatment: Progress Made and Challenges Remaining," dated December 1, 2009 was based on federal employee survey data collected in CY 2007 – two years prior to the release of the report. As a former Director of MSPB's Office of Policy and Evaluation, I fully understand the difficulty of collecting and quickly analyzing the type of data represented in this report with the limited resources available to MSPB. However, in the fast moving and rapidly changing work environment of the federal government today, data that are over two years old lose value. It may be that some of the data that I am unable to access on www.mspb.gov/open are more up to day and once any technical issues are ironed out, that will help. It may also be possible to provide an initial set of data shortly after it is available followed by a more detailed analysis some months later.

4. In light of my comments in item 3, I would also suggest that you consider changing one measure of success for MSPB's Open Government Initiative, i.e., item 9 D on page 14 of your Open Government plan. That measure currently counts success as "the extent to which the MSPB publishes data within 30 days after the information is approved for release." I suggest that a more relevant goal would be the publication of data within 120 days after it is collected! I know that this is an ambitious goal but it is achievable even though it may require providing more staff resources to accomplish it. I note, for example, that the U.S. Office of Personnel Management has recently announced plans to conduct its "employee viewpoint survey" on an annual basis. The data from the most recent OPM survey which was administered to over 400,000 federal employees in February and March 2010 is due to be released to the public on July 9, 2010 – less than 120 days after the survey was completed.

I hope you find these comments useful. Please do not hesitate to contact us if we can help in any way.

Sincerely,

John M. Palguta
Vice President for Policy