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June 4, 2010

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

Dear Ms. Grundman:

Thank you for your letter dated April 27th inviting our feedback on the Merit Systems Protection Board's Open Government Plan. It is commendable that the MSPB is proactively soliciting feedback and input from external organizations such as the National Academy.

Attached you will find a memo from our Collaboration Project Director. She and other members of our Collaboration Project team have reviewed your plan, and are happy to provide these informal comments for your consideration. Please note that this document does not represent an official position of an Academy Panel, nor of the Academy as an institution, and is provided for your internal use only. If you have additional questions or would like to discuss these comments, please feel free to contact Danielle Germain at 202-204-3632 or dgermain@napawash.org.

Sincerely,

Jennifer Dorn

President and CEO

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MEMORANDUM

TO: **Susan Tsui Grundmann, Chairman**
Merit Systems Protection Board

FROM: **Danielle Germain, Director**
Collaboration Project

DATE: **June 4, 2010**

RE: **MSPB Open Government Plan**

Thank you for the opportunity to review and provide feedback on the Merit Systems Protection Board's Open Government Plan. I hope our suggestions outlined below will be useful to your staff as you work to enhance your plan in the coming weeks.

The National Academy of Public Administration is home to the Collaboration Project, an independent forum of leaders who drive the integration of Web 2.0 tools into government management by building a community of practice, producing and sharing knowledge and research, and aiding agencies and departments in assessing and implementing collaborative tools. In the two years since the Collaboration Project's founding, we have worked directly with numerous Federal Departments and agencies, such as the Department of Homeland Security, Recovery Accountability and Transparency Board, and the Department of Energy, to conduct online stakeholder dialogues, in which we solicit public feedback and ideas on a range of government programs, policies, and strategic plans.

In reviewing many of the agency Open Government Plans, as well as in our conversations with the Open Government leads in some of those agencies, we have found that those agencies who are leading the way in this area are doing so because they understand two things. First, the importance of proactively responding to the Open Government Directive's requirements for greater transparency, participation, and collaboration; and second, the importance of building the necessary internal capacity to achieve this openness. Taking this overarching comment into account, we have identified five general recommendations for your consideration.

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1) The MSPB should provide the governance, organizational support, and senior-level buy-in necessary for success by appointing a senior level executive to oversee the open government work. This person would promote the principles of open government internally and spearhead the implementation of the Open Government Plan.

From data transparency to civic engagement and cross-sectoral collaboration, open government activities require the coordination of multiple offices within an agency. With this complexity in mind, agencies with the most highly reputed Plans clearly articulate an organizational structure that will govern and coordinate open government efforts across the agency. For example, the Department of Housing and Urban Development plans to establish a new program management office to oversee all open government activities from the Department. Many other agencies will manage these activities using a less formalized, cross-functional working group made up of staff from across the agency's offices and led by a senior executive. Whatever the organizational model on which the MSPB settles, the Board should ensure that it has close coordination between all functions involved in these activities, including such offices as IT, general counsel, public affairs, program management, and others. As the MSPB's Open Government Working Group enjoyed strong representation from many offices in the development of this Plan, this provides a solid starting point for coordinating implementation efforts.

In addition, many agencies who are considered leaders in this area have appointed a visible executive level sponsor to guide the agency's work. For example, the Office of Personnel Management has created a "Core Team" governance structure which is being led by OPM's Chief Information Officer, while HUD's team will be led by the Department's Chief Operating Officer. The MSPB can augment its Plan by identifying a senior executive to have ownership of this initiative, which will convey the significance the MSPB places on open government and increase accountability for results.

2) The MSPB should focus on building and internal MSPB culture that supports the principles of open government (openness, transparency, and participation), so they become ingrained into daily activities and decisions.

The ultimate success of an agency's open government efforts depends on having these activities ingrained into the agency's culture. With this in mind, the MSPB should create a multi-tiered program for employees to jump-start the adoption of open government principles. Within this program, which could be led by its new Outreach Coordinator, it is key to articulate and educate employees on what open government means and how it will enhance the MSPB's ability to deliver on its mission. You may want to refer to the Environmental Protection Agency's Plan, which outlines promising approaches to build capacity by obtaining employee and public feedback on the challenges and opportunities to open government. EPA's OpenEPA Forum (which uses the IdeaScale platform) provides an instructive model for obtaining this input.[1]

3) The MSPB should explore ways to enhance the features and usability of its open government webpage.

Each agency's "/open" webpage is that agency's public face on issues of openness and collaboration. As it stands, the current MSPB open government page offers little information on its activities in this area. The MSPB should explore ways to build out this page into a resource that provides richer information about its open government efforts in a more engaging way. You may wish to review other agencies' open government pages, such as NASA's[1], which features many engaging avenues into the agency's data on Data.gov, its collaboration and partnership efforts, its flagship initiatives, and more. Some possibilities for the MSPB's open government page include news, visuals and timelines for citizens to track progress and engage them in conversations.

4) The MSPB should consider changes to its FOIA process that will promote transparency.

We applaud the MSPB for making strides in its efforts to monitor and respond to FOIA requests in its FOIA Tracking System. You may also want to consider setting new goals to reduce or avoid backlogs and deploying new information technology tools to enhance the FOIA process. One idea for how online technology might help would be to streamline the process by which the public files FOIA requests by providing an online option for submitting FOIA requests. In addition, while the plan makes reference to the work being done to "explore ways to allow requesters to check the status of their requests online," you may want to consider including specific timelines for completion.

The EPA has recently completed a historical review of their FOIA requests and is using the findings to prioritize the data for release to the public. The expected result is that EPA's FOIA requests will decrease because more information will have already been made publicly available[2]. Another leading practice is the Department of Health and Human Services' initiative to seek citizen input on how to handle FOIA requests[3]. The MSPB may want to consider engaging its clients and stakeholders in determining how best to enhance the FOIA process so that it meets the goals of openness and transparency. There are many good online consultation tools available, including Delib, UserVoice and IdeaScale, among others.

5) The MSPB should clearly articulate descriptions of programs and services and outline specific, meaningful measures of success.

In order to be considered a "best of breed," the next iteration of MSPB's Plan will need to go beyond general goal statements and outline the specifics of how the MSPB will achieve the outcomes presented in its Plan. The Plan currently provides information about many of the ongoing initiatives MSPB believes will foster open government; however, more robust descriptions would be helpful, including timelines and measures of

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[1] Department of Transportation Open Government Page: http://www.dot.gov/open/
[2] EPA Open Government Plan: http://www.epa.gov/open/EPAOpenGovernmentPlan.pdf
[3] HHS Open Government Plan: http://www.hhs.gov/open/

success. In particular, when comparing the MSPB's flagship initiative (increased public outreach) with the descriptions offered by other agencies, we noted that the MSPB's initiative does not discuss what desired outcomes the initiative aims to achieve, nor how it will measure progress against them on a timeline. We would encourage the MSPB leadership to articulate the specific problem to be solved, why it is important, the roadmap for addressing it, and a timeline and performance metrics for measuring success. Regarding these metrics, it is important to remember that "you get what you measure", so the metrics should be focused as clearly as possible on the results and outcomes the MSPB wants to achieve. For example, instead of simply measuring success by the *number* of data sets posted, the MSPB should instead measure the outcome of publishing that data, which is the public's satisfaction. Even if you cannot measure public satisfaction directly, a better proxy may be the number of times a data set is downloaded. As few Open Government Plans currently mention meaningful, results-oriented success measures, the MSBP has an opportunity to be a leader in this field.

An additional idea for your consideration, and perhaps you are already aware of this group, is to join one of the communities of practice that have evolved to support agencies in this open government work. In particular, the Academy recommends the MSPB connect with the Federal Ideation Community of Practice (iCOP), which is an all-government group, facilitated by the White House Office of Science and Technology Policy. One of the leaders of the group is Elizabeth Kittrie at HHS, who can be reached via email at elizabeth.kittrie@hhs.gov.

Again, thank you for reaching out to us and we look forward to seeing your next draft.