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Press Release

Contacts: Mary Alice Baish, AALL Director of Government Relations, 202.942.4237
Amy Bennett or Patrice McDermott, OpenTheGovernment.org, 202.332.6736

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AALL Contributes to Audit Revealing Wide Variation in Agency Plans to Make Government More Open: NASA, HUD, EPA Produce Strong Plans, DOJ Plan Disappoints

Washington, DC—A [ranking](#) of agencies' Open Government Plans compiled during an independent [audit](#) reveals the strongest and weakest agency plans, with the **National Aeronautics and Space Administration** (NASA) at the top of the list and the **Department of Justice** (DOJ) at the bottom. Strikingly, the audit also found that several agencies that are supposed to lead by example on the government openness front failed to do so in their Open Government Plans.

The [American Association of Law Libraries](#) was a participant in the audit, organized by OpenTheGovernment.org and conducted by volunteers from nonprofit groups, academia, and other organizations that serve the public interest and have experience working with the agencies and evaluating information policies.

The Obama administration's December 8, 2009, Open Government Directive (OGD) required executive agencies to develop and post Open Government Plans by April 7, 2010. The OGD specified elements related to transparency, participation, and collaboration that must be included in the plans. The audit acknowledges that all the agencies required to produce a plan completed them within the four month deadline. This alone is an important indicator of the administration's commitment to openness.

The evaluation forms used for the audit rate the extent to which agencies meet the administration's standards as spelled out in the OGD and provide bonus points for exceeding the requirements. In some instances, the results of these evaluations differ significantly from evaluations recently released by the White House. The differences are to be expected given our evaluators' perspectives as independent non-governmental organizations and our awarding of bonus points.

Including the bonus points, **NASA**, the **Department of Housing and Urban Development**, and the **Environmental Protection Agency** created plans that serve as models for other agencies by going beyond all the OGD requirements.

Many agencies have taken innovative steps in their plans. For example, the **Department of Health and Human Services** has made specific commitments for identifying and publishing high value data sets this year. **NASA** is inviting the public to collaborate in the development of technologies that are core to its mission. And agencies have already begun to implement commitments made in their plans, from the **Department of Labor's** Online Enforcement Database on workplace safety to the **Department of Energy's** Open Energy Information platform.

The five lowest scores went to the **Department of Treasury**, **Department of Defense**, **Office of Management and Budget (OMB)**, **Department of Energy**, and the **Department of Justice**.

Of particular disappointment to many of the evaluators is the low ranking of plans developed by **OMB** and **DOJ**. Given that OMB has responsibility overseeing portions of the OGD, the evaluators expected the agency to seize this opportunity to lead by example. For example, OMB easily could have taken this opportunity to make its new contractor accountability database – the Federal Award Performance and Integrity Information System (FAPIS) – accessible to the public. Similarly, DOJ’s ranking at the bottom of the stack is disappointing given its charge to implement the Freedom of Information Act (FOIA), America’s oldest public access law, and Attorney General Eric Holder’s guidance to federal agencies in 2009, which stated his strong support for President Obama’s commitment to open government.

The evaluators view these plans and the audit as the beginning of a process to make government more transparent, participatory, and collaborative. Many of the weaknesses noted in the plans can, and should, be easily addressed if agencies live up to their commitments to treat these plans as “first drafts” and “living documents.”

Agencies will be asked to revise their plans by the end of May. OpenTheGovernment.org and AALL will revisit those plans in early June to see how agencies have responded to this audit. In the final analysis, an open government plan is really only as strong as its execution, and there is much work left to do to make sure agencies live up to their promises.

For a full list of how the agencies' plans rank, click here: <http://bit.ly/OGovRank>

For the full results of the audit and links to agency evaluations, click here: <http://bit.ly/OGovEvals>

Evaluators: American Association of Law Libraries, American Library Association, Center for Democracy and Technology, Citizens for Responsibility and Ethics in Washington, OMB Watch, OpenTheGovernment.org, Public Employees for Environmental Responsibility, Project on Government Oversight, Sunlight Foundation, Union of Concerned Scientists, faculty and students at the University of Maryland College of Information Studies, and a volunteer, Ted Smith (Health Central, for identification purposes only).

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