# CREATING NEW LEGAL & POLICY FRAMEWORKS FOR OPEN GOVERNANCE IN THE U.S.

CHALLENGES

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#### **GOVERNANCE DEFICITS**

Lack of trust (in institution, technology)

Overly cautious or uncertain institutional culture

Inflexible, entrenched processes

Resource limitations related to money, leadership, HR, expertise, and information

Limited incentives for innovation

#### **CITIZEN HURDLES**

Impenetrable bureaucracies

Limited access to government information

Lack of awareness about engagement opportunities with the government

Confusion about how to engage

#### **AGENCY HURDLES**

Inability to use customer service tools (e.g. persistent cookies, autofill, etc.)

> Inability to adapt new and useful collaborative technologies

Inability to balance security with useful channels for input

Constrained IT investments and technology support for agencies

Limited use of third-party software and social media (e.g. not having to negotiate different terms of service)

## THE CONTEXT

Federal Advisory Committee Act (FACA)

Expert input

Paperwork Reduction Act (PRA) Citizen/"customer" input

Administrative Procedures Act (APA)

Citizen rulemaking

Freedom of Information Act (FOIA) Information access and disclosure

OMB Policy on Persistent Cookies Stored online settings and preferences

Government Performance and Results Act (GPRA)

Performance management and oversight

> Government Paperwork Elimination Act (GPEA)

Public consultation and information exchange

Privacy Act Protection of agency-held private

information Section 508 of the Rehabilitation Act

Equal IT access for persons with disabilities

E-Government Act Embrace of new IT in core agency

functions

Clinger Cohen Act

Federal Information Security and Management Act (FISMA)

IT acquisition and use.

IT security Anti-deficiency Act

Agency financial commitments and assumption of legal responsibility

Federal Depository Library Program

Access to federal government publications depository libraries

America Competes Act (ACA) Innovation competitions and prizes

Commercial Endorsement & Advertising Policy Government advertising and endorcsments on .gov sites

> Procurement Rules Procurement

# **OBJECTIVES**

Embrace of citizen expertise

**Enhanced knowledge-sharing** between government and citizenry

**Devolved decision-making** 

New channels for citizen engagement (accessible and easily navigable)

Co-creation of policies and public goods and services

Proactive information disclosure

Open, yet secure information management

**Embrace of innovation** 

Agile, streamlined and tech-enabled agency operations

### **INNOVATIONS IN GOVERNANCE**

Big data

Citizen science

Data standardization

Data visualizations

Expert networking

Hackathons

Open data

Open ideation

Participatory budgeting

Prizes, competitions and challenges

Web 2.0 tools, platforms, and services

