

OPEN GOVERNMENT PLAN

OFFICE OF MANAGEMENT AND BUDGET



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Executive Summary

On his first full day in office, President Obama issued his [Memorandum on Transparency and Open Government](#), which instructed the Office of Management and Budget (OMB) to issue an [Open Government Directive](#). That Directive was issued by the Director of OMB on December 8, 2009. As the implementation arm of Presidential policy within the Executive Office of the President, OMB's principal role in the President's Open Government Initiative has been to help formulate, draft, and issue the Directive, and to guide agencies throughout the Executive Branch in its implementation. At the same time, OMB is fully complying with the mandates of the Directive, and in that spirit has developed this Open Government Plan.

OMB's Open Government Plan begins with a description of OMB's central mission, which is to assist the President in overseeing the preparation and implementation of the Federal Budget and to oversee and coordinate the Administration's legislative, management, performance management, and regulatory policies. Unlike other Cabinet Departments and agencies that directly implement government programs and deliver services to the public, OMB's resources are largely directed toward assisting the President to manage the Executive Branch. This unique role is reflected in the key components of OMB's Open Government Plan:

- **Transparency.** OMB's Open Government Plan discusses OMB's current procedures and activities to promote the transparency of OMB's operations. It also includes OMB's Strategic Action Plan to Improve Transparency and its budgetary, legislative, management, and regulatory oversight activities.
- **Participation.** Given the nature of its mission, OMB does not frequently interact with a large number of parties outside of the Executive Branch. As part of Open Government, OMB will increase its engagement with targeted audiences outside of the Executive Branch. OMB does communicate with members of the public as part of its centralized review of agency regulatory actions, agency information collection requests, and program examination to formulate the Budget. To promote Open Government, OMB will continue these communications and take concrete steps to increase public participation, especially in the rulemaking process, where new technologies create unprecedented opportunities for citizen engagement.
- **Collaboration.** Within the Executive Branch, OMB is engaged in a number of intensive collaboration activities. These activities support OMB's efforts to manage and implement the President's budgetary, management, and legislative initiatives and policies. To promote Open Government, OMB describes in detail its collaboration activities and proposes concrete steps to expand them.
- **Flagship Initiative.** OMB's Plan describes the recently launched Regulatory Review Dashboard, which provides important and easily accessible information about regulatory

actions submitted by agencies to OMB for Executive Order review. OMB is committed to updating and improving the Regulatory Review Dashboard.

OMB does not consider the release of its Open Government Plan to represent the conclusion of this process. Instead, we see it as an initial step in a continuing longer-term effort to make OMB more open in its activities. The initiatives and commitments included in the Plan provide a roadmap for future improvements. For this reason, OMB welcomes public input on this Plan and invites suggestions for additional steps that OMB might take to promote openness. Feedback on OMB's Open Government plan or open government efforts in general can be sent to opengov@omb.eop.gov.

I. OMB's Mission and Organization

The core mission of OMB is to serve the President of the United States in implementing his vision across the Executive Branch. OMB is the largest component of the Executive Office of the President. It reports directly to the President and helps a wide range of executive departments and agencies across the Federal Government to implement the commitments and priorities of the President.

As the implementation and enforcement arm of Presidential policy government-wide, OMB carries out its mission through five critical processes that are essential to the President's ability to plan and implement his priorities across the Executive Branch:

(1) budget development and execution, a significant government-wide process managed from the Executive Office of the President and a mechanism by which a President implements decisions, policies, priorities, and actions in all areas (from economic recovery to health care to energy policy to national security);

(2) management — oversight of agency performance, Federal procurement, financial management, and information/IT (including paperwork reduction, privacy, and security);

(3) coordination and review of all significant Federal regulations by executive agencies, to reflect Presidential priorities and to ensure that economic and other impacts are assessed as part of regulatory decision-making, along with review and assessment of information collection requests;

(4) legislative clearance and coordination (review and clearance of all agency communications with Congress, including testimony and draft bills) to ensure consistency of agency legislative views and proposals with Presidential policy; and

(5) Executive Orders and Presidential Memoranda to agency heads and officials, the mechanisms by which the President directs specific government-wide actions by Executive Branch officials.

Organizationally, OMB has offices devoted to the development and execution of the Federal Budget, various government-wide management portfolios, and OMB-wide functional responsibilities.

A. Budget Formulation and Execution

OMB has five resource management offices (RMOs), organized by agency and by program area. These offices, together with OMB's Budget Review Division, help to carry out OMB's central activity of assisting the President in overseeing the preparation of the Federal Budget and supervising its administration of Executive Branch agencies. In helping to formulate the President's spending plans, the RMOs assess the effectiveness of agency programs, policies, and procedures, weigh competing funding demands within and among agencies, and help work with agencies to set funding priorities. Once the Budget is enacted, RMOs are responsible for the execution of Federal budgetary policies and provide ongoing policy and management guidance to Federal agencies. As part of these and other responsibilities, the RMOs provide analysis and evaluation, oversee implementation of policy options, and support government-wide management initiatives.

The Budget Review Division (BRD) plays a central role in developing and implementing the President's Budget. BRD provides leadership and analytic support across the agency by analyzing trends in and the consequences of aggregate budget policy. It aggregates data provided by the RMOs, provides strategic and technical support for budget decision-making and negotiations, and monitors congressional action on appropriations and other spending legislation. In addition, BRD provides technical expertise in, and guidance on, budget concepts and execution.

B. The Management Side of OMB

The Deputy Director for Management (DDM) also serves as the nation's first Federal Chief Performance Officer (CPO). The DDM/CPO develops and executes a government-wide management agenda that includes information technology, financial management, procurement, performance, and human resources.

The management side of OMB is comprised of five offices, four of which are statutory, that oversee and coordinate the Administration's procurement, financial management, e-government, performance and personnel management, and information and regulatory policies. In each of these areas, OMB's role includes not only administrative management functions, but also program and policy management (e.g., program delivery and outcomes). This role encompasses oversight of how agencies devise, implement, manage, and evaluate the statutory programs and policies for which they are responsible. This responsibility is central to OMB's efforts to assist in agency strategic planning, goal-setting, performance measurement, information management, evaluation, and policy research. These functions are essential parts of the policy and program direction advice that OMB provides.

The management offices develop and oversee the President's management plan and other government-wide management policies, and work primarily with and through the RMOs and the agencies to ensure that these policies are implemented:

- The Office of Federal Financial Management (OFFM) develops and provides direction to improve financial management and systems; to reduce improper payments; to improve grants management; and to "right-size" Federal real property. OFFM also coordinates the activities of the Chief Financial Officers, and Senior Real Property Officers.
- The Office of Federal Procurement Policy (OFPP) works with agencies to improve Federal procurement practices that affect the full range of Federal acquisitions.
- The Office of E-Government and Information Technology, headed by the Federal Government's Chief Information Officer, develops and provides direction in the use of Internet-based technologies to make it easier for citizens and businesses to interact with the Federal Government, save taxpayer dollars, and streamline citizen participation.
- The Office of Performance and Personnel Management (OPPM) works with agencies to encourage use and communication of performance information and to improve results and transparency. OPPM also works closely with OPM to advance effective personnel practices.
- The Office of Information and Regulatory Affairs (OIRA) has a number of functions, including information policy, statistical policy, and regulatory policy.

C. Regulatory Review and Paperwork Reduction

[Executive Order 12866, "Regulatory Planning and Review,"](#) issued by President Clinton on September 30, 1993, gives OIRA within OMB the responsibility to review agencies' draft proposed and final regulatory actions. With respect to regulatory policy, OIRA's mission includes ensuring coordination and interagency review within the Executive Branch, including offices within OMB and the Executive Office of the President; promoting adherence to the law and to the President's priorities and commitments; and ensuring that regulations are based on sound analysis and serve the purposes of the statutes that authorize them and the interests of the public. Specifically, OIRA's review of draft proposed and final significant regulations helps ensure that the agency has adequately defined the problem that it intends to address; considered alternatives; assessed available information, risks, costs, and benefits (both qualitative and quantitative); consulted affected parties and promoted transparency and participation; and tailored the regulation to focus on the problem in a simple and clear way that does not conflict with other rules or statutes. OIRA seeks to ensure, to the extent permitted by law, that the benefits of agency regulations justify the costs and that the chosen approach maximize net benefits to society. OIRA also administers the Paperwork Reduction Act of 1995, which calls for clearance and assessment of information collection requests by agencies.

D. Legislative Clearance and Coordination

OMB clears agency views on legislative proposals and testimony to ensure consistency in the Administration's policy positions.

- **Legislative Proposals.** All bills that Executive agencies wish to transmit to the Congress are sent to OMB for clearance. OMB circulates the bills to other affected agencies and appropriate EOP staff. Agencies reviewing a draft bill may favor it or have no objection. One or more may propose substantive or technical amendments, or perhaps a complete substitute. Divergent views can be reconciled by telephone, letter, e-mail, or interagency meetings called by OMB.

After review, analysis, resolution of issues, and obtaining appropriate policy guidance, OMB advises the proposing agency that (1) there is "no objection" from the standpoint of the Administration's program to the submission of the proposed draft bill to the Congress, or (2) the proposed bill is "in accord with the President's program," if it implements a Presidential proposal. The submitting agency conveys this "advice" to the Congress in its transmittal letter. (Major legislation is sometimes transmitted by the President.) On the other hand, if the agency is advised that its proposed bill conflicts with an important Administration objective, or is not in accord with the President's program, it may not transmit the bill to the Congress. In practically all instances, however, disagreements are resolved through discussions at the policy levels of OMB and the agencies.

- **Clearance of Agency Testimony and Letters on Pending Legislation.** If agencies are asked by congressional committees to testify or send letters on pending legislation, or wish to

volunteer a letter, similar clearance procedures are followed as for legislative proposals, described above.

- **Statements of Administration Policy (SAPs).** OMB prepares SAPs for major bills scheduled for House or Senate floor action in the coming week, including those to be considered by the House Rules Committee. SAPs are prepared in coordination with other parts of OMB, the agency or agencies principally concerned, and other EOP units. Following its clearance, a SAP is sent to Congress by OMB's Legislative Affairs Office. OMB also publishes these Statements to its public website.
- **Enrolled Bills and Signing Statements.** After Congress has completed action on a bill, it is "enrolled" (i.e., sent to the President for his approval or disapproval), together with drafts of any signing statements. The Constitution provides that the President shall take action within 10 days after receipt of the bill, not including Sundays. To assist the President in deciding his course of action on a bill, OMB requests each interested agency to submit within 48 hours of a bill's passage its analysis and recommendation in a letter to OMB. Such views letters are signed by the head of the agency or other Presidential appointee. OMB prepares a memorandum to the President on the enrolled bill which transmits these views letters and summarizes the bill, significant issues, and various agency and OMB recommendations. If an agency recommends disapproval, it is responsible for preparing a draft of an appropriate statement for the President's consideration. In considering whether a signing statement should issue upon a bill's signing on the basis of constitutional considerations, OMB's Office of General Counsel identifies relevant legal issues, in consultation with the Department of Justice and the Office of the White House Counsel, and drafts the legal issues sections of any signing statements.

E. President's Executive Orders and Memoranda to Agency Heads

Under Executive Order 11030, as amended, OMB substantively reviews and clears all draft Presidential Executive Orders and Memoranda to Agency Heads prior to their issuance. Any agency head or White House component wishing to sponsor an executive order or Presidential memorandum formally requests such an order or memorandum from OMB. OMB works with the policy sponsor to draft or refine the proposed order or memorandum; submits the draft to an interagency clearance process; and works with the policy sponsors to address agency comments and resolve disputes. The OMB General Counsel also obtains "form and legality" approval of draft executive orders from the Department of Justice, and seeks legal authority approval from the Department of Justice for Presidential memoranda as well. Draft executive orders and Presidential memoranda are submitted for signature to the President by the Director of OMB and the General Counsel of OMB.

F. Other OMB Offices

Other OMB offices include Management and Operations, Communications, Economic Policy, General Counsel, Legislative Affairs, and Legislative Reference.

The Office of Economic Policy (EP), along with the Department of the Treasury and the Council of Economic Advisers (CEA), develops economic assumptions for the President's Budget and works closely with BRD on budgetary issues. EP assists RMOs with budget estimates, policy proposals, cost models, and other data analytics, especially in the areas of credit and insurance, health, labor, education, and tax policy. EP plays a leadership role in government-wide program evaluation efforts. EP is responsible for the Circular setting Federal discount rate policy. EP also assists the management side of OMB by analyzing procurement policy and issues related to Federal pay and benefits.

OMB's Office of General Counsel provides legal advice and counsel to the Director and the OMB components and staff. In addition, the General Counsel's Office manages the Executive Order and Presidential Memoranda process for OMB and the Administration; reviews and clears all legal and constitutional comments by the Department of Justice and other agencies on proposed legislation before such comments are conveyed to Congress; participates in the drafting of bill signing statements for the President; reviews all proposed legislative text comprising the President's Budget and for all budget-related legislative proposals; evaluates legal issues in proposed regulations; convenes meetings of all agency general counsels and coordinates legal issues across agencies; and ensures OMB's compliance with ethics laws, the Freedom of Information Act, the Federal Records Act, and other statutory requirements.

OMB's Office of Legislative Affairs works closely with White House Office of Legislative Affairs, Federal Agency Legislative Affairs offices, and congressional offices on current legislative issues. The office conveys information and strategies to the Director to inform decisions on Administration policies. The office, in turn, disseminates budget materials, descriptions of relevant concerns, and statements to Congress to communicate the Administration's positions. The Office of Legislative Affairs also advises the OMB Director and the organization on legislative issues and developments, provides expertise on the congressional budget process, supplies daily congressional reports to the Director and the OMB staff, oversees correspondence with the Hill, and manages the clearance and transmittal of the President's Budget and the Administration's Statements of Administration Policy.

The Legislative Reference Division coordinates the articulation of the Administration's position on legislation by overseeing the review and clearance of the Administration's legislative proposals, testimony, and statements on bills progressing through Congress.

The remaining offices provide OMB-wide support and guidance in a number of areas. For example, the Management and Operations Division helps ensure that OMB has the staff resources, physical facilities, equipment, and information systems needed to accomplish its mission. The Strategic Planning and Communications Office is the principal resource of national, regional, and local media organizations for information about the Federal Budget and other areas of OMB responsibility. OMB also shares responsibility for space management and building construction policy with GSA and responsibility for personnel policy with Office of Personnel Management.

II. Transparency

This section of OMB's Open Government Plan discusses OMB's current procedures and activities to promote the transparency of OMB's operations, and it includes OMB's Strategic Action Plan to Improve Transparency, as required by the Open Government Directive. (The Directive also required agencies to provide a link to a publicly available webpage describing their declassification programs, and informing the public about how to access declassified materials and provide input about the types of information that should be prioritized for declassification. Because of its particular functions and scope, however, OMB does not engage in declassification, so this information is not included in this Plan.)

OMB is aware that transparency can promote a number of important goals. It can promote accountability and improve performance; it can stimulate innovation and creativity outside of the Federal Government; it can promote use of the dispersed information held by the American people; and it can enable people to find valuable information that they can use in their own lives. OMB's efforts to promote transparency, including the steps that it plans for the future, represent an attempt to achieve these goals.

A. OMB's Historical Approach to Transparency

OMB is subject to the requirements of a number of Federal statutes that are designed to promote openness, such as the Paperwork Reduction Act, the Freedom of Information Act, and the Federal Records Act. Below is information on how OMB complies with these statutes.

1. OMB's Legal Dissemination Obligations

As with other Federal agencies, OMB's legal obligations to disseminate information are found in the Paperwork Reduction Act of 1995 (PRA). The PRA requires that agencies ensure that the public has timely and equitable access to the Federal Government's public information by, for example, encouraging a diversity of public and private sources for public information and providing access to the underlying data. Agencies must also regularly solicit and consider public input on the agency's information dissemination activities and provide adequate notice when initiating, substantially modifying, or terminating significant information disseminations. Finally, the PRA generally prohibits agencies from unnecessarily restricting citizen access to public information or charging user fees for public information that exceed the cost of dissemination.¹

OMB meets its obligations to disseminate information under the PRA by posting information on the OMB website (and related, linked agency websites), and by publishing information through the Government Printing Office (GPO) and the National Technical Information Service (NTIS). Through the OMB website and the published materials, OMB provides the public with key information on OMB's offices and issuances. OMB presents this information, including underlying data, in a clear,

¹ Paperwork Reduction Act, Pub L. No. 104-13, section 3506(d).

timely, and equitable manner. OMB does not restrict the use or re-dissemination of the posted and published information.

With the particular goal of increasing open government and improving transparency, OMB recently published a notice in the Federal Register, asking for public input on how to improve the PRA. OMB has received a large number of comments and is actively engaged in thinking about how to promote transparency within the context established by the PRA, including developing and issuing appropriate guidance to the Federal agencies.

2. OMB Compliance with FOIA Requirements

Earlier this year, OMB issued its [Annual Freedom of Information Act \(FOIA\) Report for FY 2009](#). As the report explained, OMB had 16 pending FOIA requests at the end of Fiscal Year 2009 (September 30, 2009). The oldest request had been pending at OMB for 35 days; the 16 requests had been pending for a median period of 15 days and an average period of 17 days (under FOIA, the initial response period is 20 working days, which an agency can extend by 10 working days).

In OMB's review of documents that are responsive to a FOIA request, OMB applies the Administration's "presumption of disclosure," by conducting a document-by-document, line-by-line review to identify materials that are appropriate for release. In its recent report on the Executive Branch's FOIA activities, the National Security Archive noted that OMB has had a positive record during this Administration of "both increases in releases and decreases in denials under the FOIA" — with a decrease of over 50 percent in OMB's full denials or withholdings.²

OMB is a relatively small agency with a relatively small staff (especially as compared with the Federal departments and major agencies). OMB has a central FOIA Office, with one full-time staff member. In addition, other OMB staff, throughout OMB, work on FOIA requests (representing an additional 1.5 "full-time equivalent" staff devoted to FOIA activities). OMB is exploring ways, including through increased reliance on information technology, to increase expeditious processing of FOIA requests.

3. OMB Compliance with Records Management Requirements

The purpose of the Records Management Program, administered under the Federal Records Act of 1950, as amended, is to promote economy and efficiency in the creation, organization, maintenance, retention, use, and disposition of OMB's official records. These records include all papers, books, maps, photographs, machine-readable materials, or other documentary materials, regardless of physical form or characteristics, made or received by an agency for the United States Government under Federal law or in connection with the transaction of public business and preserved or appropriate for preservation.

² [The National Security Archive FOIA Audit](#) (March 15, 2010), pp. 3, 13.

OMB's records management policy³, now publicly available for the first time, provides for:

- a) orderly and periodic transfer of inactive records from office storage space or inadequate remote storage to the Federal Record Center;
- b) systematic retiring of OMB records that have are no longer useful to the division/branch of OMB;
- c) identification of OMB records that are of sufficient and continuing administrative and historical value to warrant their transfer to and preservation in the Federal Record Center and NARA; and
- d) assistance and advice to staff about efficient record-keeping practices.

4. OMB Response to Congressional Requests for Information

The Office of Legislative Affairs oversees all OMB correspondence with the Congress. Letters range from responses to Member inquiries, to letters outlining the Administration's position on budget and policy matters. Also, Legislative Affairs, in consultation with the appropriate OMB division, responds to a large volume of congressional requests related to the budget process, specific budget inquiries, and Administration positions.

The Associate Director for Legislative Affairs oversees the office and directs the legislative outreach strategy. The Associate Director works with the OMB Director, OMB senior staff, the White House Office of Legislative Affairs, and agency Legislative Affairs offices to achieve the President's priorities involving management and budget issues.

The Associate Director is supported by three Deputies, the Liaison to the House of Representatives, the Liaison to the Senate, and the Liaison for Appropriations.

B. OMB's Leadership Role in Promoting and Implementing the President's Transparency Initiatives

During the past year, OMB has provided policy and management leadership and oversight of several key Administration-wide open government initiatives of President Obama, including creation of:

- Data.gov
- Improvements to eRulemaking
- Information Technology (IT) Dashboard
- USAspending.gov
- Recovery.gov

³ OMB's policy is available in the appendix.

1. Data.gov

Data.gov is overseen by the Federal Chief Information Officer. The free flow of information between the Federal Government and the public is essential to a democratic society. Data.gov is this Administration's central open government initiative. The purpose of Data.gov is to unlock the value of government information. Launched on May 21, 2009 with 47 datasets, Data.gov now hosts over 169,000 datasets and continues to grow via the efforts of a network of over 200 agency-based points of contact.

Data.gov allows the public an easy way to find, download, and use datasets that are generated and held by the Federal Government. Data.gov also provides a conduit for the public to provide feedback on disseminated datasets, as well as to request enhancements to existing datasets or dissemination of new datasets. Improving the accessibility of the massive data stores of Federal Government data can help foster innovation, spur new discoveries, and fuel the knowledge economy of the American people. Because Data.gov is a focused effort on "open data and tools," it sets a new direction for the transformation of Federal Government data through the next generation of information interoperability and the exchange of ideas and innovation by an empowered public, industry, academia, and all levels of government.

OMB actively disseminates its own data via Data.gov. OMB governs its participation via OMB's Technology Review Board (TRB). OMB has disseminated several datasets through Data.gov.⁴ Notable examples include:

- Regulatory reviews (per EO 12866) by calendar year
- History of economic forecasts
- Improper payments database
- Extracts from the IT Dashboard

OMB also provides government-wide policy leadership and participates in interagency working groups focused on data policy, data and information dissemination, information quality, disclosure, and reviews of proposed data disseminations to address any potential risks to national security or personal privacy.

2. Improvements to eRulemaking

eRulemaking is an E-Government Initiative chartered by OMB that seeks to make the Federal regulatory process more transparent, participatory, and accessible for the public. The initiative recognizes the importance of learning from stakeholders' concerns and perspectives, thus improving rules, and of helping the public make more informed comments. OMB attempts to use modern technology to improve rules by promoting transparency about their purposes, content, and underlying assumptions. The eRulemaking cross-agency program is a pivotal program for OMB and the Federal Government to leverage the Internet to fulfill their regulatory requirements and

⁴ OMB's datasets are available [here](#) on Data.gov.

provide the public with a one-stop portal for regulatory content. OIRA has a leadership role on the eRulemaking Executive Steering Committee, and works with the program to implement OIRA's central oversight role in the Federal rulemaking process.

3. IT Dashboard

The IT Dashboard is an initiative of the Federal Chief Information Officer. On June 30, 2009, in coordination with the Chief Information Officer Council, the Federal Chief Information Officer launched the IT Dashboard. Through the IT Dashboard, Federal agencies and the public have the ability to view details of Federal information technology investments online and to track their progress over time. The IT Dashboard displays data received from agencies, including general information in over 7,000 Federal IT investments, and detailed data for nearly 800 of those investments agencies classify as "major." Additional project data such as cost and schedule information and agency Chief Information Officer Evaluations are updated on a monthly basis. Although a minor participant when it comes to IT spending and with no major investments, OMB is still required to submit data annually on its \$8.5M IT budget to the IT Dashboard, as seen at this link (<http://it.usaspending.gov/?q=content/treemap-view-investments&path1=agency&id1=100>).

4. USASpending.gov

USASpending.gov is led by the Office of Management and Budget. USASpending.gov was originally developed to meet the specific requirements of the Federal Funding Accountability and Transparency Act of 2006 (FFATA). USASpending.gov was first launched in December 2007 to fulfill these requirements. The information shown on the website is provided by the Federal Agencies through six main source systems, covering contracts, assistance awards, purchase cards, recipients and programs. USASpending.gov receives and displays data pertaining to obligations (amounts awarded for Federally-sponsored projects during a given budget period), not outlays or expenditures (actual cash disbursements made for each project).

Beginning in 2010, USASpending.gov will be launching on a new platform, with greater capacity for fulfilling FFATA requirements and a new user interface. Specific enhancements include:

- Interactive maps to visualize spending by state or congressional district
- Cross-agency spending comparisons and agency "dashboard" views
- Interactive charts to show spending trends from year to year
- Improved search features to customize searches across multiple dimensions
- Exports and results sharing via social book-marking and RSS feeds
- Ability to analyze contract and award transactions for a single contract or award in one simple list
- Bulk data downloads on all spending data for offline analysis
- Daily updates

As set forth in the OMB Open Government Directive, OMB provided guidance to the agencies on establishing an internal controls framework around Federal spending information. The Directive

required agencies to be accountable for the quality of Federal spending information that is publically disseminated through public venues such as USASpending.gov and other similar websites, and to work to improve the quality and integrity of that information. Accordingly, in response to the mandate in the OMB Open Government Directive, OMB is issuing today guidance on new transparency requirements for Federal spending information, including the implementation of sub-award reporting and quarterly steps for monitoring data quality improvements.

5. Recovery.gov

The American Recovery and Reinvestment Act of 2009 (Recovery Act) requires the creation of “a website on the Internet to be named Recovery.gov, to foster greater accountability and transparency in the use of funds made available in this Act.” Recovery.gov is operated by the Recovery Accountability and Transparency Board (Recovery Board), which was also created by the Recovery Act. OMB is responsible under the Recovery Act to provide policy guidance for Federal agencies to establish procurement and grant regulations. Integral to this process was unprecedented outreach and coordination with State and local stakeholders to ensure effective teamwork to meet the requirements of the Act.

OMB continues to provide leadership to agencies through policy and guidance, in coordination with the Recovery Board and State and local stakeholders. Efforts are focused on improving the reporting of data quality and reporting compliance, and on carrying out OMB’s oversight role with Federal programs that are spending money under the Recovery Act.

Recovery.gov went live on February 17, 2009, the day President Obama signed the Act into law. OMB issued initial implementing guidance for the Recovery Act on February 18, 2009. The site’s primary mandate is to give taxpayers the user-friendly tools to track Recovery Act funds — how and where they are spent. These tools — in the form of charts, graphs, and maps, which the site continues to enhance and refine — offer both telescopic and microscopic views of Recovery projects across the country, from the national overview down to specific zip codes. The site also provides an online way for reporting any suspected fraud, waste or abuse related to Recovery Act funding and projects.

Early on, as the Recovery Board began functioning, OMB provided operational leadership. In particular, OMB launched the Recovery.gov web site, engineering it so that it easily withstood peak usage of 12,000 hits per second. OMB also operated the intake activity for agency reports and designed the early architecture and planning work that led to the decision to build FederalReporting.gov, the recipient reporting capability. Finally, working with Federal, State, and local stakeholders, and based on their input, OMB developed the Recovery.gov architecture and reporting specifications for agency and recipient reporting data, using the National Information Exchange Model. OMB successfully transitioned these information assets and core team members to the Recovery Board in spring 2009.

C. OMB's Strategic Action Plan to Improve Transparency

The Open Government Directive calls on agencies to develop an "action plan" to improve transparency. OMB plans a number of steps to achieve that goal.

1. Inventory of High-Value Public Information

OMB budget data have been available for public download for many years. OMB has released detailed budget data on the Internet since 1994, including spreadsheet versions of many major budget tables and a detailed public budget database containing account-level expenditure data going back to 1962 (and budget authority data back to 1976).

In addition to the dashboards and information portals that OMB maintains as part of the initiatives mentioned above, OMB now makes the following high-value datasets available for download:

- **Budget of the U.S. Government.** This document contains the Budget Message of the President, information on the President's priorities, budget overviews organized by agency, and summary tables.
- **Historical Tables.** These tables provide data on budget receipts, outlays, surpluses or deficits, Federal debt, and Federal employment over an extended time period, generally from 1940 or earlier to 2011 or 2015.
- **Federal Credit Supplement.** This provides summary information about Federal direct loan and loan guarantee programs subject to the Federal Credit Reform Act (FCRA) of 1990, as amended by the Balanced Budget Act of 1997.
- **Federal Grants to State and Local Governments.** The spreadsheet version of Table 17.2 from the *Analytical Perspectives* budget publication provides detailed information on Budget Authority and Outlays that are classified as grants to State and local governments. The data are grouped by budget function, BEA Category, Agency, Bureau and Account and include amounts for the Prior Year, Current Year and Budget Year. (Account-level grant outlays are also provided in the historical Public Budget Database described below.)
- **Budget Authority and Outlays by Function Category and Program.** These tables provide a programmatic breakdown of policy and current services spending.
- **Public Budget Database.** These data files contain an extract of the OMB budget database that can be used to reproduce many of the totals published in the Budget and examine unpublished details below the levels of aggregation published in the Budget:
 - Budget Authority and Offsetting Receipts, 1976 – 2015
 - Outlays and Offsetting Receipts, 1962 – 2015
 - Governmental Receipts, 1962 – 2015

- **Federal IT Spending (all investments) via the IT Dashboard.** Federal IT spending data, submitted from agencies via Circular A-11 Exhibit 53, provides budget estimates for all Federal agency IT investments. By completing an Exhibit 53, an agency meets the Clinger-Cohen Act of 1996 requirements to provide a full and accurate accounting of IT investments for the agency. OMB uses the Exhibit 53 to create an overall Federal IT Investment Portfolio published as part of the President’s Budget.
- **Federal IT Spending (major investments) via the IT Dashboard.** For each investment identified by agencies as “major” in Exhibit 53, OMB also requires submission of an Exhibit 300. Major investment data contains detailed information on investment spending, performance and project management.
- **History of OMB Economic Forecasts, 1976 – 2010.** These data show annual economic forecasts from each Budget submitted since Fiscal Year (FY) 1976. During transition years, they include both incoming and outgoing Administration Budgets.
- **Completed EO 12866 Regulatory Reviews by Calendar Year.** This is an annual dataset of draft rules reviewed by OMB under Executive Orders 12291 and 12866. The data provide information by agency, length of review in days, and economic significance. This dataset provides annual data going back to 1981.
- **Improper Payments Database.** This dataset contains information on improper payments for programs found to be susceptible to improper payments under the Improper Payments Information Act of 2002 (IPIA). For these programs found to be susceptible to improper payments, the dataset includes information on program outlays, program improper payments, and reduction targets for reducing improper payments.
- **Data.gov Catalog.** As a priority Open Government Initiative for President Obama’s Administration, Data.gov increases the ability of the public to find, download, and use datasets that are generated and held by the Federal Government. Data.gov provides descriptions of the Federal datasets (metadata), information about how to access the datasets, and tools that leverage Federal datasets. The purpose of Data.gov is to increase public access to high value, machine readable datasets generated by the Executive Branch of the Federal Government.
- **President’s Executive Orders and Memoranda to Agency Heads.** All of the President’s Executive Orders and Memoranda to Agency Heads are published on the White House website upon issuance.
- **Presidential Signing Statements.** The President’s statements that accompany his signature of bills are released upon issuance and published on the White House website.
- **Statements of Administration Policy.** Statements of the Administration’s views on legislative items can be found on OMB’s website.

2. Increasing Public Use of OMB Information

While much of the work at OMB already results in the publication of materials online, OMB will take several steps to expand the amount of and value of provided information. The OMB Director will instruct his senior policy officials to increase transparency in their activities. He also will instruct them to provide timely updates to the online community in order to be more transparent in the daily activities of the organization.

- **General Information.** OMB is responsible for the publication of several Administration reports throughout the year, separate from its annual budget responsibilities. A centralized calendar of all the reports, including a link to past reports (if available online), a brief, plain-language explanation of the report, and the date of anticipated release, will be accessible through OMB.gov/open.

Similarly, OMB, with the General Services Administration, is responsible for many data-focused Federal Government websites such as Data.gov and USASpending.gov. However, there is no centralized portal to reach those sites. OMB.gov/open will provide a listing, link, and explanation of each of those sites. This will include, but not be limited to, USASpending.gov, Reginfo.gov, fpds.gov, and cfda.gov.

- **Budget.** Each year, OMB publishes the President's Budget both in hard copy and online in PDF format. Moving forward, starting with the FY 2012 Budget, OMB will publish the President's Budget and the Mid-Session Review in machine-readable formats, as outlined in Data.gov, on omb.gov/budget and Data.gov.
- **Management.** The President's FY 2011 Budget, in the Analytical Perspectives volume, included the listing of high-priority performance goals for each Federal department. Beginning with the FY 2012 Budget, OMB will publish the goals in machine-readable formats at omb.gov/budget and Data.gov, and USAPerformance.gov. This information will not only include the goals, but also the prior year's results, the senior accountable official for each goal, and other pertinent information.

The Deputy Director for Management also recently announced his management agenda and has been working with agencies to begin implementing this plan. One aspect of the agenda is focused on eliminating waste such as improper payments and unneeded real property. An improper payment occurs when benefits or payments go to the wrong recipient, the recipient receives the incorrect amount of funds, or the recipient uses the funds in an improper manner. In addition, the Federal Government maintains more real property assets than is needed to effectively support our programs and missions. Further, in February of 2009, OMB issued a new framework for ensuring the reliability of Federal spending data. Agencies have been reporting Federal spending information publicly through the government-wide website — USASpending.gov — since January 2008 and the quality of that information varies widely and has resulted in some data being missing, erroneous, or otherwise reported untimely.

- **Earmarks.** OMB will continue to publish congressional earmarks contained in appropriations bills. In mid-April 2010, Fiscal Year 2010 enacted appropriations earmarks will be published. OMB will continue to track and publish congressional earmarks for Fiscal Year 2011 and subsequent fiscal years. The information will be published in machine-readable formats and available at earmarks.gov and Data.gov.

In the Spring following each Fiscal Year end, OMB will collect earmark recipient/beneficiary information from agencies and publish this data on earmarks.gov in the Summer.

- **Regulatory Review and Paperwork Reduction.** In February 2010, OIRA re-launched Reginfo.gov, providing a series of improved analytical tools and easier-to-navigate options for the American public to track Federal regulations under review. OIRA will continue to improve this site, with an emphasis on incorporating comments from the public.

OIRA also plans to undertake a series of measures to increase transparency and efficiency in connection with the Paperwork Reduction Act. It is considering new initiatives or guidance with respect to “generic” information collection requests; customer satisfaction surveys; and templates to assist both agencies and the general public with the PRA process.

3. Plan for Timely Publication of Data Underlying Electronic Public Information

OMB will extend its data inventory to include the information underlying published documents, and will publish the underlying data to the extent feasible. As an initial response, OMB will take steps toward publishing the detailed databases underlying the President’s Budget:

- The final database tables used to produce the President’s Budget
- The Budget Appendix in XML format

OMB will continue to identify and release high-value information, and to promulgate these datasets through Data.gov. To support these objectives, we have begun development of an agency-wide data inventory. Key milestones are:

- April 15, 2010 - Inventory of high-value datasets
- April 30, 2010 - Assessment and action plan
- May 31, 2010 - Broader inventory of OMB datasets

4. Open Government, Privacy, and Regulation

Protecting privacy is part of the fundamental framework of an open government. To achieve the cornerstone principles of open government — *transparency*, *participation*, and *collaboration* — we also need to promote a culture that protects privacy. *Transparency* must include the proper disclosure of an agency’s privacy policies. Any effort to foster *participation* requires a platform where personal information is secure. At its core, *collaboration* demands the kind of trust that can

facilitate a safe exchange of knowledge. Maintaining this vital foundation of privacy across agencies will allow members of the public to engage safely and confidently with their government.

The Open Government Directive asked the OIRA Administrator, in consultation with the Chief Information and Technology Officers, to review existing OMB guidance within 120 days. This review proved invaluable and resulted in improved understandings, important clarifications, and new policies that will help agencies achieve greater openness. Over the next year, the OIRA Administrator will continue his collaborative review and consider new steps to protect privacy and promote open government, including issuing appropriate guidance as necessary.

The OIRA Administrator will also review existing guidance and policies with respect to regulation in order to promote transparency. One topic to review is the use of disclosure as a regulatory tool, with the particular goal of promoting clear disclosure that will actually inform end-users. Another topic is the use of the Internet to make available a great deal of information that is relevant to, and whose disclosure might promote, regulatory goals. Yet another topic is increased transparency and clarity with respect to the uses and limits of cost-benefit analysis and its underlying assumptions. The OIRA Administrator will investigate these and related issues and consider new guidance as necessary to increase transparency.

OIRA will conduct this year-long review to pursue the goal of openness. As the Federal Government adopts powerful new tools to foster openness and engagement, OMB will work with agencies and other stakeholders to establish a robust network of associated policies.

III. Participation

Public participation is a key component of certain OMB core activities, as described below.

A. OMB's Current Approach to Participation

Within OMB, OIRA is involved in processes that involve communications with members of the public: the review of agency regulatory actions and agency information collection requests.

1. Regulatory Review

The Administrative Procedure Act (APA) governs the process by which Federal agencies propose and establish new regulations. One of the central goals of the APA is to promote public participation in the rulemaking process. The APA generally requires agencies to provide public notice and seek comment prior to promulgating new regulations. This requirement provides an opportunity for the public to participate in rulemaking by providing input directly to the agencies on proposed regulations. OIRA works closely with agencies to promote participation and to ensure that regulations benefit from the knowledge, concerns, and diverse perspectives of the American public.

Additionally, when a rule is at OIRA for review under Executive Order 12866, it is the Office's policy is to meet with all parties interested in discussing issues on a rule under review, whether they are from State or local governments; small business or other business interests; or private groups interested in health, safety, and the environment. In this way as well, OIRA promotes participation in the regulatory process.

Under OIRA procedures, as set forth in Executive Order 12866, meetings on regulatory actions must be conducted by the OIRA Administrator or a designee. OIRA's website provides a public [log](#) of these meetings. Parties interested in setting up a meeting to discuss a rule under review or to submit written comments can learn how to do so [here](#).

To view rules currently at OIRA review, members of the public can go to [RegInfo.gov](#). For parties interested in learning more about rulemaking and OMB's role during regulatory review, OIRA's website provides [responses to frequently asked questions \(FAQs\)](#). In order to make OMB's own rulemaking process more transparent and participatory, OMB uses the government-wide regulatory site, [Regulations.gov](#), to enhance public participation in its regulatory actions. This public website helps to reduce burden for citizens and businesses in finding relevant regulations and commenting on proposed rulemaking actions.

OMB has taken a step further and posted non-rulemaking documents on Regulations.gov in order to obtain public input before policy is set. For example, OMB has engaged the public on policy decisions requesting input on how to improve the process and principles governing Federal regulatory review, whether to allow online web tracking tools, and ways to improve the Paperwork Reduction Act (PRA) process.

2. Paperwork Reduction Act Review

The Paperwork Reduction Act (PRA) requires agencies to submit approval requests for information collections to the Office of Information and Regulatory Affairs (OIRA) within OMB. OIRA evaluates these requests under the standards of the PRA, approving them if they comply and then assigning them a control number. OIRA conducts about 3,000 of these reviews each year.

These “collections of information” include such diverse items as government forms (e.g., the IRS 1040), surveys (e.g., the Census), reporting and recordkeeping requirements (e.g., requirements on business to report workplace safety information to OSHA or air quality monitoring data to EPA), and third party disclosures (e.g., nutrition labeling requirements for food).

Before submitting an information collection to OMB for review, agencies must generally conduct a 60-day comment period during which the public can submit feedback on the necessity and practical utility of the collection. After this process, the agency submits the collection again to OMB for review, and there is another 30-day comment period during which members of the public can write OMB directly with any feedback or concerns they may have on the collection of information. A notice is published in the Federal Register by the agency when it has submitted a collection to OMB for review and public comment. By its very nature, this process is highly participatory and places a premium on public engagement; public comments are carefully considered.

To view information collections currently at OIRA for review, the public can go to RegInfo.gov. Parties interested in submitting written comments should contact the individual listed on the Federal Register notice regarding the particular information collection, which can be found on the [Federal Register's website](#). OIRA's [FAQs](#) provide additional information about OMB's role in the Paperwork Reduction Act review process.

B. OMB's Plan to Improve Participation

There are a number of steps that OMB will take in 2010 to expand public participation in the agency's work. Many of those steps are outlined below.

1. OMB's Website

Each page on OMB's website will incorporate, by September 2010, an application to engage the public that allows for public input into the data presented. This step would mark a significant expansion of public input to OMB.

2. Performance Management Priorities

The Administration's work to preserve taxpayer resources and improve the effectiveness and efficiency of the Federal Government is the responsibility of the Deputy Director for Management at OMB, who also holds the position of Federal Chief Performance Officer.

As noted elsewhere in this Plan, the President's FY 2011 Budget, in the Analytical Perspectives volume, included for the first time ever a listing of high-priority performance goals for each Federal department. Beginning with the FY 2012 Budget, OMB will publish the goals in machine-readable formats both at omb.gov/budget and Data.gov. This information will not only include the goals, but also the prior year's results and grade, and the senior accountable official for each goal. Importantly, OMB will work with the individual agencies to utilize the public engagement application or a similar approach to gather public feedback on the performance goals. Additionally, OMB will launch USAPerformance.gov, an online performance portal in the summer of 2010 that will provide a concise view on government performance by theme, by agency, and by program type.

The performance portal will also provide easy links to mission-support management dashboards, such as the [IT Dashboard](#), launched in the summer of 2009, and similar dashboards planned for other common government functions including procurement, improper payments, and hiring.

OMB will create cross-agency teams to tackle shared problems and reach out to existing networks, both inside and outside the Federal Government, to find and develop smarter performance management methods and to assist others in their application. The Performance Improvement Council (PIC), made up of Performance Improvement Officers from every Federal agency, will serve as a home for Federal communities of practice organized by problems, program type, and by quality management methods.

3. SAVE Award

OMB, for the FY 2011 Budget, developed and launched the SAVE Award, where more than 30,000 front-line Federal workers provided ideas to save money and improve the effectiveness of Federal initiatives. A public vote selected the winning idea, and more than 15 ideas are included in the President's Budget. For FY 2012, OMB will publish all of the SAVE Award ideas, subject to an opt-out from the submitter. Inappropriate, confidential, and personally identifiable information will be redacted from the published material.

4. Public Suggestions for Regulatory Improvements

OMB will be asking, in the next months, for public suggestions for improvements in regulations, designed to promote economic growth, innovation, and competitiveness. OMB will be focusing especially on ideas about new regulations that might promote these goals and about possible changes in existing regulations.

5. TechStat

The Federal CIO has launched a series of TechStat sessions where the Federal CIO Council conducts an intervention for those projects that are significantly behind schedule or over budget.

It is not enough to simply shine a light on IT programs and hope results follow. As the President said in his inaugural speech "those of us who manage the public's dollars will be held to account, to

spend wisely, reform bad habits, and do our business in the light of day, because only then can we restore the vital trust between a people and their government.” Following the President’s lead, on January 13, 2010, the Federal CIO held the first TechStat Accountability Session (or more simply, TechStat). A TechStat is a face-to-face, evidence-based review of an IT program, undertaken with OMB and agency leadership, powered by the IT Dashboard and input from the American people. In each TechStat session, the team works together to carefully examine program data, with a focus on problem solving that will lead to concrete action to improve overall performance. However, in some cases, a TechStat may reveal that the best course of action for an investment is to temporarily be halted or even terminated. Finding these potentially failing programs sooner promotes greater accountability, saves the taxpayers money, and can free resources to work on efforts that are yielding better results.

In the summer of 2009, the OMB Director and the Federal Chief Information Officer launched the IT Dashboard to provide unique insight into the status of every Federal technology project including whether the project was on time, within budget, and providing the anticipated value to the American people. The contact information for the responsible agency’s Chief Information Officer is also provided for each project. Those data had never been presented in a manner so focused on accountability; one result was the cancellation or restructuring of millions of dollars in contracts that were not producing results for the American people.

As the IT Dashboard continues to provide unprecedented insight into Federal IT investment performance, TechStat sessions will allow the Federal Government to take action and turn around troubled programs. The IT Dashboard brought transparency, now TechStat brings accountability by allowing Federal managers to confront challenges together, make bold adjustments, and make program success a reality. These two tools working in conjunction with each other are critical to ensuring that the Federal Government makes good on its promise to deliver better value and results for the American people. TechStat scheduling and the status of corrective action plans will soon be public on the IT Dashboard.

To expand public information about this approach, OMB will update the IT Dashboard with a summary of the TechStat sessions including initial challenges, next steps, and resulting changes. This information will be published on the IT Dashboard starting in June 2010.

IV. Collaboration

Many of OMB's core activities involve extensive interagency coordination and collaboration. OMB, of course, manages the annual budget formulation process. In addition, OMB leads a number of interagency councils, and it conducts centralized review of legislative activity. This section of OMB's Open Government Plan briefly describes these processes, and outlines steps we will take to improve our collaboration activities.

A. OMB's Current Approach to Collaboration

Currently, OMB is actively engaged in a number of intensive collaboration activities. These activities all help OMB serve the President's need to carry out his budgetary, management, and legislative responsibilities.

1. Interagency Budget and Policy Negotiations

OMB is a highly collaborative agency that regularly brings together diverse agencies and stakeholders in crafting programs and policies. OMB staff rarely work on any issue alone, and while there is always room for improvement, collaboration is at the core of OMB's mission.

Every day, OMB staff is working with other policy offices such as National Economic Council, National Security Council, the Office of Science and Technology Policy, and other offices within the Executive Office of the President to arrive at solutions to pressing problems. Staff work with agency counterparts to identify budget and policy priorities, coordinate those positions with other agencies, and communicate with Congress to get them properly implemented. Aside from working with Federal Government stakeholders, OMB staff regularly present at conferences and work with State, local, and tribal authorities to identify a range of interests and discuss the Administration's priorities.

OMB's single biggest collaborative accomplishment in any given year is putting together a Budget that represents a broad consensus view of the U.S. Government's priorities and the tradeoffs required to implement them. The authorization bills and other major legislation that OMB supports are also testaments to the collaboration and coordination that OMB encourages across the Federal Government.

2. MAX Federal Community

MAX is OMB's system for the production of the President's Budget and supporting OMB's data collection, reporting, and modeling needs. The MAX Federal Community provides a secure collaboration, information sharing, and content management capability for interagency activities. It was deemed the official method for interagency activities relating to policymaking, management, and budget activities by OMB's Technology Review Board in 2008, and contains active collaborative government-wide communities for many of OMB's mission areas, including: Budget, E-Government, Grants Management, Financial Management, Performance, and Recovery Act, with new

communities starting around Acquisition, Information Management, Intellectual Property, and Open Government itself.

The MAX Community is also used by many agencies for their own collaboration and information sharing activities – both internal, interagency, and with OMB. It currently hosts hundreds of collaborations involving almost 28,000 Federal users from 106 departments and agencies.

3. Interagency Data Collection and Analytics

The ability to collect, organize, analyze and publish data is central to OMB's mission and to the Federal budgeting process. To support these activities, OMB worked with other Federal agencies and the Budget Formulation and Execution Line of Business to develop a suite of government-wide, collaboration, data collection and analytical tools.

4. MAX Collect

To perform its mission and the Federal budgeting process, OMB annually conducts many government-wide data calls to collect, compile, organize, analyze and publish information. To enhance the efficiency and effectiveness of these activities, OMB worked with the Budget Formulation and Execution Line of Business to develop a suite of government-wide data collection, analysis, and publishing tools called MAX Collect. This line of business is an E-Government initiative under the Budget Officers Advisory Council for improving Federal budgeting through the provision of automated capabilities that facilitate collaboration, data collection, and analysis; as well as the development of training and best practices for the budgeting profession.

MAX Collect is a flexible web-based application that enables OMB and agency users to conduct robust government-wide data collection exercises. Even complex data calls can be set-up quickly through a straightforward configuration process without the need for custom programming. The application supports a variety of information structures (text, tables, bullets, attachments, comments), and automatically provides user authentication, workflow with multiple levels of reviews and approvals, and flexible access controls to enable efficient collection and sharing of information.

Once information is collected, it can be automatically compiled into documents with a paginated table of contents, one or more categorizations, and can even be produced in camera-ready publication format. Structured numeric data can be analyzed using reports, tables, charts, and real-time dashboards, and readily exported in XML or spreadsheet formats.

MAX Collect has been used by OMB and other Federal agencies for numerous data collections, including the compilation of the Aid to State and local governments chapter of the Analytical Perspectives volume of the FY 2011 President's Budget, the Terminations, Reductions and Savings document of the FY 2011 President's Budget, the Federal Enterprise Architecture, the Sustainable Acquisition Practices Survey, responding to Questions for the Record (QFRs) from Congress, and

many others. It was also used internally for tracking progress in OMB's internal Physical Fitness Pedometer Challenge.

One feature of MAX Collect is its ability to collect data directly from the source –improving both speed and accuracy while significantly reducing workload. For example, in a typical OMB data call for information from the agencies, larger Departments and agencies would first collect the information from their components offices in a document or spreadsheet that would then be manually compiled at a central office for submission to OMB. MAX Collect allows the information to be directly collected at the component office level, automatically compiled for central office review, and then electronically submitted to OMB when ready. Where appropriate, data can even be collected from non-Federal sources.

MAX Collect and its associated document publishing and analytical capabilities is fully integrated with the MAX Federal Community to provide Federal users with a seamless interface of collaboration, data collection, analysis, and publishing capabilities that fosters knowledge management.

5. MAX Analytics

MAX Analytics is a suite of analytical and reporting tools integrated with MAX Collect and the OMB budget database. These tools provide Federal analysts and data owners with an easy to use interface to develop queries, dynamic charts and graphs, analytical cubes, and multiple types of published and web-based reports. These tools have been used in support of multiple data collections.

These tools are integrated with the MAX Federal Community to provide a seamless suite of collaboration, knowledge management, data collection, analytical and publishing tools. In addition, each of the MAX tools is available as a web-based service to allow integration with applications at OMB and other agencies.

6. Interagency Councils

OMB relies extensively upon a number of interagency councils to lead collaborative efforts to further the Administration's management agenda. Most of these groups were established by statute. The Deputy Director for Management (DDM) chairs or co-chairs each of these councils. The DDM uses these groups to cooperatively set objectives, and leverage resources to undertake joint efforts to achieve them. The external role also involves working closely with Congress on a variety of management issues.

These groups draw together operational, financial, procurement, integrity, performance management, and systems technology experts from across the Federal Government. They establish government-wide goals in their areas of expertise, and marshal the resources within individual agencies to meet these goals. While much of our work is done *through* these councils, the actual work is done *by* and *in* the agencies. The principal groups include:

- President’s Management Council
- Chief Financial Officers Council
- Chief Information Officers Council
- Council of Inspectors General on Integrity and Efficiency Chief Acquisition Officers Council
- Chief Human Capital Officer’s Council
- Performance Improvement Council
- Federal Real Property Council
- Forum for Agency Legal Counsels (informal)

To meet these responsibilities, OMB has long been a leader in inter-agency collaboration. For example, OMB coordinates the Federal Government’s budget processes through the Budget Officers Advisory Council. OMB also leads the Budget Formulation and Execution Line of Business to provide government-wide solutions in the areas of budget performance integration, collaboration, data collection and tracking, budget execution and financial management integration, and human capital. OMB convenes regular meetings of all agency legal counsels.

7. Legislative Clearance

OMB also collaborates with other elements of the Executive Office of the President, and with the agencies, through its legislative clearance function, which serves the needs of the President in carrying out his legislative responsibilities. The President’s legislative responsibilities are founded in his constitutional duties and powers to: (1) require the opinion in writing of the principal officer in each of the Executive departments; (2) take care that the laws are faithfully executed; (3) give the Congress information on the State of the Union; (4) recommend to the Congress such measures as he judges necessary; (5) approve or disapprove bills passed by the Congress; and (6) convene either or both houses of Congress. OMB Circular A-19 sets forth the basic guidelines and procedures for carrying out this function, which has existed since the 1930s.

The legislative recommendations of the President in his three regular annual messages — State of the Union, Budget, and the Economic Report — together with those in any special messages or other communications to the Congress generally constitute the President's legislative program. These recommendations often originate in the agencies, the Congress, and commissions, panels, and task forces established by law or by administrative order.

The legislative clearance function serves the following six purposes:

- 1) permits the coordinated development, review, and approval of legislative proposals needed to carry out the President's legislative program.
- 2) helps the agencies develop draft bills that are consistent with and that carry out the President’s policy objectives.
- 3) identifies for Congress those bills that are part of the President's program and the relationship of other bills to that program.
- 4) assures that Congress receives coordinated and informative agency views on legislation which it has under consideration.

- 5) assures that bills and position statements submitted to Congress by one agency properly take into account the interests and concerns of all affected agencies.
- 6) provides a means whereby divergent agency views can be reconciled.

The clearance function covers agency legislative proposals, agency reports and testimony on pending legislation, Statements of Administration Policy, and enrolled bills as noted above.

8. Interagency Clearance of Presidential Executive Orders and Memoranda to Agency Heads

OMB ensures collaboration and interagency input into all draft Presidential orders and memoranda to agency heads before they are finalized and issued.

9. Partnership Fund for Program Integrity Innovation

In the FY 2010, OMB was appropriated \$37.5 million in order to identify and test innovative methods of improving service delivery, payment accuracy, and administrative efficiency, while also reducing access barriers for beneficiaries of Federal Government assistance programs. Through the Partnership Fund, OMB will collaborate with Federal, State, and local governments, as well as other stakeholders using the Partners4solution.gov website as well as a soon-to-be-established interagency forum. This program is an exciting and new way to approach problem-solving through collaboration.

10. Regulatory Review

As part of its work in coordinating review of proposed and final regulations, OMB works closely with a wide range of agencies, assembling their perspectives and promoting interagency discussion of issues and concerns.

B. OMB's Plan to Improve Collaboration

The MAX Federal Community and MAX Collect tools have the potential to greatly increase collaboration. In addition, the use of MAX Collect as a standard for OMB and agency data collections would facilitate the public dissemination of data pursuant to the Open Government Directive at whatever level is appropriate.

Both tools are fairly new, and their use is increasing steadily through training, focus groups, OMB's Technology Review Board, the Budget Line of Business workgroups, and word of mouth.

1. Proposals to Use Technology Platforms to Improve Collaboration

To increase use, OMB will conduct an organized effort to promote utilization of MAX Collect for data collections and the MAX Federal Community for its collaboration and information sharing with the agencies.

To facilitate public release of information, OMB will develop capabilities that enable automatic publication of information to external websites and Data.gov. These capabilities will include an automated workflow that facilitates review and approval.

OMB is also considering technology changes for its legislative clearance function that would improve communication and collaboration capabilities between OMB and the agencies. These changes are still in the planning stage.

2. Proposals to Use Innovative Methods to Improve Collaboration

In 2009, OMB launched the President's SAVE Award contest to support the President's vision that "the best ideas often come from workers – not just management." OMB set up a system that enabled Federal employees (including contractors) to submit their ideas for how the Federal Government could save money and perform better. Over 33,000 validated submissions were submitted and reviewed internally by OMB analysts, with the top four ideas submitted to the public for a vote. Almost 85,000 votes were received on these ideas, and the winner got to present her idea to the President. The top ideas, as well as several other SAVE Award proposals, were then incorporated into the President's 2011 Budget. For FY 2012, OMB will publish all of the SAVE Award ideas, subject to an opt-out from the submitter. As noted above, information deemed to be inappropriate, confidential, and personally identifiable will be redacted from the published material.

The Office of Performance and Personnel Management will expand its current outreach through the Performance Improvement Council (PIC) to engage other communities of interests such as NGOs, State and local governments, institutions of higher learning and others to engage in conversations, discussions on issues that are relevant to performance efficiency and effectiveness.

V. OMB's Flagship Initiative – OIRA Regulatory Review Dashboard

For over a decade, OMB's OIRA has provided information about its work related to regulatory review on RegInfo.gov and on [OIRA's website](#). In February 2010, the "OIRA Dashboard" was added to RegInfo.gov. The Dashboard provides information about regulatory actions under OIRA review. Among other things, the Dashboard graphically displays regulatory actions under review by agency, length of review, economic significance, and stage of rulemaking.

The Dashboard is the centerpiece of an easy-to-use website that allows people to track the progress of Federal regulations that have been submitted for interagency review. Putting this information online and in an accessible format is one of the ways that OMB is applying the principles of the [Open Government Directive](#) to rulemaking and regulatory policy.

Although OIRA already discloses a significant amount of information about the nature and status of regulations under review, the Dashboard makes it far simpler for visitors to find and sort rules by agency, by length of review, by stage of rulemaking, and by economic significance. With the help of intuitive and graphical displays, the Dashboard makes it easier for people to identify the rule or category of rules that interest them and allows them to monitor progress of OIRA's review. Simply put, the Dashboard democratizes the data.

Regulations are one of the many "non-budget" activities that work to support the President's priorities in areas such as environmental protection, highway safety, energy efficiency, homeland security, and education. Through the Dashboard, we add new transparency to this important area of policymaking – and we invite participation through a link to Regulations.gov to strengthen accountability and effectiveness.

The Dashboard provides information on the following types of significant regulatory actions that undergo OIRA review:

- Notice – These are documents that announce new programs (such as grant programs) or agency policies.
- Pre-rule (or advance notice of proposed rulemaking) – Agencies undertake this type of action to solicit public comment on whether or not, or how best, to initiate a rulemaking. Such actions occur prior to the proposed rule stage.
- Proposed rule – This is the rulemaking stage in which an agency proposes to add to or change its existing regulations and solicits public comment on its proposal.
- Final rule – This is the last step of the rulemaking process in which the agency responds to public comment on the proposed rule and makes appropriate revisions before publishing the final rule in the Federal Register to become effective.
- Interim Final Rule – These interim rules are typically issued in conformity with statutory provisions allowing agencies to publish a final rule without going through the proposed rule stage. The "good cause" exception in the Administrative Procedure Act allows agencies to bypass the standard process of public notice and comment on a rule when the standard process would be impracticable, unnecessary, or contrary to the public interest. When

agencies issue interim final rules, they typically allow for public comment after the rule is published so that they have an opportunity to consider public input and revise the rule accordingly.

- Direct Final Rule – These rules are similar to interim final rules, except that there is no comment period after publication, on the ground that they are uncontroversial. Such rules are categorized simply as “final rules” for display purposes on the dashboard.

Beginning this month and over the next year, OIRA plans to implement significant new enhancements to Reginfo.gov. These enhancements will improve the Dashboard’s search capability, site navigation, and graphics. The planned changes are intended to make it easier for the public to find information and increase understanding of OIRA’s review activities. OIRA will also continue to reach out to stakeholders and the public for ideas and feedback on how to improve the Dashboard. Future enhancements to Reginfo.gov will be undertaken only after close attention to public feedback.

More generally, OIRA remains firmly committed to enhancing public access to Federal regulatory information online, wherever it resides. In addition to the Dashboard activities described above, OIRA will work with stakeholders to pursue other means to improve the public’s understanding of the Federal regulatory process, to promote participation, and to develop more comprehensive, authoritative, and electronic dockets across Federal Government.

Comments or feedback on the Dashboard or e-Rulemaking can be sent through the [contact us](#) page on the site.

Nothing in this plan shall be construed to supersede existing requirements for review and clearance of pre-decisional information by the Director of the Office of Management and Budget, relating to legislative, budgetary, administrative, and regulatory materials. Moreover, nothing in this plan shall be construed to suggest that the presumption of openness precludes the legitimate protection of information whose release would threaten national security, invade personal privacy, breach confidentiality, or damage other genuinely compelling interests.

Appendix – OMB’s Records Management Policy

1. PURPOSE

The Records Management Policy establishes principles, responsibilities, and requirements for managing records to ensure that the Agency is in compliance with Federal laws and regulations, policies, and best practices for managing records. This Agency-wide policy provides the framework for specific guidance and detailed operating procedures governing records management organization and implementation.

2. SCOPE AND APPLICABILITY

This Policy addresses all records made or received by OMB under Federal law or in connection with the transaction of public business, and preserved or appropriate for preservation as evidence of OMB functions, organization, and activities or because of the value of the information they contain.

3. BACKGROUND

The Federal Records Act of 1950, as amended, requires all Federal agencies to make and preserve records containing adequate and proper documentation of their organization, function, policies, decisions, procedures, and essential transactions. These records are public property and must be managed according to applicable laws and regulations.

The Federal Records Act also requires agencies to establish a records management program, defined as a planned, coordinated set of policies, procedures, and activities needed to manage its recorded information. Essential elements include issuing up-to-date records management directives, properly training those responsible for implementation, and carefully evaluating the results to ensure adequacy, effectiveness, and efficiency.

Records serve a number of purposes including: administrative and program planning needs, evidence of OMB activities, protection of legal and financial rights, oversight by Congress and other authorized agencies, documentation of the Agency's history, and the continuation of key functions and activities in the event of an emergency or disaster. Records serve as the Agency's memory; they are of critical importance in ensuring that the organization continues to function effectively and efficiently.

4. POLICY

This Policy establishes specific requirements under which OMB records are effectively and efficiently managed throughout their lifecycle to facilitate the accomplishment of OMB's programmatic and administrative missions, to preserve official OMB records in accordance with applicable statutory and regulatory requirements, and to promote access to information by OMB staff, OMB partners, and the public, as appropriate.

Each office within OMB is required to establish and maintain a records management program with the following minimum requirements:

- Create, receive, and maintain official records providing adequate and proper documentation and evidence of OMB's activities.
- Manage records, in any format, in accordance with applicable statutes, regulations, and OMB policy and guidance.
- Maintain electronic records, including electronic mail records, in the enterprise-wide electronic content management system, when available, and migrate legacy systems, when feasible.
- Print and file records in a paper recordkeeping file system when an enterprise-wide electronic content management system is not available.
- Maintain records according to the Agency-wide file structure allowing for timely access and retrieval.
- Secure records to protect the legal and financial rights of the government and persons affected by government activities.
- Implement a plan to protect vital records and assess damage to and the recovery of any records affected by an emergency or disaster.
- Ensure instructions for disposition of records as specified in the approved records schedules.

5. ROLES AND RESPONSIBILITIES

The Agency Records Officer is responsible for:

- Leading and managing the Agency-wide national records management program.
- Ensuring Agency senior officials are aware of their programmatic and individual records management responsibilities.
- Advising OMB on records management issues and developing Agency-wide records management policies, procedures, guidance, and training materials.
- Coordinating the approval of the Agency's records schedules and the transfer of records to the National Archives.

- Promulgate and communicate Agency-wide policies and guidance that reflect records management missions and goals and incorporate Federal requirements.
- Designate other records management staff as required by regulations.
- Assign overall responsibility for the records management aspects of centrally provided information technology infrastructure, including local area network applications.
- Conduct periodic evaluations of records management programs within OMB as part of the Agency's review and oversight program.
- Coordinating records management issues with other Federal agencies, including Federal oversight agencies such as the Office of Management and Budget (OMB), the Office of Administration (OA), National Archives and Records Administration (NARA), , and the General Services Administration (GSA).
- Providing technical advice and training to all Agency organizations on establishing and maintaining effective records management programs.
- Evaluating recordkeeping practices to determine the effectiveness of the program.
- Drafting and updating records schedules for records created and maintained by the organization.
- Implementing approved records schedules to ensure that records are not destroyed without proper authorization.
- Reviewing file plans and procedures at least every three years to ensure they are current and updating them as necessary.
- Assisting in planning and implementing information management technology and reviewing the purchase of records management equipment and services to ensure they conform to Federal statutory and regulatory requirements.

The Records Liaison Officers (RLO's) are responsible for creating and preserving records that adequately and properly document the organization, functions, policies, decisions, procedures, and essential transactions of OMB. In addition, the RLO's are responsible for:

- Creating and updating procedures for their offices in accordance with established OMB and program policies.
- Performing evaluations of their records management and vital records program.

- Developing file plans and procedures so records are organized and can be found when needed.
- Assisting with disposition activities, including retirement of inactive records, transfer of permanent records to the National Archives, and destruction in accordance with approved records schedules.
- Reviewing office records schedules annually to ensure they are current, and initiate changes if not.
- Ensuring confidential records are protected in accordance with Federal and OMB requirements, and keeping access lists to ensure sensitive information is released only to authorized individuals.
- Coordinating the identification and maintenance of vital records and submitting an annual list of vital records through senior management to the Agency Records Officer.
- Initiating and keeping records retirement, transfer, and destruction documentation.
- Conducting briefings and training sessions on the records management program.
- Reviewing and recommending requests for records equipment, services, and supplies.
- Providing records management briefings for all managers and training to staff within their organizations.

Each OMB Division is responsible for:

- Designating a Records Liaison Officer (RLO) accountable to the Records Officer or other official designated to oversee the program.
- Ensuring the RLO has adequate skills, resources, time, and appropriate authority to perform the job.
- Implementing a records management program within their area of responsibility to accomplish the objectives identified in Federal regulations and OMB policies and procedures. Minimum program components include responsibilities for:
- Evaluating the value of records within their span of responsibility to serve as a basis for assigning records retention and disposition instructions, determining which records within their physical or legal custody are vital, and implementing the most responsive and cost-effective means for managing records.

- Implementing a vital records plan to ensure the continuation of key functions and activities in the event of an emergency or disaster.
- Providing oversight for contractors, grantees, or other non- OMB employees managing official OMB records.
- Ensuring records and other types of required documentary materials are not unlawfully removed from OMB by current or departing officials, employees, or agents.

The OMB General Counsel's Office is responsible for:

- Assisting the Divisions in determining what records are needed to provide adequate and proper documentation of OMB activities and in specifying appropriate disposition for OMB records.
- Assisting in determining the retention of Agency records that may be needed for internal investigation and audit purposes.

The OMB Records Officer and IT Program Manager are responsible for:

- Working with the RLO's and NARA to establish and update records schedules for electronic systems.
- Implementing proper recordkeeping procedures for existing information systems and ensuring recordkeeping requirements are included in proposed systems.
- Ensuring that information systems intended to carry out electronic records management comply with NARA's and OMB's requirements for electronic recordkeeping systems.
- Maintaining electronic information systems in accordance with approved records schedules and NARA requirements.
- Working with the RLO's to transfer permanent systems to the National Archives in accordance with approved records schedules and NARA requirements.
- Ensuring that Internet and intranet postings containing official records are maintained in accordance with OMB's recordkeeping requirements.

Continuity of Operations (COOP) Program planners are responsible for:

- Working with records management staff to implement the vital records plan to ensure the continuation of designated COOP essential functions.
- Ensuring that vital records are accessible from designated COOP locations.

All OMB employees are responsible for:

- Creating and managing the records necessary to document the Agency's official activities and actions, including those records generated by OMB contractors and grantees, in accordance with OMB recordkeeping requirements.
- Destroying records only in accordance with approved records schedules and never removing records from OMB without authorization.
- Filing records for safe storage and efficient retrieval and maintaining personal papers and non-record materials from official OMB records.

6. WAIVER PROCESS

The Agency Records Officer in consultation with the OMB General Counsel, may grant waivers to any provisions of this Policy for sufficient cause.

Applications for waivers to specific provisions should contain (1) identification of the Policy provision; (2) a listing of reasons why the Policy cannot be applied or maintained; (3) an assessment of impacts resulting from non-compliance; and (4) the signature of the General Counsel.

The Agency Records Officer will notify the requesting office in writing of the disposition of the decision on the waiver request within 60 days of receipt of the request.