MERCATUS CENTER

GEORGE MASON UNIVERSITY

Government Accountability Project

Public Interest Comment on
Kentucky's Open Door[1]

October 17, 2008

Submitted to the Kentucky e-Transparency Task Force

The Government Accountability Project of the Mercatus Center at George Mason University is dedicated to helping policy makers improve the public sector management process by bringing research and analysis to agencies to develop quality information about their effectiveness. Better information about the effectiveness of programs enables policy makers to make informed decisions about allocating resources to programs that provide the maximum benefits to the public. Thus, this comment on Kentucky's Open Door initiative does not represent the views of any particular affected party or special interest group, but is designed to evaluate the effect of the Task Force's proposals from a public interest perspective.

We commend the Commonwealth of Kentucky for endeavoring to make its operations more transparent through the use of Internet technology. We have reviewed the legal order from Gov. Beshear, the updates from the e-transparency committee, the draft legal policy, as well as the mockups of the sites, and would like to offer our comments on them.

Bottom line: the e-transparency task force should focus on providing to the public the most complete datasets and documents online in a structured format. While the data that is released could be formatted and explained within the state's website, the task force should consider that providing the raw data would allow third parties to create their own presentations of the data.

We have included a review of the current features of the mockups, as well as ideas about the final uses citizens will make of the data provided and what this means for what the Commonwealth should focus on in its e-transparency efforts.

[1] Prepared by Jerry Brito, senior research fellow, with the help of Kevin Rollins. This comment is one in a series of Public Interest Comments from Mercatus Center's Government Accountability Project and Regulatory Studies Program and does not represent an official position of George Mason University.

Treasury Dept V.I.E.W

The Treasury V.I.E.W. application allows users to search by payee information (name, city, state, zip), ranges of dollar amounts, check dates, and the issuing agency. Once a search has been completed, V.I.E.W. allows users to export the results in a variety of formats including XML. We suggest that the database's capability be expanded to include live-updating XML feeds that are sortable and trackable.

The search functionality is a great step towards toward transparency and accountability, allowing citizens to be fully informed about their government's actions. However, a search function only helps you find an item (a contract, a check, or a vendor) that you know you are looking for. More interesting would be the ability to find useful data that you didn't know existed and therefore couldn't have been looking for. Structured data such as XML allows this.

Rather than searching for a particular vendor name, you could use sortable data to make queries that look for not just particular keywords, but for patterns. For example, among other things, you could query for:

- the top ten check recipients in a particular district
- the contractors who have received the greatest number of payments
- the top recipients by agency within a particular date range

Additionally, structured data feeds can be subscribable. That is, once you set your query parameters (e.g. checks above $1,000 by agency X) you can then subscribe to a feed of that query and each time a new item matches the parameters, you are automatically alerted.

Structured data also allow users to "mash" feeds with other services. For example, you could plot check recipient addresses on a map using the freely available Google Maps API. Imagine plotting on a map the recipients of rural aid only to discover that some of the recipients are in New York City. Imagine a "mash up" of state check recipients with a state campaign finance database list of donors. Government does not need to make these presentation applications itself. It merely needs to offer the data as an XML feed and third parties such as university researchers, watchdog groups, and even individual concerned citizens with basic computer skills, will create the mashups.

A reference list of third-party "mash-ups" created by citizens around the country using the data feeds of other states and the federal government is available at http://www.sunlightfoundation.com/resources.

Another major improvement that could be made to the V.I.E.W. database would be to add project information to the search results. Currently, search results show check numbers, payee names, and check amounts, but the do not disclose the contract associated with the payment. Citizens no doubt would like to know what the payees are being paid for and what they are getting for their expenditure.

In several places, it is noted that the current transparency offerings do not contain all the data the government possesses. In the case of the V.I.E.W dataset, only four agencies are included. Other agencies information should be included as soon as possible.

Finally, the existing ability in V.I.E.W. to download the entire database could be made more convenient – by a single button on the front of the search page, for instance. It appears that one can download the database by not specifying limiting criteria and then exporting to XML, but this not clear whether it is in fact doing so.

Secretary of State Online Checkbook

Many of the same considerations that apply to V.I.E.W. apply to the Secretary of State Online Checkbook as well.

The search form and output form of the Online Checkbook differs from V.I.E.W. in several ways. We appreciate that the Online Checkbook output includes the expense type, where V.I.E.W did not. Also included are vendor, payment date, amount, (and a blank notes field), but not the location of the vendors or the particular project with which the cost is associated. Unlike V.I.E.W., there is no export feature, nor does it offer any structured data feeds, which would be very useful.

We also like that the Online Checkbook's output form provides a statement of the total salary expenditures for a period. It would be better if it also stated the total expenditures. A breakdown of salary expenditures (even if only by job title) would also help citizens understand how the department is spending their money. Unlike V.I.E.W, the Online Checkbook does not users to input a date range either by text-field (e.g. by typing "9/14/08") or by using a calendar selector. Adding that feature would certainly improve the database.

Finally, the Secretary of State webpage states that the department hopes to eventually have the data uploaded in near real time. That would be a commendable step forward.

Beyond Check Registers

Gov. Beshear's executive order states that the task force's efforts will "include, but not be limited to, providing information about state expenditures and state programs." We encourage the task force to embrace this potentially wide-ranging mandate to open up state government.

The first order of business would be to provide a better sense of what information the state government actually possesses, how it is collected and maintained, what laws affect the collection and maintenance of this information. We recommend reporting the findings of such a survey on the one-stop site.

Another good starting point would be to include an Open Records Act page, in which all information divulged under the Act is made available in an accessible form at the one-stop site. Each document should be text searchable, and included in a database of documents with consistent, meaningful metadata.

To populate the site, we recommend uploading government documents as they are created, rather than waiting for a request from the transparency task force, a legislator, or a member of the public. For example, comments on this transparency initiative could be uploaded to the one-stop shop page.

Another feature could be a frequently requested document list, which could even have an RSS feed attached to it. The federal e-FOIA law already has such a requirement. Further, the website statistics could be made available, so that the public and the government could have a better understanding of which documents and pages are most heavily demanded.

Educational Components

Disclosing information for the sake of transparency can be fruitless unless the information is placed in context. The Task Force should therefore be commended for pursuing several educational modules that aim to teach the public about the budget process. That said, these modules would benefit from further consideration.

There are several educational modules aimed at children, including “Budgeting for Kids” and “How a Budget is Made!” which include games and activities. The Task Force’s interest in children’s education is commendable, but it should seriously consider whether it has a comparative advantage in this area and whether a cost-benefit calculation would justify an investment in a “Kids” website. The Task Force should seek to discover evidence of whether children are likely to visit the state’s budget transparency website. It should also seriously consider whether the budget office has the expertise to develop lessons for children, and whether children would benefit from education about the state budget.

The Task Force should ask itself whether the resources necessary for the children’s educational site would be better-invested elsewhere. For example, the state of Texas has been a leader in offering online disclosure of spending by school districts and plans to soon put online the checkbook of every public school. This benefits children indirectly by allowing their parents to hold educators and administrators accountable. Even if the Task Force concludes that a “Kids” program is in order, it should state a very clear and measurable goal for it so that it can later judge whether it has been successful and worth further investment.

Other educational modules aimed at a broader audience include “My Taxes,” and “My Taxes: Revenue,” which are useful basic explanations of the budget process. They could be improved, however, by allowing users to drill down into each of the stages of budgeting and programs in the budget. This would allow a more granular and view of the data that would allow citizens to see how the budget affects them directly. Other useful additions to these educational sections might include an interactive diagram including the internal processes of the legislature in passing a budget, links to individual offices in the government and their contact information, and a dataset of the budget items requested by each legislator and the ultimate vote tallies.

Further Reading:

Jerry Brito, *Hack, Mash & Peer: Crowdsourcing Government Transparency*, 9 COLUMBIA SCIENCE & TECHNOLOGY LAW REVIEW 119 (2008), available at: http://www.stlr.org/html/volume9/brito.pdf.

David Robinson et al., Government Data and the Invisible Hand, 11 YALE JOURNAL OF LAW & TECHNOLOGY (forthcoming 2009), available at: http://ssrn.com/abstract=1138083.