December 21, 2015

The Honorable Barack Obama
President of the United States
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear Mr. President:

We, the undersigned organizations, are concerned about the failure of the Office of Management and
Budget (OMB) to comply fully with a Presidential memorandum on transparency and open government.
Although OMB released an open government plan in 2010, it failed to release an open government plan
in 2012 and 2014, and we believe it is on course to fail again. By comparison, every other agency
obligated to issue a plan in 2014 ultimately did so. We respectfully request your attention be given to
this matter and that you direct OMB to take immediate action to fulfill its obligation.

Your 2009 Presidential memorandum on transparency and open government “instructs executive
departments and agencies to take specific actions implementing the principles set forth in this
memorandum.”
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 OMB issued an implementing Open Government Directive in accordance with the
memorandum; it requires “each agency [to] develop and publish on its Open Government Webpage an
Open Government Plan that will describe how it will improve transparency and integrate public
participation and collaboration into its activities.... ĂĐŚĂŐĞŶĐǇ͛ƐƉůĂŶƐŚĂůůďĞƵƉĚĂƚĞĚĞǀĞƌǇƚǁŽ
years”
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 (emphasis added). The purpose behind the Directive, and the Plans, is to encourage agencies to
articulate how openness helps them fulfill their missions, address public concerns, and build openness
into the way they operate.

In February 2014, the White House Office of Science and Technology (OSTP) issued guidance
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 to help
agencies update their Open Government Plans for 2014. The guidance instructed agencies to
incorporate new subjects into their Plans, based on the Administration’s Open Government National
Action Plan, which included 23 new or expanded open government commitments. Despite crystal clear
update requirements, the 2014 guidance, the standing White House memorandum, and
recommendations
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 and repeated communications
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 from outside stakeholders, OMB did not update its
plan and declined to provide a timeline for when an updated plan might be published. More than a year
has elapsed since the due date.

1
 Memorandum for the Heads of Executive Departments and Agencies, Transparency and Open Government, The
White House, January 21, 2009: http://1.usa.gov/1SHPCHr.
2
 Memorandum for the Heads of Executive Departments Agencies, Open Government Directive, Office of
Management and Budget, December 8, 2009: http://1.usa.gov/1OcRMQZ.
3
 Memorandum for the Heads of Executive Departments Agencies, 2015 Agency Open Government Plans, Memo
from Todd Park, Chief Technology Officer, Office of Science and Technology, February 24, 2014:
http://1.usa.gov/1lWHDvz.
4
 See, e.g., Crew Submits Open Government Plan Recommendations, May 20, 2014: http://bit.ly/1ZfThQh.
5
 See, e.g., the January 2015 Civil Society Progress Report on the Implementation of the United States’ Second
Open Government Partnership National Action Plan, which emphasized that OMB had yet to publish an updated
plan since its first version was issued in 2010, and highlighted that civil society organizations had attempted to
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Many of us have repeatedly expressed concern over the failure of OMB to meet this obligation in
multiple forums. The failure is particularly troubling because OMB is an agency with a central oversight
role on information policy, it has responsibility for implementation of this plan, and it often serves as the
right hand of the President.

We urge you to direct OMB to take immediate steps to comply with the Open Government Directive and
update its Open Government Plan in line with the 2014 guidance.

Thank you for your immediate attention to this matter. If you have any questions, please contact Patrice
McDermott, Executive Director of OpenTheGovernment.org, at pmcdermott@openthegovernment.org