



For promises of transparency to be meaningful, the author contends, congressional leaders must make introducing a bill and publishing it online the same thing.

JIM HARPER

## Republicans Can Eclipse Obama on Transparency

Congress's new rules package could mean that Republicans eclipse President Barack Obama on a signature issue: government transparency.

During his first two years in office, the president generated a lot of heat in the transparency area — but little sunlight. House Republicans can quickly outshine Obama and the Democratic Senate. It all depends on how they implement the watch phrase of their amendment package: “publicly available in electronic form.”

The GOP House leadership must make sure that this translates into real-time posting of bills, amendments and steps in the legislative process, in formats the Internet can work with. It's not about documents anymore. It's about data. Today's Internet needs the data in these documents.

There are no technical impediments to a fully transparent Congress. Computers can handle this. The challenges, however, are institutional and practical.

Institutionally, House leaders will have to drive a lot of change into congressional practices: all the steps from the introduction of bills through the House floor and beyond. Committees, often fiefdoms of powerful chairmen, will have to take some change orders about how they conduct their hearings and markups.

The House can reach the gold

standard for transparency if its new practices make introducing a bill and publishing the bill online the same thing. Moving a bill out of committee and posting the committee-passed version as online data must also be the same thing. Voting on a bill and publishing all data about the vote online must be standard procedure.

The practical problem here is “schematizing” congressional processes so that they can be uniformly reported in a machine-readable form. This complicated problem isn't just the House leadership's responsibility. The transparency community owes it to Congress to say how it wants to get the data.

When legislative process is published as data, all manner of websites, researchers, journalists, scholars and advocates can easily slice and dice congressional information. Web 2.0 is likely to produce timely, widely varying compilations and interpretations of information about Congress — delivering real government transparency to the public in a meaningful way.

Meanwhile Obama's run at transparency has yet to have a major impact. His first executive action on taking office was to issue an Open Government Memorandum, highlighting transparency, participation and collaboration. That was an important symbol

and commitment. But it took nearly 11 months for the administration to produce the follow-up Open Government Directive.

This was a symbol, too: Change comes hard.

The Obama administration has scored some modest transparency “wins.” White House visitor logs are now available online. Many federal agencies have moved forward with online collaboration tools and climbed aboard the social networking bandwagon. Hundreds of thousands of agency data sets are now online. But much of that is “niche” data, not core transparency information that reveals agencies' management, deliberations or results.

Obama has had just as many transparency failures. He said that health care legislation would be negotiated on C-SPAN, but the one forum broadcast did not meet the president's high transparency standard.

On earmarks, last January the president called for a “comprehensive, bipartisan, state-of-the-art disclosure database that allows Americans to examine the details of every proposed earmark before a vote is taken.” That database exists — but only because a trio of private groups culled data from hundreds of congressional websites and released it last month.



House leaders must drive the process of transparency, the author writes.

Speaking of transparency and firsts, Obama violated his own “Sunlight Before Signing” promise with the first bill that Congress sent him. He had said during the campaign that he would post online for five days all congressional bills that came to him before signing them. But he has honored that pledge only 45 percent of the time.

It's a promise he could redeem with a perfect showing over the next two years.

If he doesn't, the Republican House is likely to take over as the transparency leader. The new rules package requires bills that haven't gone through regular committee procedures to have three days — “publicly available in electronic form” — before a final House vote. This will give the press and public a chance to review such bills before they move. Like “Sunlight Before Signing” would do, this could suppress earmark-type shenanigans and last-minute parochial amend-

ments being rushed through the House.

When Speaker Newt Gingrich and the Republican Congress in 1995 established the Thomas online legislative tracking system, nobody could discount the achievement because of data formats. People were just getting used to an Internet that was mostly for one-way distribution of information. Web pages and PDF documents were a tremendous advance in public availability.

But the Internet has changed during the past 16 years. Web 2.0 demands data, not documents. If Republicans do a few things right, they can bring Congress back up to speed, own the transparency issue again — and change Washington.

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