



CHAPTER 15 Civic Engagement

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Civic engagement is the lifeblood of any democracy and the bedrock of its legitimacy. Broadband holds the potential to strengthen our democracy by dramatically increasing the public's access to information and by providing new tools for Americans to engage with this information, their government and one another. Increasingly our national conversation, our sources for news and information, and our knowledge of each other will depend upon broadband. The transition to new information technologies and services can open new doors to enhance America's media environment, but with traditional sources of news and information journalism under severe stress in the current media and economic environments, we confront serious challenges to ensure that broadband is put to work to strengthen our democracy.

Civic engagement starts with an informed public, and broadband can help by strengthening the reach and relevance of mediated and unmediated information.

Broadband can enable government to share unmediated information more easily with the American people. Providing more information and data to the public about the processes and results of government can strengthen the citizenry and its government.

Broadband can also empower citizens to engage their government through new broadband-enabled tools. Broadband has already increased access to information and revolutionized the way citizens interact with each other. Companies such as YouTube enable the distribution of "user-generated content" over the Internet; YouTube now supports monthly more than 120 million viewers watching more than 10 billion videos.¹ More than 80% of U.S. adults who are online use social media at least once per month, and half of them participate in social networks such as Facebook.² Today, out of the 36% of Americans involved in a civic or political group, more than half of them (56%) use digital tools to communicate with other group members.³ Government must take advantage of these trends and adopt broadband-enabled tools to encourage citizens to communicate with government officials more often and in richer ways—and to hold these officials more accountable.

Building the infrastructure for America's democracy has been a challenge since the birth of this nation. The Founders worried about it long ago. In 1787, when talking about newspapers—the broadband of its time—Thomas Jefferson wrote:

"The basis of our governments being the opinion of the people, the very first object should be to keep that right; and were it left to me to decide whether we should have a government without newspapers or newspapers without a government, I should not hesitate a moment to prefer the latter. But I should mean that every man should receive those papers, and be capable of reading them."⁴

More than two centuries ago, Jefferson was addressing **deployment**—getting newspapers out ubiquitously—and **adoption**—ensuring people read, recognizing the value of knowledge and making use of the information infrastructure. Although our technology may change, our democratic challenge remains the same.

RECOMMENDATIONS

Create an open and transparent government

- The primary legal documents of the federal government should be free and accessible to the public on digital platforms.
- Government should make its processes more transparent and conducive to participation by the American people.
- All data and information that the government treats as public should be available and easy to locate online in a machine-readable and otherwise accessible format in a timely manner. For data that are actionable or time-sensitive in nature, the Executive Branch should provide individuals a single Web interface to manage e-mail alerts and other electronic communications from the federal government.
- All responses to Freedom of Information Act (FOIA) requests by Executive Branch and independent agencies should be made available online at [www.\[agency\].gov/foia](http://www.[agency].gov/foia).
- The Executive Branch should revise its Data Quality Act guidance to encourage agencies to apply the Act more consistently and facilitate the re-publishing of government data.

Build a robust digital media ecosystem

- Congress should consider increasing funding to public media for broadband-based distribution and content.
- Congress should consider amending the Copyright Act to provide for copyright exemptions to public broadcasting organizations for online broadcast and distribution of public media.
- The federal government should create and fund Video.gov to publish its digital video archival material and facilitate the creation of a federated national digital archive to house public interest digital content.
- Congress should consider amending the Copyright Act to enable public and broadcast media to more easily contribute their archival content to the digital national archive and grant reasonable non-commercial downstream usage rights for this content to the American people.

Expand civic engagement through social media

- The Federal Chief Information Officers (CIO) Council should accelerate the adoption of social media technologies that government can use to interact with the American people.

Increase innovation within government

- The White House Office of Science and Technology Policy (OSTP) should create an Open Platforms Initiative that uses digital platforms to engage and draw on the expertise of citizens and the private sector.
- The Executive Branch and independent agencies should expand opportunities for Americans with expertise in technological innovation to serve in the federal government.

Modernize democratic processes

- Federal, state and local stakeholders should work together to modernize the elections process by addressing issues such as electronic voter registration, voting records portability, common standards to facilitate data exchanges across state borders and automatic updates of voter files with the most current address information.
- The Department of Defense (DoD) should develop a secure Internet-based pilot project that enables members of the military serving overseas to vote online.

15.1 CREATING AN OPEN AND TRANSPARENT GOVERNMENT

Open and transparent governance is central to democratic values. In order for government to be accountable to the public, it must share the results of its policies with the public as well as the processes by which those results are achieved. Ultimately, democracy rests on the ability of the people to evaluate the performance of their government in order to make informed electoral decisions.

Recommendation 15.1: The primary legal documents of the federal government should be free and accessible to the public on digital platforms.

- For the Executive Branch and independent agencies, this should apply to all executive orders and other public legal documents.
- For Congress, this should apply to all votes, as well as proposed and enacted legislation.
- For the Judicial Branch, this should apply to all judicial opinions.

Every person who is subject to the laws of this country should have free access to those laws online.⁵ Online legal documents should be appropriately digitally watermarked to preserve their integrity. For the Executive Branch and independent agencies, this means publishing all executive orders and other public legal documents on the Internet and in an easily accessible, machine-readable format. For the Legislative Branch, this means that Congress should publish all votes, as well as proposed and enacted legislation, in a timely manner, online and in a machine-readable and otherwise accessible format.⁶

Finally, all federal judicial decisions should be accessible for free and made publically available to the people of the United States. Currently, the Public Access to Court Electronic Records system charges for access to federal appellate, district and bankruptcy court records.⁷ As a result, U.S. federal courts pay private contractors approximately \$150 million per year for electronic access to judicial documents.⁸ While the E-Government Act has mandated that this system change so that this information is as freely available as possible, little progress has been made.⁹ Congress should consider providing sufficient funds to publish all federal judicial opinions, orders and decisions online in an easily accessible, machine-readable format.

Recommendation 15.2: Government should make its processes more transparent and conducive to participation by the American people.

- For the Executive Branch, independent agencies, Congress and state and local government, all government meetings, public hearings and town hall meetings should be broadcast online.
- Congress should consider allowing the American public to track and comment on proposed legislation online.

In addition to Recommendation 15.1 to make final documents open and transparent to the public, government processes should also be made open and transparent. As a guiding principle, the Knight Commission has declared, “the public’s business should be done in public.”¹⁰ Public hearings and town hall meetings are among the most direct and frequent opportunities for the public to engage in their democracy. Video streaming of government meetings expands access to the government by eliminating

geographic limitations and allowing for “time shifting,” so that a person who is unable to watch a meeting in real time (because they are at work, for example) can still watch the proceedings and provide feedback.¹¹ That is why federal, state and local governments should require that all public agency meetings and hearings be streamed over the Internet.¹² Additionally, these events should offer closed-captioning services to increase accessibility for persons with disabilities and, to the extent practical, enable individuals to ask questions online.¹³

Congress should consider enabling the American people to electronically track and comment on proposed legislation from anywhere in the U.S.¹⁴ Tools to enable greater civic participation are already being implemented in some states. For example, in New York the State Senate empowers individuals not only to see bills that have been proposed, but to comment on them.¹⁵ The Sunlight Foundation has experimented with the use of this tool at a federal level.¹⁶ Congress should consider offering a similar tool to more actively engage the American people.

Recommendation 15.3: All data and information that the government treats as public should be available and easy to locate online in a machine-readable and otherwise accessible format in a timely manner. For data that are actionable or time-sensitive in nature, the Executive Branch should provide individuals a single Web interface to manage e-mail alerts and other electronic communications from the federal government.

Information enables citizens to monitor inefficiency, waste, fraud and abuse and hold their government accountable. It also empowers the public to more actively participate in government processes and decision-making.¹⁷ That is why all public information should be easily accessible online and should be posted in real time, whenever possible.¹⁸

For government at all levels to be more open, it must provide more information online in open formats.¹⁹ Data.gov shows the demand for such information. A Web portal that offers an index of data generated by government agencies in machine-readable formats, Data.gov received more than 47 million visits in its first seven months of existence.²⁰ Data.gov has also received national and international recognition, providing a model for transparency that cities and nations around the world are looking to emulate.²¹ By publishing all public data online, government can empower the private sector to innovate. In some instances, this is already taking place. As an example, the city of San Francisco launched DataSF.org, publishing more than 100 data feeds and enabling the public to create new applications. These include applications to show individuals crime data and health inspection scores for restaurants.²²

Despite this progress, most efforts are far from comprehensive. Even Data.gov contains only a small amount of the data that the federal government possesses.²³ One survey found that only half of the states provided at least 12 of 20 types of information online in areas that are important to the public. These types of information were selected based on their relevance to people’s lives and their usefulness in holding the government accountable. They include financial disclosure reports, audit reports, nursing home and child care center inspection reports and building inspection reports.²⁴

For data that are actionable or time-sensitive in nature, the Executive Branch should provide individuals a single Web interface to manage e-mail alerts and other electronic communications from the federal government. Currently, individual agencies manage e-mail communications and alerts independently in a variety of ways. Developing a single Web interface will simplify individuals’ access to alerts and other communications from the federal government.

Recommendation 15.4: All responses to Freedom of Information Act (FOIA) requests by Executive Branch and independent agencies should be made available online at [www.\[agency\].gov/foia](http://www.[agency].gov/foia).

FOIA ensures a fair and equitable process through which the public can access information about their government.²⁵ However, agencies often do not consider the usability of the information they provide to the American people in response to FOIA requests. For example, the U.S. Customs and Immigration Service (USCIS) received nearly 80,000 FOIA requests in 2008, but in the 60% of cases where the requester asked for the information electronically, USCIS mailed a CD, rather than providing the data online.²⁶ Additionally, there are no guidelines regarding the format in which this underlying data should be delivered.

That is why all Executive Branch and independent agencies should make all responses to FOIA requests available online in each agency’s FOIA Reading Room. Once records are released pursuant to a FOIA request, they are in the public domain. Agencies are currently required to make frequently requested records (generally defined as records requested three or more times) available on their websites. Nevertheless, agencies have not proactively posted materials likely to be the subject of FOIA requests on their websites, nor have they made records released pursuant to a FOIA request routinely available on their websites. Even initial FOIA determinations by agencies are often not routinely available on agency websites. The U.S. Department of Justice should issue further guidance stating that all records (and not just frequently requested records) released pursuant to a FOIA request (which exclude any information subject to a FOIA exemption) should be posted in an agency’s Electronic Reading Room to preempt repeat requests. Doing so would eliminate repetitive FOIA requests, make more agency records accessible to the public and significantly drive down the costs (approximately \$338 million per year²⁷) of processing FOIA requests.

Recommendation 15.5: The Executive Branch should revise its Data Quality Act guidance to encourage agencies to apply the Act more consistently and facilitate the re-publishing of government data.

The federal government should eliminate unnecessary internal barriers to making data available to the public. That is why the Executive Branch should revise its guidance regarding the Data Quality Act. This legislation’s purpose is to “ensure and maximize the quality, objectivity, utility and integrity of information” disseminated by the federal

government to the public.²⁸ Unfortunately, the Act often impedes the release of data. For example, current administration of the Act requires data owners to certify the quality of their datasets before they can be published on Data.gov—even if the data are already publicly available on an agency’s website. In practice, this re-certification imposes a burden that keeps data off Data.gov. That burden should be removed. In addition, the U.S. Government Accountability Office (GAO) has noted that the Act is often implemented inconsistently and inefficiently.²⁹ These issues have led to confusion regarding what types of data can be posted and the process for posting it.³⁰

15.2 BUILDING A ROBUST DIGITAL MEDIA ECOSYSTEM

America’s communities require a media ecosystem that provides the educational, news and other content necessary to inform the citizenry and to sustain our democracy. Just as communities depend on individuals to create and maintain communities, individuals rely on trusted media intermediaries to connect them with relevant and accurate information so they can make informed decisions in their daily lives.³¹ Today, traditional media and journalism institutions, which serve as essential watchdogs over both the public and private sectors, face significant challenges.

These challenges are well documented. Newspapers are shutting down at an astonishing rate, local television (TV) news stations are laying off reporters and as a consequence statehouses and other governmental institutions are drawing fewer and fewer journalists to cover the news. Between 2001 and 2009, newspapers laid off an estimated 14,000 journalists, 25% of their workforce.³² TV news shows eliminated 1,200 people in 2007 alone,³³ and radio newsrooms shed 16% of their staff in 2008.³⁴ Such a drastic contraction in the news media means fewer checks on government and other powerful institutions, more corruption and injustice going unreported and less information being made available to citizens. Whether uncovering the horrific abuse of veterans at a Veterans Affairs hospital or informing the public of toxic chemicals in toys, professional journalism at its best arms citizens and consumers with the information they need to hold leaders accountable and to improve their own communities and the quality of their lives.

The contraction of traditional professional journalism has prompted concern from a wide variety of independent analysts and groups that the United States may end up with fewer “informed communities.” The Pew Project for Excellence in Journalism recently stated that business trends in the media were “chilling,”³¹ and a 2009 report from the Columbia Graduate School of Journalism observed that “accountability journalism, particularly local accountability journalism, is especially threatened by the economic troubles that diminished so many newspapers.”³² A shrinking of journalistic capacity could mean fewer checks on government and other powerful institutions, more scandals and injustices that go unreported, less information available to citizens and less civic engagement.

At the same time, all is not bleak. The popularity and accessibility of the Internet have already led to the development of some creative and experimental media. In San Diego and Minneapolis, journalists created Voice of San Diego and MinnPost, respectively, to fill some of the gaps created by contracting newspapers.³³ The American Standard covers state government and politics, and ProPublica provides high quality investigative reporting that many news outlets can no longer afford on their own.³⁴ Some organizations have enlisted journalism students; others are experimenting with “pro-am” journalism—professionals and amateurs collaborating via the Internet. The spread of broadband can fuel ever more creative uses of technology, including new ways of gathering, explaining and distributing news and information. Never before have the barriers to add one’s voice to the civic dialogue been so low. We should seek ways to harness some of these same digital forces that, in part, disrupted old models of journalism to bring creative solutions for restoring American journalism to both large and small communities.

There are differing views about how these negative and positive developments net out. Some feel that private and non-profit sector innovations will fully replace the loss in traditional journalism and, in some cases, improve upon it.³⁵ Others, however, are concerned about the state of traditional media in America and believe that these problems may extend to new forms of Internet-based media as well.³⁶ For example, these observers argue that the proliferation of choices on the Internet should not obscure the reality that even most online news originates with traditional journalistic organizations.³⁷ They suggest, too, that excessive private sector media industry consolidation, coupled with misdirected public sector policies, has inflicted serious harm on traditional news and information media and that special vigilance must be taken to avoid similar outcomes for new media.³⁸ The Federal Communications Commission understands the importance of these lines of inquiry and the need to address these questions expeditiously.

These questions will be studied by the FCC’s new project on the Future of Media and Information Needs of Communities in a Digital Era (see www.fcc.gov/futureofmedia and GN Docket No. 10-25).³⁹ The FCC will move expeditiously to determine what actions are needed to ensure that all citizens have access to vibrant, local and diverse sources of information and news that enable them to enhance their lives, communities and democracy. This project will review trends in the provision of local news by local TV stations, radio and other media in the context of the Internet and evolving economic conditions. The project will hold workshops, seek public input and release a report this year.

Though the Future of Media project is in an early stage, two points should be clear. First, broadband technology can only make a valuable contribution to our civic dialogue if everyone has access to it. As the Internet increasingly becomes the standard platform for receiving information, those who do not have high-speed access to the Internet will be left completely out of the civic dialogue. The media they used to rely on (often inexpensively) will be increasingly weakened if not better fortified for the transition, while salutary alternatives will be only available to the well-wired.

Second, public media will play a critical role in the development of a healthy and thriving media ecosystem. Public media plays a vital and unique role in our democracy, informing individuals and leading our public conversation as well as building cohesion and participation in our communities.⁴⁰ This strength comes from its ability to create connected and informed communities, empower citizens to hold their government accountable and enable people to actively participate in government processes and decision-making.⁴¹ And at a time of increasing skepticism, cynicism and distrust of institutions, public media has earned and maintained the trust of the American people. According to a 2007 Roper opinion poll, nearly half of all Americans trust the Public Broadcasting Service (PBS) “a great deal”; this is more than trust commercial television or

newspapers.⁴² This trust reinforces the critical role that public media plays in American democracy.

This trust enables public media to provide tremendous educational resources to America's families. Last year, after more than 4,000 episodes, Sesame Street celebrated its fortieth year on the air.⁴³ This is a remarkable testament to public media and to its educational programming. Fittingly, last year public television also launched a tremendous resource for the broadband age in the form of the PBS KIDS preschool video player. During the first month alone, more than 87 million streams of educational content were delivered across PBS KIDS sites.⁴⁴ Providing rich public media content on new digital multimedia platforms will help ensure that another generation of kids will grow up with Sesame Street and other great public television content. Public media's past is a tremendous success story that our communities and our nation should celebrate, and it has already begun developing its 21st century digital identity in myriad ways. This is evidenced by the work of PBS and National Public Radio (NPR) as well as individual public television and radio stations, all of which are playing important roles in communities across the country. For example, Boston public television station WGBH has developed the Teachers' Domain, a free collection of more than 2,000 standards-based digital resources covering diverse content for students and teachers. This collection offers video, audio, articles, lesson plans and student-oriented activities for more than 333,000 registered users.⁴⁵ Additionally, Philadelphia's WHYY radio station has partnered with the Philadelphia Daily News to produce a multimedia civic engagement blog that solicits essays from Philadelphians about their city.⁴⁶

These examples demonstrate how broadband can bring public media into the digital age and help public media achieve its full potential. But there is more work to do if its future is to be as successful as its past. Public media has historically focused on broadcasting, with its capacity constraints and one-way limitations.⁴⁷ Today, public media is at a crossroads.⁴⁸ It is predominantly structured around broadcast-based communications, both legally and in practice, presenting a challenge in the digital age. That is why public media must continue expanding beyond its original broadcast-based mission to form the core of a broader new public media network that better serves the new multi-platform information needs of America.⁴⁹ To achieve these important expansions, public media will require additional funding.⁵⁰

Recommendation 15.6: Congress should consider increasing funding to public media for broadband-based distribution and content.

If public media is to continue playing an important role in supporting civic engagement with online content, it will need expanded support. Public broadcasting is financed by a combination of annual federal appropriations, federal grants, state and local funds and private donations; it receives less than 20% of its funding from the federal government.⁵¹ As broadband adoption and utilization continue to grow, public media will require greater and more flexible funding to support new digital platforms.⁵²

As one avenue for the funding of online content, Congress should consider creating a trust fund for digital public media that is endowed by the revenues from a voluntary auction of spectrum licensed to public television. By doing so, Congress can increase public media's role by expanding the resources directed to the digital public media ecosystem without diminishing station operations. As discussed in Chapter 5, this plan recommends a process by which commercial television broadcasters may contribute some or all of their spectrum allocation to an auction in the 2012-2013 time period. Non-commercial broadcasters should also be allowed to participate in such an auction on a completely voluntary basis. Stations that contribute some (e.g., half) of their licensed spectrum would then share channels and transmission facilities with other public television stations who also contributed a portion of their spectrum allocation. These stations would not go off the air and would still broadcast their primary streams under their on-air call letters. In addition, these stations would remain direct FCC licensees as they are today, and would continue receiving all the benefits of being a direct FCC licensee, such as must-carry rights.

Congress should consider dedicating all the proceeds from the auctioned spectrum contributed by public broadcasters to endow a trust fund for the production, distribution and archiving of digital public media.

There would be multiple benefits to public television stations who participate in this auction. First, it could provide significant savings in operational expenses to stations that share transmission facilities. Second, 100% of proceeds from the public television spectrum auction would be used to fund digital multimedia content. The proceeds should be distributed so that a significant portion of revenues generated by the sale of spectrum go to public media in the communities from which spectrum was contributed.

Recommendation 15.7: Congress should consider amending the Copyright Act to provide for copyright exemptions to public broadcasting organizations for online broadcast and distribution of public media.

Creating a robust digital public media ecosystem requires changes to copyright law as well. Congress passed special copyright exemptions for public broadcasting in the 20th century, but these provisions no longer fulfill their original purpose. Current licensing practices make it difficult for public broadcasters to produce and distribute the highest quality programming. These exemptions should be updated to facilitate the distribution of the highest quality programming on 21st century digital platforms.⁵³

Recommendation 15.8: The federal government should create and fund Video.gov to publish its digital video archival material and facilitate the creation of a federated national digital archive to house public interest digital content.

Recommendation 15.9: Congress should consider amending the Copyright Act to enable public and broadcast media to more easily contribute their archival content to a digital national archive and grant reasonable noncommercial downstream usage rights for this content to the American people.

The federal government should facilitate the creation of a federated national archive for digital content. Creating such an archive will require tackling digital rights challenges and coordinating among multiple stakeholders. As part of this federated archive, the Executive Branch should create Video.gov, which would be modeled after Data.gov. This platform would house the federal government's public digital video content, current and historical, and would make it accessible and available to the public. All agencies should be encouraged to release as much video content as possible onto Video.gov. The Executive Branch should also work closely with Congress to ensure that the Library

of Congress participates in this effort. Additionally, Congress should consider making a one-time appropriation to fund the creation of this federated collection of national digital archives.

BOX 15-1: NPR'S OPEN APPLICATION PROGRAMMING INTERFACE (API): A MODEL FOR A NATIONAL DIGITAL ARCHIVE

In July 2008, NPR launched an Open API. The API framework provides mediated access to almost 15 years of NPR-produced content to NPR member stations. This allows NPR's member stations to curate NPR content. For example, WBUR in Boston re-launched its website, using the API to mix local and national news stories. Third parties can also consume and share NPR content (non-commercially) using the API. Opening this cache of data for non-commercial use led to the development of both an iPhone application (app) and an Android app. Both apps were not developed by NPR, but rather by supporters and programmers who used the API to build them. This open framework is an example of the kind of digital archive that would significantly expand access to rich content.

Public and broadcast media are critical to creating a robust national digital archive. Today, public media and much of broadcast media sit on a wealth of America's civic DNA in the form of millions of hours of historical news coverage of wars, elections and daily life. This archival content could provide tremendous educational opportunities for generations of students and could revolutionize how we access our own history (see Box 15-1).

These opportunities will only be realized if several challenges are addressed.⁵⁴ For example, public television has attempted to launch such a digital video archive but has run into difficulties obtaining necessary clearances from holders of intellectual property rights. To address this issue, Congress should consider amending the Copyright Act to enable public and broadcast media to more easily contribute their archival content to a digital national archive. In addition to clearing these upstream rights for submission into a digital national archive, the amendment to the Copyright Act should grant the public reasonable noncommercial downstream usage rights to all materials deposited into the archive. This would ensure that archival content is open and accessible.⁵⁵ Any such amendment to the Copyright Act should take into account the interests of affected copyright holders.

15.3 EXPANDING CIVIC ENGAGEMENT THROUGH SOCIAL MEDIA

Government must also improve the quality and number of points at which the American people can contact their government by implementing social media tools, providing opportunities for outside experts to increase innovation within government, and empowering citizens to engage in the democratic process in a digital age.

Recommendation 15.10: The Federal CIO Council should accelerate the adoption of social media technologies that government can use to interact with the American people.

Just as the internal use of social media tools can enhance the performance of government, social media presents a tremendous opportunity for Americans to provide meaningful input into their democracy. Americans use these tools in their daily lives and are more likely to interact with government officials and agencies if these tools make it easier.

Recent growth in adoption of social media has been dramatic. According to the Pew Internet & American Life Project, 35% of American adult Internet users have a profile on an online social networking site. That is four times as many as three years ago. These tools are likely to become even more prevalent over the coming years as the 65% of American teens that are online use social networks to engage with their government.⁵⁶ In order to maintain effective contact with the American people, government will need to adopt these tools.

The government should view social media technologies not as pilot projects or add-ons, but as tools central to the achievement of its mission. Government should adopt a variety of new media tools across many areas—from those primarily used to communicate to those that enable more intensive participation.

While adoption of these tools has been uneven, there are many success stories (see Box 15-2). The Centers for Disease Control and Prevention (CDC) utilizes social media platforms to provide access to credible, science-based health information. Between April 22, 2009, and December 6, 2009, the CDC had more than 2.6 million views of H1N1 podcasts, more than three million views of H1N1-related YouTube videos and more than 37 million views of H1N1-related media feeds.⁵⁷ The Transportation Security Administration (TSA) has also achieved success with social media, launching a blog in 2008 to give travelers the opportunity to ask questions and raise concerns.⁵⁸ TSA's blog has had more than one million hits and has resulted in improvements like educating screeners about certain computers and translating regulations into easy-to-understand language.⁵⁹ The FCC has also made extensive use of social media tools, regularly communicating with its more than 330,000 Twitter followers (the third most of any federal agency) and actively engaging the public.⁶⁰ So far, individuals have submitted more than 450 ideas to the FCC, which have generated more than 7,500 comments and over 37,000 votes, all online.⁶¹ The FCC has also posted more than 175 entries on its 4 blogs, which have generated more than 11,000 comments.⁶²

BOX 15-2: BROADBAND-ENABLED DIPLOMACY: CITIZEN-TO-CITIZEN ENGAGEMENT AS AN EXAMPLE OF 21ST CENTURY STATECRAFT

Government can also use new technologies to reach people around the world. On November 13, 2009, the U.S. Embassy in Beijing launched pages on two leading social networking portals in China.⁶³

Social media tools are also connecting individuals across nations and regions. The U.S. Department of State recently announced the creation of a “Virtual Student Foreign Service.” The program creates “dorm-room diplomats” by matching American college students with embassies and college students in other nations to build transnational relationships and cultural understanding through digital citizen-to-citizen diplomacy.⁶⁴ The State Department has also used Skype videoconferencing capabilities to connect students in Massachusetts to students in Afghanistan, enabling the Afghan students’ first face-to-face conversations with Americans.⁶⁵ Broadband-based diplomacy will only become more important in the years to come.

Government can use social media in innovative ways to engage individuals on a state and local level as well. Spartanburg County, South Carolina, and the town of Cary, North Carolina, have used social networking to engage residents, soliciting ideas and feedback concerning local community projects.⁶⁶ The state of New York has released a series of Web-based tools to engage residents in the state’s budgetary challenges, including an online calculator that allows individuals to create their own proposal to balance the budget.⁶⁷ Maine has engaged residents in the budgeting process through a similar online budget-balancing tool as well.⁶⁸

15.4 INCREASING INNOVATION IN GOVERNMENT

Beyond transparency, government should leverage broadband to experiment with new ideas and technologies to extend opportunities for engagement.

Recommendation 15.11: The White House Office of Science and Technology Policy (OSTP) should create an Open Platforms Initiative that uses digital platforms to engage and draw on the expertise of citizens and the private sector.

- This initiative should create open expert and peer review platforms to bring outside expertise to government.
- This initiative should create open problem-solving platforms, including competitions, to bring innovative solutions to government.
- This initiative should create open grantmaking platforms to improve the grantmaking process and enable greater innovations in grantmaking.

Although progress has been uneven, there are examples of innovative collaboration throughout the government. As part of the development of the Open Government Initiative, OSTP solicited comments online through a public brainstorming blog, a wiki and a collaborative drafting tool.⁶⁹ To build on this progress, OSTP and the Office of Management and Budget (OMB) should launch and manage an initiative to develop open platforms that increase participatory governance.⁷⁰ These include open peer review and open expert network platforms that enable subject matter experts to volunteer to review policies under consideration and brainstorm policy ideas with each other. The federal government has already taken steps to empower citizen experts. In 2007, the U.S. Patent and Trademark Office launched its Peer-to-Patent program, a groundbreaking Internet-based program in which expert volunteers assist the federal government with reviewing patent applications. Within the first year, Peer-to-Patent attracted more than 2,000 reviewers, and 93% of patent examiners surveyed said that they would welcome examining another patent application with public participation.⁷¹ This kind of knowledge-sharing platform can reduce the cost of policymaking and improve government performance.

Recommendation 15.12: The Executive Branch and independent agencies should expand opportunities for Americans with expertise in technological innovation to serve in the federal government.

Because many of the best ideas come from outside government, OSTP and the FCC should create an Innovation Corps and an Innovation Corps to ensure that new ideas continue to flow to the federal government. An FCC-operated Innovation Corps of volunteers would serve as a think tank for technologists from inside and outside government who would volunteer to design and develop platforms and applications for all levels of government. An OSTP-administered Innovation Fellows program could be structured similarly to the White House Fellows program.⁷² It would place leading private sector experts and innovators throughout the federal government for one year.

15.5 MODERNIZING THE DEMOCRATIC PROCESS

More Americans engage in democratic election processes than in any other civic act. By bringing the elections process into the digital age, government can increase efficiency, promote greater civic participation and extend the ability to vote to more Americans.

The current paper-based system for voter registration can include multiple steps: collecting information on paper forms, manually entering handwritten data onto voter lists and offering third-party groups the opportunity to distribute, collect and submit handwritten registration cards. These practices result in a system that is often inaccurate and cumbersome, with large numbers of registration forms inundating election offices prior to each election. One recent study estimates that voter registration problems resulted in more than two million voters being unable to vote in the 2008 general election. The problems are even worse for members of the military serving overseas; service members are more than twice as likely to face registration problems as the general public.⁷³ According to an Overseas Vote Foundation survey, nearly a quarter (23.7%) of experienced overseas voters had questions or problems when registering to vote in 2008.⁷⁴ Maintaining this poorly functioning system is costly in terms of dollars as well as votes. A study of voter registration costs in Oregon found that in 2008 voter registration alone cost taxpayers more than four dollars per vote, with an ultimate bill of almost nine million dollars.⁷⁵

Recommendation 15.13: Federal, state and local stakeholders should work together to modernize the elections process by addressing issues such as electronic

voter registration, voting records portability, common standards to facilitate data exchanges across state borders and automatic updates of voter files with the most current address information.

Government can improve the voting system by modernizing voter registration to increase efficiency and decrease confusion. This change would also increase accessibility for those who have difficulty with current voter registration processes, such as people living in rural areas and on Tribal lands and disabled populations who have difficulty traveling or face other accessibility challenges.⁷⁶ These recommendations will not provide instant solutions, but they are important steps toward creating a more rational system.

The first step must be to modernize the voter registration process. Arizona, Kansas and Washington already permit citizens to complete and submit voter registration applications online.⁷⁷ In Utah, the Governor's Commission on Strengthening Democracy published a final report in December 2009 recommending that all citizens of Utah be allowed to register to vote online.⁷⁸

Common standards will assist in making voting records portable so that these records update whenever citizens change party affiliation, marital status or move. Several states have already begun to adopt common standards to facilitate data exchange across state borders.⁷⁹ Delaware has implemented a new eSignature system that requires every visitor to the Division of Motor Vehicles to register to vote, update their registration or decline to do so. Delaware's system immediately downloads updated data directly into voters' files, eliminating the need for data entry and reducing the possibility for human error. The eSignature program saved Delaware \$200,000 annually, and it can save other states money as well.

Local governments have also reaped benefits from modernizing voter registration. In Maricopa County, Arizona, paper registration forms cost at least 83 cents each to process, while online registration costs an average of only three cents.⁸⁰ In Travis County, Texas, the County Tax Office implemented an Internet-based application that allows citizens to register to vote online, reducing citizen calls by 30% and walk-ins by 40%. Voter fraud was also minimized by using wireless devices to instantly confirm voter eligibility.⁸¹

The federal government has taken steps in this direction as well. The Military and Overseas Voter Empowerment Act, recently passed by Congress, requires that states (beginning with the 2010 general election) establish procedures to allow voters covered by the Uniformed and Overseas Citizens Absentee Voting Act to electronically request voter registration applications and absentee ballot applications for federal elections.⁸² While this is a positive step, empowering citizens to register to vote online would remove additional obstacles.⁸³

Recommendation 15.14: The Department of Defense (DoD) should develop a secure Internet-based pilot project that enables members of the military serving overseas to vote online.

According to the Overseas Voter Foundation, more than half (52%) of the military serving overseas who tried to vote were unable to do so because their ballots were late or never arrived.⁸⁴ Based on a survey of seven states by the Congressional Research Service, an average of more than 25% of military and overseas ballots were returned as undeliverable, lost or rejected in the 2008 election.⁸⁵

The federal government has demonstrated clear intent to address these issues. In 2002, the Help America Vote Act established the Election Assistance Commission to serve as a national clearinghouse, develop voluntary guidance and study new technologies related to voting. The National Defense Authorization Act for FY2005 mandated the creation of a secure Internet-based electronic voting pilot after the Election Assistance Commission establishes Internet voting guidelines. In 2007, the GAO built on this momentum, recommending that the Election Assistance Commission work with major stakeholders such as the DoD to create an action plan to address security and privacy issues and develop a timeframe for developing Web-based absentee voting guidelines.

In the meantime, other groups are taking important steps forward. The Overseas Voter Foundation and the Pew Center on the States have developed an online tool to give U.S. military personnel and other citizens living overseas easier access to Federal Write-in Absentee Ballots. This tool was implemented prior to the 2008 election and yielded positive results, receiving 4.5 million visitors in 2008 and registering almost 90,000 voters.⁸⁶ Several states, including Minnesota and Ohio, have launched similar tools.⁸⁷

Some states have already made significant progress on these issues. In September 2008, Arizona launched a Web-based voting system that allows the military and overseas citizens to vote online, with completed ballots uploaded directly to the Secretary of State's website. It has been approved by the Department of Justice and uses "industry standard, 128-bit encryption technology to ensure security, privacy and the overall integrity of the ballot." At least five other states, including Missouri, Florida, Colorado, Montana and Washington, permitted some version of electronic voting (via e-mail or a secure online system) in the 2008 general election.⁸⁸

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⁴ Letter from Thomas Jefferson to Edward Carrington (Jan. 16, 1787), available at http://en.wikisource.org/w/index.php?title=Special:Book&bookcmd=download&collection_id=5abd8f3c1473eb5f&writer=rl&return_to=Letter+to+Edward+Carrington+-+January+16%2C+1787.

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⁹ See Letter from Sen. Joseph I. Lieberman to Carl Malamud, President and CEO, Public.Resources.Org (Oct. 13, 2009), available at http://bulk.resource.org/courts.gov/foia/gov.senate.lieberman_20091013_from.pdf.

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¹¹ Ellen S. Miller Comments in re National Broadband Plan NOI, filed June 8, 2009, at 5.

¹² See Knight Comm'n, *Informing Communities* at 38.

¹³ See Broadband for the Deaf and Hard of Hearing Corporation Comments in re NBP PN #20, filed Dec. 9, 2009, at 2.

¹⁴ Society of Professional Journalists Comments in re NBP PN #20, filed Dec. 9, 2009, at 1 (filed by Kevin Z. Smith).

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¹⁶ See PublicMarkup.Org, *Welcome to Public Markup*, www.publicmarkup.org (last visited Nov. 28, 2009).

¹⁷ Jonathan Rintels, Benton Found., *An Action Plan for America: Using Technology and Innovation to Address our Nation's Critical Challenges* 34 (2008) (Rintels, *An Action Plan for America*), available at http://www.benton.org/sites/benton.org/files/Benton_Foundation_Action_Plan.pdf.

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