House of Commons
CANADA

Standing Committee on Access to Information, Privacy and Ethics

ETHI • NUMBER 047 • 3rd SESSION • 40th PARLIAMENT

EVIDENCE

Wednesday, March 2, 2011

Chair

The Honourable Shawn Murphy

Standing Committee on Access to Information, Privacy and Ethics

Wednesday, March 2, 2011

● (1535)

[*English*]

The Chair (Hon. Shawn Murphy (Charlottetown, Lib.)): I will call the meeting to order.

I want to welcome everyone here. Can everyone hear me? The witnesses in Washington and New York, can you hear me okay?

Mr. David Ferriero (National Archivist, United States National Archives and Records Administration): Yes.

The Chair: Okay.

On behalf of all members of the committee, I want to welcome you before us. This is the meeting of the Standing Committee on Access to Information, Privacy and Ethics of the House of Commons of Canada. We are continuing our study on open government.

Before I introduce the witnesses, there is one very quick administrative issue I want to deal with, because I might forget at the end of the meeting. Excuse me, witnesses; this will just take a minute.

Members, you have before you the upper limits of a budget for the lobbying study we're going to undertake in about three weeks' time. We have 10 or 11 witnesses lined up. Most of the witnesses are from the Ottawa area, so I don't expect it to come anywhere close to that, but you've seen the list of witnesses and the chair would invite a motion that this budget be accepted.

Mr. Siksay.

Mr. Bill Siksay (Burnaby—Douglas, NDP): I so move.

(Motion agreed to) [See *Minutes of Proceedings*]

The Chair: Okay, back to business. Sorry for that brief interruption.

Today the committee is very pleased to have by video conference three very interesting witnesses who are very much familiar with and were involved with the United States initiative on open government.

First, we have from the United States National Archives and Records Administration Mr. David Ferriero. He is accompanied by Mrs. Pamela Wright, who is the chief digital access strategist. We also have, representing the United States Department of Justice, Ms. Melanie Ann Pustay, Office of Information Policy.

Appearing from New York City as an individual is Professor Beth Noveck, a professor of law. I should point out that Professor Noveck served two years as the United States deputy chief technology officer for open government and she also led the White House open government initiative.

On behalf of every member of this committee, I extend to each and every one of you people a very warm welcome. I thank you for appearing before this committee and providing your assistance.

What we're going to do, as is the normal procedure, we're going to ask each of the witnesses for his or her opening comments. We're going to start with you, Mr. Ferriero, and then we'll go to you, Ms. Pustay, and then we'll go to you, Professor Noveck.

Mr. Ferriero, am I pronouncing your name right?

Mr. David Ferriero: Ferriero rhymes with stereo.

The Chair: Okay. We'll start with you, sir. Again, thank you for coming before the committee.

Mr. David Ferriero: Thank you very much, Mr. Murphy.

Greetings to members of the committee. I am David Ferriero, the national archivist of the United States. As you indicated, Pam Wright, who is our chief digital access strategist, is with me also. Pam also represents the National Archives on the White House cross-agency working group on open government.

The day after his inauguration, President Obama addressed his staff, saying:

> Our commitment to openness means more than simply informing the American people about how decisions are made. It means recognizing that Government does not have all the answers, and that public officials need to draw on what citizens know. ... I'm directing members of my administration to find new ways of tapping the knowledge and expertise of ordinary Americans—scientists....

The Chair: Mr. Ferriero, may I interrupt you just for ten seconds? Because this committee operates under two official languages, your comments are being simultaneously translated into French. If I could just ask you to slow down perhaps by about 30%, it would make it helpful to the staff.

Mr. David Ferriero: Of course. Sorry.

I'll go back to the President's address.

On his first day after inauguration, President Obama addressed his staff, saying that:

> Our commitment to openness means more than simply informing the American people about how decisions are made. It means recognizing that government does not have all the answers, and that public officials need to draw on what citizens know. ... I'm directing members of my administration to find new ways of tapping the knowledge and experience of ordinary Americans—scientists and civic leaders, educators and entrepreneurs—because the way to solve the problem of our time is...by involving the American people in shaping the policies that affect their lives.

On December 8, 2009, the Obama administration issued the open government directive, with the goal of creating a culture of transparency, participation, and collaboration in and among federal agencies that will transform the relationship between government and its citizens.

In responding to the President's request of all agencies and departments, the National Archives developed its own open government plan. And in keeping with his open government initiative, we are working to encourage more participation and collaboration in our work, both within our staff and especially with the public. An example is our citizen archivist program.

My experience in libraries over the years convinced me that we learn more about our holdings when researchers help us better understand and describe what we have. These researchers may be interested in a particular person, event, or period in American history and become more familiar with our records than the busy professional archivists. And they can be of great help in writing descriptions of these records in collaboration with our professional staff. This is a way the public can make major contributions in describing and understanding the records being preserved for their use.

Besides this interaction with citizen archivists, our open government plan strengthens the culture of open government at the National Archives, develops web and data services to meet our 21st century needs, strengthens transparency at the National Archives, and provides leadership and services to enable the federal government to meet 21st century needs. Our government-wide 2010 employee viewpoint survey was the first step to improving employee engagement.

The results of this survey created a baseline for improvements that will be made in the areas of employee engagement in open government activities. We published a strategic human capital plan, highlighting the human capital challenges facing the National Archives. Our internal open government working group looked at a variety of ways to increase employee engagement and reduce barriers for innovation within the agency.

Over the past 18 months the National Archives has worked to develop presences on Facebook, Flickr, Youtube, and Twitter. We are looking to expand on these, as well as monitor new media where the public may expect to hear from us across our records. In the process of developing this open government plan we engaged the public using a social voting platform called IdeaScale.

We developed our open government forum and closely monitored ideas, comments, and votes. As our internal open government working group met, we carefully considered each idea and the feasibility of executing each idea. Our flagship initiative for open government is to develop online services to meet our 21st century needs. We intend to move the National Archives toward increased online participation and collaboration with the public by a social media strategy that includes developing our current catalogue into a social catalogue that allows our users to contribute information about our holdings.

We will also develop streamlined search capabilities for our online holdings that will unlock online records from previously stove-piped systems. We redesigned archives.gov to be more user-focused, and we approach digitization strategically as well as transparently with the ultimate goal of providing greater access to our holdings online.

Other ways in which we advance open government involve three important offices within NARA that have government-wide responsibilities. They are the National Declassification Center, the Office of Government Information Services, and the Information Security Oversight Office.

● (1540)

In the National Declassification Center we are reviewing, on an expedited basis, a backlog of about 400 million pages of records that have been classified for years. The goal is to declassify as many of them as possible. Records with high public interest and those with a high likelihood of being declassified are getting priority. Each year we accession 15 million additional pages of classified information, creating the potential for a future backlog. That's why it's important for us to eliminate the current backlog and develop a plan to avoid future backlogs.

The National Declassification Center oversees all this work with the motto "releasing all we can, protecting what we must".

In September 2009 we established the Office of Government Information Services, which monitors activity government-wide under the Freedom of Information Act, or FOIA. Its mission is to improve the FOIA process and resolve disputes between federal agencies and FOIA requesters. Described by Congress as the FOIA ombudsman, this office is specifically charged with reviewing policies and procedures and compliance with the act by departments and agencies. And it recommends to Congress and the President any changes needed to improve FOIA administration. We work with the Department of Justice as well as with other agencies, requesters, and freedom-of-information advocates to find ways to make the act more effective and efficient.

Our Information Security Oversight Office oversees the classification programs of government and industry, ensuring public access where appropriate, but safeguarding national security information. This office also reviews requests for original classification authority from agencies, and does on-site inspections to monitor compliance with security requirements. Not all sensitive information is classified, however, and this office is leading the effort to reform the system for managing sensitive but unclassified or controlled unclassified information.

This open government initiative is also the trigger for the culture change here at the National Archives. We are implementing a plan to transform ourselves into an agency focused on the new and ever-growing needs of both our customers and our staff in a quickly changing digital era. These transformations include working as one NARA, not just as component parts; embracing the primacy of electronic information in all facets of our work and positioning NARA to lead accordingly; fostering a culture of leadership, not just as a position but as the way we all conduct our work; transforming NARA into a great place to work through trust and empowerment of all of our staff, the agency's most vital resource; creating structures and processes to allow our staff to more effectively meet the needs of our customers; and opening our organizational boundaries to learn from others.

We now have a transformation launch team implementing the plan for the reorganization, but a reorganized agency will not in itself change things. The change will come from our staff—the best and brightest there are—equipped with the proper tools in an environment where success is possible.

Mr. Murphy, I thank you for this opportunity and I look forward to your questions.

● (1545)

The Chair: Thank you again.

Now we'll go to Ms. Pustay.

Ms. Melanie Ann Pustay (Director, Office of Information Policy, United States Department of Justice): Thank you.

Thanks for pronouncing my name correctly that time. It is Melanie Pustay.

I'm the director of the Office of Information Policy at the Department of Justice. We have a twofold mission connected to implementing the Freedom of Information Act here in the States. First of all, we're responsible for encouraging agency compliance with the Freedom of Information Act. We then also ensure that President Obama's memorandum on the FOIA and Attorney General Holder's FOIA guidelines are fully implemented across the government.

We do that in a number of ways. We first have an overall FOIA guidance responsibility. We carry out that function in a variety of ways. We develop and issue policy guidance on the proper application of the FOIA for all agencies. We publish a legal treatise that's called the *Justice Department Guide to the Freedom of Information Act*. It's relied on not only by government officials but also by private sector individuals and open government groups who are interested in having a comprehensive discussion of all the FOIA case law and all the FOIA principles in one place. We also have an online website for FOIA posts where we give guidance to agencies. We disseminate FOIA news and generally share information about FOIA on an ongoing basis.

We provide a lot of training to agencies. A key part of what we do is to provide training. There are thousands of agency employees in the U.S. who work with FOIA either full-time or as a collateral duty. We have an entire range of training programs where we cover every aspect of the FOIA, all the procedural requirements, the exemptions from disclosure, and litigation considerations. Of course we now focus in particular on President Obama's FOIA memorandum and the Attorney General's FOIA guidelines. It's one of the key ways in which we're spreading the word about the new culture of openness, the presumption of openness. We give concrete guidance to agencies on how they can actually implement those principles when they respond to the Freedom of Information Act.

We also provide individualized counselling services to agencies. We have a dedicated phone line that's called our FOIA counsellor line. We have an attorney from my office who is assigned to that phone line every day. The volume of calls is such that it pretty much takes all day for that person to answer the calls that come in. There are usually 20 or 30 calls every single day from agency employees wanting to talk through a particular FOIA issue that they're having and wanting to get legal advice from us on how to proceed.

We have found that over the years the public has become aware of our FOIA counsellor service. We actually ended up getting quite a few calls from the public, where people asked how to make a FOIA request and where to make a FOIA request. We actually answer about a thousand calls a year from members of the public who have a question about the FOIA.

But in addition to this big guidance role that we have to lead agencies in compliance with the FOIA, we also have an oversight role. There are two principal ways that agencies report to the Department of Justice on how they're doing with the FOIA. First, they have to report every year to the Department of Justice. They have to submit a report that's called an annual FOIA report. It contains a tremendous amount of very detailed statistics about the number of requests they've received and processed, the disposition of the request, how many records were released in full, how many requests had records released in part, the procedural reasons for denying a request, and the many details about the time it takes to respond to a request, time increments, and money allocated to processing FOIA requests. It's a tremendous amount of information about all the nuts and bolts of the FOIA process within each agency. It's also required to be broken down by the components of each agency.

The Department of Justice, my office, developed guidance for agencies on how to fill out that report. We provide training to the agencies so they know what it is they are supposed to include and how to compile the statistics. We then review all the reports in draft form. There are 97 agencies that comply with the FOIA in the U.S. All those agencies send their reports to us first in draft so that we can review them and make sure they've covered all the elements that are required. We also find all types of things that are missing from their reports, math errors, or data that's not correctly carried over from year to year.

● (1550)

For all those reasons, we do a review of the reports before they are finalized. Then they get cleared and they get posted. DOJ then posts all those annual FOIA reports on our website so they are in one single place so it's easy for people to look at them. And then we also conduct a completed summary of those reports so that we get overall statistics about how the government is doing.

Since the issuance of President Obama's FOIA memo and Attorney General Holder's FOIA guidelines, we have a new reporting requirement that we imposed on agencies, and that's to complete every year a chief FOIA officer report. That report is a narrative, and it's a detailed narrative description of all the steps that the agency has taken to implement the presumption of openness. It has required elements that need to be addressed, like the agency's use of technology, what steps they're taking to improve proactive disclosures of information.

So we wanted to take the key elements of President Obama's and Attorney General Holder's openness principle and give agencies the ability to showcase to the public and to the department the steps they're taking to learn from one another by looking at each other's reports. And we have the same sort of process in my office, where we've given guidance on how the reports should be completed. As part of our training, we encourage agencies to do things that they then know they have the satisfaction of being able to report in their chief FOIA officer report. We also then create a summary. Last year was of course the first time that we had a chief FOIA officer report, so then we created an extensive summary of how agencies did in implementing the new guidelines, and we gave new guidance to agencies to move us now to the next step down the road. Those things together are the ways we conduct oversight.

The last thing I wanted to mention is that at the Department of Justice we had our own open government plan. As our flagship initiative under the plan, we have developed a brand-new website that's going to be called FOIA.gov. It's a website that's devoted to all things FOIA, and it combines our leadership and our policy role with FOIA. It's totally developed by DOJ. But it was born from the results of when we were developing our open government plan. We got ideas from the public, and this was one of the most voted on suggestions for a flagship initiative for DOJ.

There are two main elements to this new FOIA website that we're going to be launching actually in the next couple of weeks. First of all, what the website does is take all that detailed data that I was just mentioning that's collected in annual FOIA reports, and it displays all the data graphically. This means that you can go into this website and compare data, mash data, compare across agencies, and compare over time, and be able to see graphically how agencies are doing.

For example, if you just wanted to compare the Department of Justice, Department of Homeland Security, and the Department of Health and Human Services, and you wanted to see which of those agencies gets the most requests, and which of those processes the most requests, you can select those three agencies, select their criteria that you want to look at, and the data will pop up in graphs, and you'll see graphs showing the differences between the agencies. You can compare and contrast in a myriad of ways. It really makes the data living and meaningful. We think it's a really nice way to shine a light on agencies' FOIA compliance.

And one of the things we're going to do in our management role is we're going to run reports ourselves and then post them on the site so that we can highlight the five top agencies that have made the most releases of record, or the agencies that have reduced their backlog most significantly. So we'll highlight different things that we think are useful for people to see and that will also in turn be an encouragement to agencies to try to race to the top so that they can get on one of our lists of the top five.

● (1555)

Secondly, FOIA.gov will have an educational component. We have a full description on the website of how the FOIA works, what to expect when you make a FOIA request, where to make your FOIA request. We have contact information for all 97 agencies. We have the names of officials you can call in each agency when you have questions about your request. We have the websites of each agency. We also even have videos embedded in the website so that we can explain just in conversational tone and terms how the FOIA works, what exemptions are, what the process is. We think that aspect of the website is very valuable in terms of educating the public to help them understand what to expect and then also to make it easier for them to know how and where to make a FOIA request. So we're really looking forward to launching that new website in the next couple of weeks.

The Chair: Thank you, Ms. Pustay.

I am now going to go to Professor Beth Noveck.

Dr. Beth Simone Noveck (Professor of Law, As an Individual): Thank you, Chairman Murphy and members of the committee.

Thank you for the honour of appearing before you today to reflect on the meaning and value of open government and to share some of my insights and experiences in working to create an open government culture and practice.

I'm hoping to tell you for a few minutes about the White House open government initiative and what we did to begin the process of trying to create a culture of open government. I will then share ten principles for designing open government institutions, and conclude with a few thoughts about open data.

Let me at the outset make clear that the views I express are entirely my own, as an individual, and not those of my former employer, the United States government.

Let me start by laying out why I think open government matters. Open government goes far beyond transparency, which sometimes people confuse because of the term "open". Opening up how institutions work first and foremost enables greater collaboration, what we might think of as open innovation. It affords the opportunity to use network technology to discover creative solutions to challenges that a handful of people sitting in Washington or Ottawa cannot necessarily devise by themselves. Washington government doesn't have all the answers. And in the network age, 21st-century institutions are not bigger or smaller institutions—they are smarter ones that can leverage the somewhat anarchic technologies, the kinds of social media we've heard about today, within tightly controlled bureaucracies to connect the organization to a network of people in order to devise new approaches that would never come from the bureaucracy itself.

When we can use new technology to build those kinds of connections between institutions and networks, we can come up with new and manageable and useful ways for government and citizens to solve problems together. I start from the assumption that everyone is an expert in something, and that many people would be willing to give of their time and participate if they had the opportunity to bring their skills and talents and enthusiasm to bear for the public good.

As President Obama recently said, "We cannot win the future with a government of the past". The real motivator, I believe, for changing how government works, for moving towards open government, is to make government more democratic. Providing opportunities for citizens to collaborate is vital to fostering an engaged citizenry. Particularly in an era when the journalism industry is in economic transition, we have to look to new strategies that leverage technology to create democratic accountability and make citizens the co-creators and partners in governance with the public sector.

On his first full day in office, the President signed the memorandum on transparency and open government, in which he called for "unprecedented openness in government" and creating institutions governed by the three values of transparency, participation, and collaboration.

We started this White House open government initiative as a collaboration between the White House and all the agencies, including the National Archives and the Department of Justice, from whom you've heard today, and coordinated by White House counsel, the Office of Management and Budget, and the Office of Science and Technology Policy in an effort to implement this memorandum on transparency and open government.

Two years later, every cabinet department and major agency in the United States has a brainstorming website for getting good ideas from the public and from employees. They can visit the General Services Administration's apps.gov platform to get access to new social media tools, also for free. The White House alone has eight Twitter accounts, and we started from scratch with an open government account that now has—I'm pleased to report—150,000-plus followers. And many cabinet secretaries, as well as their departments, tweet.

Every institution now has a fully articulated open government plan, of the kind you heard the archivist describe, that lays out concrete steps for making this culture change real in practice.

We have a national data portal, Data.gov, where the U.S. government has put up hundreds of thousands of data sets. In addition, many agencies are developing their own inventories, searchable through Data.gov, where they're putting up further data. They're using new platforms like Challenge.gov, the new national website offering rewards for the development of creative solutions to problems.

In its first two years, the United States experience has been that of trying some new initiatives, experimenting with collaboration in day-to-day governance. You heard already about the citizen archivist program. When the Department of Health and Human Services wanted to help policy-makers and citizens make more informed decisions about their health care, it made hundreds of public health indicators available online—so-called community health data—and then invited people to create useful tools and visualizations with those data. In the first three months of that initiative, people outside government developed two dozen innovations to improve community health. And since that time they have developed many, many more.

● (1600)

I had the personal experience, working with my students at New York Law School, of collaborating with the United States Patent and Trademark Office to build the nation's first expert networking system that allowed volunteer scientists and technologists to work with the patent office to get better information for informing the decisions of the patent office.

This notion of open government, transparency, participation, and collaboration is by no means a U.S. mantra alone. Ten countries now have national data portals. The British Parliament is currently debating amending the Freedom of Information Act to provide for provisioning data in raw, downloadable formats for citizen reuse. Poland and Brazil are considering open access legislation. Ten Downing Street, like the White House, provides spending data and contracting data online. The Australian government has the Government 2.0 taskforce, which is exploring opportunities for citizen engagement. This is very much an initiative that runs all across the world as well as from federal to state to local levels in the United States.

The way we undertook beginning the process of creating an open and collaborative culture in the United States really required a combination of three things: policy, platforms, and projects. We started, of course, with significant policy initiatives on day one, setting out the ideals of openness and collaboration, to inspire the kind of change you've heard about today. We created new platforms, such as Data.gov and Challenge.gov, to translate policy into practice in concrete ways. Then we encouraged the launch of a multiplicity of projects to really let 1,000 flowers bloom and spawn innovation all across the public sector so that open government would be the work of thousands of people, not just a few people in the White House.

Let me add one note on the role and value of high-value data in this process. The open government directive very specifically provides for an inventory, via agencies, of high-value data. This goes beyond what we might think of as traditional accountability data, like spending data or the schedules of cabinet secretaries. It actually focuses on the data people want and are requesting, whether through the Freedom of Information Act or other open government processes, and ensures that open government actually serves the needs of the public.

Starting with high-value data allowed us to steer clear of national security data or personally identifiable private information. It allowed us to really focus on what we could do in terms of releasing and publishing data about public safety or patent filings so that we could create widespread culture change quickly.

High-value data, most importantly, puts the emphasis on information that improves people's daily lives, not just the government's. There's a wealth of government data out there that can translate into useful knowledge that empowers people and policy-makers.

Finally, publishing high-value data allows government and the public to start developing a collaborative relationship, a productive relationship—the kind of partnership I referred to before—which allows people to make good and productive uses of that data in partnership with one another to the end of not just helping government but of creating jobs and generating economic value.

Let me conclude with ten quick principles for achieving open government in practice. I list these in greater detail in the written testimony you have before you.

How do we get from here to there?

First, we have to be open. Governments should do all of their work in the open. Contracts, grants, legislation, regulation, and policy should all be transparent, because by being open we give people the information they need about how their democracy works so that they can participate.

Second, open government includes open access. Work created by and at the behest of government and of the taxpayer, whether through grants or contracts, should be freely available. If taxpayers pay once, they shouldn't have to pay twice.

Third, we should make open government productive and not adversarial. Create that collaborative nature of the relationship by giving people the information they want.

Fourth, be collaborative. It's not enough to be transparent. Officials actually have to take the next step. They have to not just put out data but have to solicit people to use that data.

Number five is data, data, data. Love data and more data. The more data we put out, the better we can design policies, informed by real-time data, that generate value for both the government and the private sector.

Sixth, be nimble. Where possible, invite people to innovate in short time spans—90 days or less. Forcing people to act quickly discourages bureaucracy and encourages innovation.

● (1605)

Number seven is do more and spend less. By being open and engaged, we can design solutions that allow us to do more with less. Instead of just cutting a service to save money, we can come up with creative solutions, often using technology that helps us to save money.

Number eight is invest in platforms of the kind we've discussed, like data.gov, like the foia.gov that we've heard about.

Number nine is invest in people. To change the culture of government, we can't simply do it through policy. We have to do it by empowering the people to actually do the work of being innovative.

Lastly, we should design for democracy. By that, I mean we should always ask if legislation is enabling active and constructive engagement that is using people's abilities and enthusiasm for the public good. We can't simply sort of throw social media at a problem; we actually have to create processes for manageable and meaningful participation from both officials and the public.

Thank you very much, Mr. Chairman and the committee. I look forward to answering your questions.

The Chair: Thank you very much, Professor Noveck.

Just before I go to questions from the members of the committee, I want to explain that, unlike the United States, the Canadian House of Commons has four parties versus two. We have the governing Conservative Party and the opposition, which is the Liberal Party, the Bloc Québécois, and the New Democratic Party. So we rotate in an order.

We're going to start with the first round of questioning, and that is seven minutes each. The first spot will go to the official opposition, the Liberal Party. The first questions will be from Dr. Bennett.

Dr. Bennett, you have seven minutes.

Hon. Carolyn Bennett (St. Paul's, Lib.): Thanks very much.

Thank you for these excellent presentations. It's quite remarkable that the progress is so fast. Obviously it started with the speech from the President or the directive from the President on his first day. I guess we have heard from a number of witnesses that this actually starts at the top, and it's difficult to create an open culture underneath if that's not the message coming from on high.

I would like to ask three things. First, in your statement of "releasing all we can and protecting what we must", how is that determined, as to what has to be protected, and who makes that determination? It's quite clear from all of the testimony that in the United States the default position has now become "open", so there must sometimes be some things that are determined that must be protected.

We've heard a little bit about how you've changed the culture of the normally risk-averse public service, to actually change it and transform it into one that embraces openness. I was wondering how you've done that. Is that incorporated in performance appraisals? How do you actually incent that kind of behaviour that's quite a change from the way they've probably operated for a great length of time?

Third, in having most things out and in the open, have you noticed any change in the need for staffing or the budget for access-to-information requests?

● (1610)

The Chair: Do you want to start, Professor Noveck? Then we'll go down the list.

Dr. Beth Simone Noveck: Sure. Let me take the first question first.

On releasing all we can and protecting what we must—and I'm sure the others will speak to this as well—let me say first, on the process of just getting started and the process of releasing data, one of the reasons we indicated this concept of high-value data and made the definition quite broad was precisely in order to encourage the hard work of trying to get the data that we could.

It's not simply an issue of political will or of dealing with controversial data that may be protected by national security or may deal with private information. There is data that is sitting on paper and that is not digital. There is data that is digital but isn't searchable. There is data that is sitting on servers that are essentially so creaky that if you tried to download the data from those servers you would crash the whole office, which is the case, for example, in the patent office and the reason why the patent office did a no-cost contract with the private sector to search the data for it while it tries to redo its back-end infrastructure.

We wanted to create this culture of transparency by starting the practice of being open as a way of effecting that culture change, and that really meant beginning with information that would be uncontroversial and starting to get into the habit of putting out that data. That said, there also are processes when information goes up on Data.gov for conducting a national security review of the information that's posted, but it's really about creating that culture through practice.

That partly gets to the second question, about incentives for behaviour change. The more we do, the more we can celebrate what we do. We invited to the table not simply White House oversight of the agency data inventory process, but outside groups, good-government groups, open-government groups, to be part of the process, hopefully both to celebrate and to criticize when that work isn't going fast enough, and also to help with the very hard process of actually building data inventories, which is a very hard technical process, not just a difficult political process.

The Chair: Okay, we are going to go to Mr. Ferriero now.

I want to point out to the witnesses that the video part of the technology is sound-sensitive. It moves, so when you were shuffling papers there we had a situation where the video went to another witness. I just want you all to bear that in mind.

Mr. Ferriero.

Mr. David Ferriero: I'm sorry for shuffling papers.

That “releasing all we can” came from me in the context of the national declassification standard that has been established here at the national archives.

The executive order from the President that established the centre specifies two categories of content that must be protected: weapons of mass destruction and national security. Any of the 400 million pages that deal with those need to be protected. Everything else is up for review, and the intention is to make them open.

The process through which those documents are being reviewed involves the agencies that hold equity in the original classification, so we work through a process to involve those agencies in reviewing large groups. What I didn't say in my testimony is that we have a mandate to finish this review process of the 400 million pages by the end of 2013. Large clusters of documents have already been reviewed, and we have opened 12 million pages worth of content so far.

Should we handle all three questions at the same time?

● (1615)

The Chair: Okay.

Mr. David Ferriero: Okay, then I'm speaking to the cultural change. I can speak from my own experience as an agency head. I've been on the job now for 15 months, so the open government directive came at an opportune time for a new guy coming in to take over an agency. It gave me the luxury of creating a new organization and a new culture that for the first time empowered the staff to contribute to thinking about the future.

We used every social media tool possible to involve the staff across the country. I have 44 facilities, from Seattle, Washington, to Atlanta, Georgia. My staff is all over the country, so social media tools have been key to involving them in the creation of this new plan, which in itself has changed the culture in terms of expecting the staff to contribute to decision-making.

On the third question you asked, this transformation we're undergoing right now has also built into it the driving out of duplication and repetitive kinds of processes around the country, creating a much more efficient and nimble organization that brings with it resource efficiencies. So despite the current budget climate here in Washington, I'm really optimistic about reallocation of resources within our own budget to meet some of the challenges we have carved out for ourselves.

The Chair: I have to move to the next witness, because Dr. Bennett's time is up. They will get another slot later on, and she can come back with the next questions.

I'll move to Madame Freeman for seven minutes.

[*Translation*]

Mrs. Carole Freeman (Châteauguay—Saint-Constant, BQ): Thank you to the three of you for your fascinating presentations.

I would first like to address Ms. Noveck. In the text of her presentation, she mentioned that President Obama called upon every nation to make government more open and accountable. In addition, the President asked that the other countries return to the United Nations this September and bring specific commitments to promote transparency.

Could you expand on the scope of President Obama's request? I am asking this question because, here in Canada, we are having trouble with becoming a transparent government; we are meeting some resistance. In the United States, you have obviously been dealing with a specific request on President Obama's part for open government and open data. We are still very primitive here.

What does the President expect when he asks other governments to report to the United Nations? Could you answer that, Ms. Noveck?

[*English*]

Dr. Beth Simone Noveck: Thank you.

Let me be clear, of course, that now I'm back in the private sector as an academic teaching law, so I'm sure current plans are under way of which I may not be aware and can't speak to. But let me give some sense of what was contemplated at the time I was in government when the President made his seminal speech before the United Nations. This also gets to the comments I was making about high-value data.

The idea was to call on each country to do what it can to begin to build this kind of open innovation culture. So whether it is greater transparency for the purpose of government accountability, whether it is more data availability to promote scientific growth and collaboration, whether it would create jobs and economic value, whether it's to build more of a culture of civic engagement, everybody should start thinking about doing what they can and come back together next September, when the UN will reconvene for the General Assembly, and provide a report to one another to begin to foster a community.

Not too long after that speech, the President travelled to India and announced an open government partnership with the Indian Prime Minister. Conversations also happened around the same time on partnership around open government with the Russian government. So I think a lot of conversations are taking place among and between governments to exchange and share best practices, to generate ideas, and for each to figure out the strategy that works within the national political culture and climate for moving toward a culture of innovation and collaboration.

Let me also point out one thing in the written testimony that I did not have time to mention earlier, and that is some of the data about the generation of economic value and job creation that comes from greater transparency. Earlier today I had an opportunity to talk with the National Oceanic and Atmospheric Administration, who I cite in the paper, and the volume of economic growth that was generated just by putting out weather data. Our national weather service in the U.S. has a billion-dollar budget. Weather.com, one website that was created as a result of open government data, was recently sold for $3.5 billion. NOA estimates that the multiplier of the value they invest in generating and putting out data to the public being generated in growth in the economy is at least 100 times what the agency's budget is.

So whatever the strategy, whatever the reason, whether it's to promote greater accountability and transparency in a traditional sense than we've typically thought about openness as a way of holding government accountable or whether it's to generate economic value, I think different countries will come to this agenda for different reasons but that everybody can get under what I think is quite a big tent of changing the culture, of moving toward greater openness and collaboration.

● (1620)

[*Translation*]

Mrs. Carole Freeman: Can we hope that, by having to report to the United Nations, there will be enough interaction to force reluctant governments to move forward?

[*English*]

Dr. Beth Simone Noveck: Again, I hope so. My sense is that in the intervening months there will be ongoing conversations where there is a best-practice sharing that's not dissimilar to the work among the federal agencies in the United States that's been done in the inter-agency group. The President's memorandum on the first day, followed by the open government directive that was issued—the memorandum was in January and the directive was issued in December—set out a loose set of principles and guidelines. Much of the work that's taking place has been about conversations between agencies sharing best practices. People want to know how NARA is using social media so they can copy it in their own agency.

Especially since I left government, I now see in my work that kind of conversation among and between governments all the time: What have you done, how did you move toward open data, etc.? There is something called the transparency initiative, which is a consortium of seven major global foundations who got together to invest in and promote open government practices around the world and are there precisely to try to encourage this kind of best-practice sharing in the lead-up to the UN meeting.

So I think a lot of conversation is happening, and we should be sure that the right people from Canada are participating in those discussions.

[*Translation*]

Mrs. Carole Freeman: Thank you.

My next question is for Ms. Pustay.

In terms of the Freedom of Information Act, you have 97 agencies that have to prepare reports on the volume of access to information requests.

What are the main reasons for some agencies not responding fairly quickly or refusing to give...? Ms. Pustay, what methods do you use to ensure compliance with the Freedom of Information Act?

[*English*]

Ms. Melanie Ann Pustay: Hello.

Unfortunately, I'm not able to see any of you, so I'm just listening to this whole conference. I hope that you all can at least see me when I'm talking.

There are a whole lot of reasons, obviously, as you might expect, why some agencies have significant delays in responding to requests. Now, let me just say that out of 97 agencies, we have a significant portion that don't have significant delays. That's primarily because they're lower-volume agencies or the type of data they get is not complicated to process, so they're able to respond more quickly to requests.

I think the main reason why some agencies have backlogs—and certainly some can have significant backlogs of requests being many years old in some cases—is just the crush of incoming requests. The Department of Homeland Security, portions of the Department of Justice, the FBI, for instance, are just exceedingly popular with the public. They get lots and lots of requests, tens of thousands of requests every year. The crush of what's coming in the door literally overwhelms the system. Then obviously there is the complexity of the request also. It's not unusual for requesters to ask for things that involve boxes of material or file cabinets full of documents or thousands of e-mails, all of which have to be individually reviewed.

One of the things I'm focusing on in our new website is the ability to mash data. It's going to very helpful to me as well as to the agencies. I really want to stop lumping all backlogs in one big term, because we do ask agencies to report the time it takes them to respond to requests by type of request. They do distinguish between simple requests and complex requests, for example.

I think that one of the key ways we're going to tackle backlogs is to realize that we have different tracks in agencies and that it's most important that simple requests be responded to as promptly as possible. Requesters should have the option of saying that they will make a simple request that is low volume or low complexity, in exchange for the speed they will get by doing that. That way, that request isn't sitting behind a researcher who isn't as concerned with time but wants lots and lots of material, so their request is necessarily going to take longer.

Those are some of the issues we're wrestling with in terms of trying to manage it. At the end of the day, agencies will always say if you would just give us more people, more resources, more bodies to actually work on the request, that would be helpful. Looking for efficiencies, improving the way they handle the requests, and to try to be more efficient can go a long way.

Also, I think just our analysis of the issue needs to be more nuanced than it's been in the past.

● (1625)

The Chair: Thank you very much, Madame Freeman.

We are now going to go to the representative from the New Democratic Party, Mr. Bill Siksay. Mr. Siksay, you have seven minutes.

Mr. Bill Siksay (Burnaby—Douglas, NDP): Thank you, Chair.

Ms. Pustay, I'll stay with you, since we're seeing you right at this moment. I wanted to ask if compliance and backlogs and delays have gotten better since the President's directive. Have you seen any change in that at this point, and what kind of change?

Ms. Melanie Ann Pustay: Yes. Actually, it's one of the things I'm most pleased about. Between 2008 and 2009—the first year of implementation under our new guidelines—the backlog went down across the government by about 60,000 requests, so almost half. Almost half of the backlog was reduced. It was really a tremendous reduction in backlog, and that backlog trend is continuing. We're seeing that the backlog continues to go down.

Definitely the focus on backlogs is certainly one of the.... We have many planks to the guidelines that we have under the Freedom of Information Act, but one of the planks is backlog reduction, and we are seeing concrete statistics that show us that the backlog is going down. Then we balance that against the other key thing we're trying to accomplish, which is to just be more transparent. That means not only increasing proactive disclosure, the data sets that Beth has been talking about, but also just having agencies work to anticipate interest in records and to put to records on the website before the flood of FOIA requests comes in.

We have a really nice example of agencies doing that in response to the BP oil spill. Agencies immediately started establishing websites devoted to the effects of the oil spill, and across the government we had multiple agencies with their own websites containing information connected with the oil spill: water samples, soil samples, air quality, etc.

Mr. Bill Siksay: Okay, thank you. That's helpful. I want to get on to a couple of other questions.

I wanted to ask Ms. Pustay and Mr. Ferriero what the relationship is between the Office of Information Policy and the Office of Government Information Services. They seem to be doing similar things, in your description. Could you give a quick explanation of what the relationship is or what the different roles are?

● (1630)

Ms. Melanie Ann Pustay: The shorthand way of distinguishing them is that the Department of Justice gives guidance to federal agencies and establishes employer policy and has oversight of all the agencies for compliance.

What the new office in the National Archives does is something that is new and distinct, and that's offering mediation services to resolve disputes. The idea there is that as a non-exclusive alternative to litigation, a requester could go to OGIS's new office and go through a mediation process if they have a dispute with an agency.

Mr. Bill Siksay: Dr. Noveck, I wanted to ask you a question. You talked about the economic value that's generated and you used the example of NOAA and the weather data. You talked about it in general, the price they got for weather.ca.

Can you address the economic value in terms of employment, in terms of jobs created and specific kinds of jobs created? We often hear about volunteers participating in this process and doing apps or engaging in contests, but I'd be interested to know what the experience is around direct employment, around full-time, family-supporting kinds of jobs. Is that something that's happening as a result of this change in government culture?

Dr. Beth Simone Noveck: Yes, so let me speak to both of those.

First, I think it's not to be discounted, the value of what we might think of as civic hacking or civic participation or civic engagement of all these varieties. The value that has to us as citizens in a democracy should not be underestimated, obviously.

That said, there are wonderful examples of businesses being founded using open government data. Unfortunately, they are examples at this point. We don't have systematic data yet, and that's something that is imperative to work on. Obviously, there are great stories about things like weather services, and NOAA has a website, economics.noaa.gov, that features all of these stories about new jobs, new businesses, and new wealth and value that's being created as a result of their data that's being put out. There are stories like that of the GPS industry, of the genomics industry, none of which would exist without open government data.

I'll give you just one recent example. The Department of Labour has a wonderful new data inventory, their enforcement database, and as a result of the open government movement they're putting out scads of data sets, including information about the fees that employees pay to their companies' retirement plans. There is a little start-up called BrightScope, which has been written about, which discovered this data and used it to build the BrightScope business, which essentially is intelligent. In the same way that there are businesses that track intelligence about mutual funds, they track intelligence about retirement plans. Their entire business is based on government data. From one year to the next, in the start of the Obama administration, they went from zero to 30 employees, if I recall correctly. This story has been written up recently in the press as a result of government data.

Now that I'm out of government and I'm back in the research world, one of my primary focuses in the coming months will be the intersection between job creation and economic value and open government data, so that we can make the case that open government is not just a nice-to-have for our democracy, but is also must-have in really tough economic times.

I think the question is very well put, and we ought to have even better and more empirically grounded answers than I can give you today.

Mr. Bill Siksay: Mr. Ferriero, I wanted to ask you a question, as you're someone who oversees an important agency that has a lot of workers who have engaged over many years in the work of the agency. It seems that creative pieces of the work of the archives are being taken and farmed out somewhere else, off-loaded. I'm using negative language, and I'm not as negative as I sound. But how do they feel about all this creative work, which they've probably never had the opportunity to get to before because of the pressures of the organization, going elsewhere to other people? Is that a morale issue in the agency? What's that like?

Mr. David Ferriero: It actually enhances their ability to work with the next user who comes in, because they know more about what we have than they did before that. Citizen archivists share their information.

It's not as if we're giving away the keys to the kingdom in terms of processing or describing. What they're doing, basically, is sharing information about what they have discovered in our records.

● (1635)

The Chair: Thank you very much, Mr. Siksay.

We're now going to go to a member of the governing Conservative Party, Pat Davidson. Ms. Davidson, you have seven minutes.

Mrs. Patricia Davidson (Sarnia—Lambton, CPC): Thank you very much, Mr. Chair.

Thank you to each of you for being witnesses here today at our committee. Certainly it's been extremely interesting. And it's nice to talk to somebody who has been involved with the process and perhaps can help to steer us in the correct direction.

One of the things we've been wrestling with at this committee is how we get the public involved in determining what they would like to see and what kind of government data and information is important to them. I'd like to know how you engage the public, what kind of a process you used in getting public input. And I'd also like to know how departments and agencies determine what data and information should be released. Once you find out what the public is interested in, how do you determine what you can go ahead and release?

Mr. Ferriero, would you like to start, please?

Mr. David Ferriero: Sure. I'm going to let Pam Wright talk about this also, because she has been responsible for our data.gov contributions. I think we have 29 archives data sets now available on data. gov. I would say that since this agency is becoming very much customer-driven, user-focused, we have selected those data sets that we know are in great demand by our users. But Pam can be more specific about that.

Ms. Pamela Wright (Chief Digital Access Strategist, United States National Archives and Records Administration): What was exciting about working on the open government plan was the opportunity to really create a plan based on open government. The process we used was to ask folks for their opinion. What would they like us to release? What kind of data do they want to see up there? We used a social media tool, IdeaScale, to ask the public to participate and tell us what they'd like to see available.

They said a lot of the things that folks on our staff who work with the public already knew were important—census records, native American records. But they confirmed that through this IdeaScale tool. We took that back to the folks doing digitization in the work we're doing now and we prioritized it based on their comments.

What was really interesting with the open government plan was that a lot of the information we gathered over the months, where we asked the public for input, actually got incorporated into the plan. In years past, when we put things online we'd get a lot of comments right away. There wasn't that much comment when it came online because they had already done so much commenting, other than to confirm that they were happy with what we had done.

Mrs. Patricia Davidson: Thank you.

With the type of data and information you're releasing—you're releasing what's important to the public because you had that feedback first—can you tell me who's using most of the data? Is it the general public? Is it other public servants? Is it being shared between departments and entrepreneurs, professors? And there was one question about whether good jobs are being developed with the information that's obtained through this open data. Could you respond to that, please?

Ms. Pamela Wright: Sure.

We've always surveyed and tried to get a good bead on who is using our data. In opening it up on opengov, it's no different from what we've known traditionally. We have a wide variety of users—educators, researchers, veterans, the general public—who are looking at our data and using it. And we get that same feedback through the open government process as well.

Mrs. Patricia Davidson: Are there instances when entrepreneurs have taken good advantage of this data and developed businesses with it? Do you know that?

Ms. Pamela Wright: I don't have any—

Mr. David Ferriero: I can cite the story of two guys in a garage in California who worked with us to create the web 2.0 version of the *Federal Register*, the government's daily newspaper, basically. They have created a web-based version of the *Federal Register* that looks very much like an online newspaper, written in English, so for the first time the general public can actually understand what the proposed legislation is. It is easy for the public to comment on proposed legislation. There is a button to push. There is a calendar of events. It has really transformed, I think, the way the general public has access to the workings of the government.

This was all done, as I said, by two creative guys who had an idea and used the *Federal Register* content to create this new way of looking at the work of government.

● (1640)

Mrs. Patricia Davidson: When the data sets were first opened up and published, or made available for open access, were they in a form that was readily usable, or was it a lengthy process to put them into a form where they were readily usable?

Ms. Pamela Wright: The data sets were in XML, so that was easily put on to data.gov. In part, some of the data sets that we chose were the low-hanging fruit, what is easily put on to data.gov. We used XML, and that works well.

Mr. David Ferriero: I must say that this is a cultural change for the government. For some agencies and some departments it's been a difficult decision to put out raw data. The desire is to make it as clean as possible, to massage it, instead of the intention being to get it out there, let people use it, and see what they can do with it. That's been a tension that has existed in the creation of data.gov.

Mrs. Patricia Davidson: Has there been an effort at the state level and the muncipal level to enter into open government?

Dr. Beth Simone Noveck: As you may or may not have heard, my successor, if you will, the new United States deputy chief technology officer, with focus now on public sector innovation and open government, is actually the former CIO of the city and county of San Francisco. He has been one of the leaders in the municipal open government movement. He is one of the convenors of—I've forgotten the acronym; there are too many acronyms and not enough time in government—a new organization for global municipal e-government where cities around the world are now convening.

Some of the best innovations are actually coming at the municipal level as well as at the state level. New York State, where I'm at home, announced an open New York plan. The Senate of New York created the first citizen commenting tool for commenting on legislation at the state level prior to its enactment. There is a lot of work that is really bubbling up at the state and local levels.

In particular, I participate in a bi-weekly conference call on municipal open government, just to keep track of it. Every two weeks someone new is added to it. We report to one another on some of the initiatives that are going on at the local, state, or the .org levels in service of municipal-level and state-level open government.

There are also grants and new funding programs, both from companies as well as from the federal government, to try to promote innovation in governance at the local and state levels. ONB has some money in back of that. IBM has something like a $50 million prize purse for the City Forward initiative that it's investing in in local-level and state-level open government efforts.

If anything, whereas the President's day-one memo kicked it all off, you're seeing more activity happening at the local and state levels faster around the world than even at the federal level.

Mrs. Patricia Davidson: Thank you.

The Chair: Thank you very much, Ms. Davidson.

That concludes the first round of seven minutes each. We're going to go now to the second round and the time will be reduced to five minutes.

We're going to go back to the opposition Liberal Party, and the committee member will be Mr. Wayne Easter. Mr. Easter, you have five minutes.

Hon. Wayne Easter (Malpeque, Lib.): Thank you, folks, for your assistance and your presentations.

You talked about customer-driven, Mr. Ferriero, I think it was—no, it was Ms. Noveck—that you depended on public input. How did you gain that public input? Was it through interactive Internet feedback? What was the process that you used to find out what the public was thinking and what the most important areas to address first were?

● (1645)

Dr. Beth Simone Noveck: I think I could probably speak to this issue.

First, let me say that when we started the White House open government initiative, we thought it would be apropos to actually be open about the process of making an open government policy. For the very first time, we started by asking public sector workers what we should be doing and what the challenges are that they're facing. I think it was the first time that anyone had consulted—again, using online tools, to answer your question about the method—not cabinet secretaries for official departmental-level opinion, but they actually asked the line workers in the federal government what they thought.

We then turned to a process that is documented online in the first anniversary report of open government on the whitehouse.gov/open website. We started a process of actually using free online tools and experimented to consult with the public. It was then improved on and followed by the National Archives in the work they did on engaging the public in the public interest declassification board process of trying to think about declassification policy. It has been replicated again and again and improved on again and again. In every case, we used online tools to try to hear from new voices and get new ideas.

But let me be clear that it takes time to effect this type of culture change. I think we've been more successful with public sector workers. As for getting the public involved, we've had tremendous success, but it's not enough yet, because it's such a big sea change for government to not only ask questions but to really care about the answers, take it seriously, and act on the answers in the way that I think this process has set in motion. The more we do it and the more we practise doing it, I think the greater the level of engagement in participation will be, the more seriously people will take it, and the better the quality of the suggestions will be.

In addition, I think the launch of challenge.gov, a challenge platform, and new legislation from Congress, as well as policy from the White House, set out and made it clear to agencies that they should think about using prizes as a mechanism to get people involved in governance, in solving problems, and in coming up with solutions. Actually offering those prizes is a way of getting people engaged.

Lastly, on the revamp of the *Federal Register* that the archivist described, I think the transformation from a document written for lawyers to a document that's now written in plain English, accessible to regular people, and that even has pictures and is searchable really helps people learn about the opportunities to participate.

That was a long way of saying this is a culture change that's unfolding over time. I think it's getting better as we go along. Taking advantage of new media that is free and doesn't have an impact on budgets at all to actually get at new ideas faster is something that's really exciting and heartening.

Hon. Wayne Easter: I'm practically out of time. I wonder if the others could comment on that, as well.

On the other side of that, was there a considerable amount of financing required by the federal government in terms of the technology and in terms of changing the culture? What problems or barriers would you run into with departments in terms of getting them to basically move to this more open government? What barriers would you run into?

Ms. Melanie Ann Pustay: I can take that one.

I think one of the ways to be successful in doing this is to first of all recognize that it's not easy. Open government requires a balance. There is a balance of competing interests.

It's natural for agencies to sometimes feel reluctant or to say their types of records are different, what they do is different, and there can't be openness on what they do because it's so sensitive. You have to walk people through what can be an initial resistance. They need to recognize that even though there's sensitive information that is properly protected and will be protected, everyone has room within their record systems and within the things they do. Everyone has room to be more open. Everyone can make a little progress.

Once you get it started, it helps to be able to point to another agency and say the CIA has actually managed to declassify and post some really interesting things. If the CIA can do it, they can do it too.

● (1650)

The Chair: Mr. Easter's time is up, so we're going to go back to the Conservative Party and Mr. Jim Abbott.

You have five minutes, Mr. Abbott.

Hon. Jim Abbott (Kootenay—Columbia, CPC): Thank you, Mr. Chair.

My attack to this has always been from the perspective of whether we are working in a bubble. In other words, under this initiative by the President, how quick was the take-up by the population at large, and not the people we affectionately call geeks, or people who don't have a life, or don't come up out of the dark, or whoever? The average person walking through Times Square, I guess is what I'm trying to say. How quickly was there a take-up? And in fact has there been a take-up?

Mr. David Ferriero: I'll respond to that one first.

It's clear that all the social media tools and all the avenues we have created for those folks in Times Square to access us have paid off. We have opened up the records of the country to new audiences through Facebook, my own blog, ten different blogs, and massive amounts of photographs on Flickr.

Folks who have never had any connection with the National Archives are now finding us and using us in ways they never have before. So I would say it's had a huge impact on the number of new audiences attracted to the archives.

Dr. Beth Simone Noveck: I think that's right.

Oh, go ahead. Sorry.

Ms. Melanie Ann Pustay: I was just going to say really quickly that one of my favourite examples is Admiral Mullen, the Chairman of the Joint Chiefs of Staff, who established a Twitter account, and he has hundreds of thousands of followers on that account. So I think it's a fascinating example of the public being directly connected with a principal government official in a brand-new way.

Dr. Beth Simone Noveck: It was always the bane of my existence that the Department of Justice had 300,000 Twitter followers and I only had 150,000 Twitter followers. So I think you are right that the average people on the street haven't heard of open government, nor frankly should they have heard of open government. Open government really just describes the way we ought to be working in order to be more effective at what we do.

People care about specific issues, for the most part. They're interested in reviewing patents, or in being a citizen archivist, or in getting information or participating in an environmental project about clean air or clean water. So what we're trying to do is to facilitate a multiplicity of opportunities for participation.

It's worth taking a look, though, at the Pew Research Center's Internet & American Life Project, which did some survey work last year about the interaction of people with open government data. And there were some startling numbers, like 40% of people had actually downloaded a government data set in one way or another. So it was really quite remarkable how many people, just through word of mouth, had essentially benefited from or were interacting with this process.

But I think for the most part this movement will have been successful if no one has ever heard of it but they feel engaged and are participating in the life of their democracy in one way or another. And there are some new data back from Pew that just came out yesterday to this effect, which I would commend to you, that again show that the culture change is under way even if the initiative or the brand name isn't well known, or people know it as WeGov, or Gov 2.0, or opengov. It doesn't really matter what we call it.

Hon. Jim Abbott: Thank you.

And very quickly, just because of the time, I'd appreciate a couple of 30-second comments if you have anything you'd like to say about the issue of security of the information. In other words, of this additional information appearing, what are the concerns that you happen to...? You're not security experts, but in your judgment, how has the system to this point been able to respond to security and the revealing, in fact, of too much information?

● (1655)

Mr. David Ferriero: As the nation's record-keeper, I worry about it all the time. And we are now very rapidly moving from a paper environment to an all-electronic environment, with every agency in the government and the White House creating its records electronically. And the security issue is one of my largest concerns, the issue of ensuring that information is protected. I think every agency in the government is concerned about that.

The Chair: Is there anyone else on that point?

Dr. Beth Simone Noveck: Open government data specifically did not focus on national-security-related information, in order to not have to confront this serious problem. It is a serious problem, but we wanted to focus on a culture change that allowed people to work on getting out data that was, as someone said, low-hanging fruit—the data that was easy to get out to help empower people in their own communities, first and foremost.

The Chair: Thank you.

Thank you very much, Mr. Abbott.

Now we'll go back to our representative from the Bloc Québécois, Madame Thi Lac.

[*Translation*]

Mrs. Ève-Mary Thaï Thi Lac (Saint-Hyacinthe—Bagot, BQ): Good afternoon, ladies and gentlemen.

Thank you for sharing your expertise with us by videoconference and especially for answering the many questions our committee might have.

Your government is often held up as an example of one that is implementing a transparent government. I have two questions for all the witnesses.

Would you say that the implementation process has been successful or is it still in the initial phases? What are the strengths, weaknesses and particularly the limits of the current open government initiative in the United States?

[*English*]

Ms. Melanie Ann Pustay: I think it has definitely been successful, in that we have seen a dramatic increase in material available on websites. Backlogs are being reduced, and more material is being released. But I hasten to add that there's much more work to be done. We're just at the beginning of this journey, or it's the first step on the road. I think it will definitely be an ongoing effort to continue the process. As Beth was mentioning, at the beginning people are looking for low-hanging fruit—you're trying to find the easy things that you can release and post. Over time it will be harder to sustain the momentum and continue to find ways to be more transparent.

We still have many challenges ahead of us, but we're off to a really good start. The whole idea is to maintain the focus and keep encouraging agencies to do even better than they have in the past.

Mr. David Ferriero: I would agree with Melanie that it has been successful. What convinces me and supports me in thinking about the future is that we have now raised expectations among the American public about access to government, and they're going to be driving us. They're going to be looking for more, and we're going to have to deliver. So it's a very exciting time.

Ms. Pamela Wright: I'd like to add that staff are getting more comfortable with openness in government. As we work on social media projects in which they get involved, if they do a blog post or start tweeting, they get to a comfort level and a trust is built between them, among each other and the public. I think that will continue to build so it becomes part of the culture.

We said something about the momentum. I think that will become part of the process, so I don't think we'll be turning back any time soon.

● (1700)

Dr. Beth Simone Noveck: I think that's true, and I would strongly support what the other witnesses have said about the success and really the momentum. To me, the greatest success is the fact that there is a community that has been created with representation across every agency of people who are working on and care about this issue and are taking it back into their own agencies and building a culture of innovation in their agencies. For every person who comes to the inter-agency committee meeting, there are another dozen or two dozen or hundred people managing the process back in the agencies who are empowered.

Let me speak to the limits really quickly. By no means are we there yet. Policy is still largely made behind closed doors within that bubble that was talked about. This is something that is going to change over time as we develop these more productive and collaborative relationships.

People don't participate yet. To the question that was asked earlier about we're building it and are they coming, I think that's still something evolving as people are learning, not just within government but outside of government, that there is this opportunity to engage and to take it seriously and that they'll be listened to.

We need far better tools than we have. If we want to get people to engage or collaborate with them, we don't yet really have in government tools for effective participation. We also are dealing with huge manual backlogs of information, whether it's in the classification space or the patent space or the FOIA space. There's a great need and there's a shift now towards new technologies that will enable faster processing of these enormous backlogs to get to transparency faster.

There's also the question of how we start to create data in a digital open format from the get-go, so changing so much about the legacy systems and culture, which means not just trying to work backwards but to actually go forward and start to build openness and collaboration into how public sector institutions work. It's still one of the great challenges but also one of the great opportunities that I think is in front of us.

The Chair: Thank you very much.

[*Translation*]

Thank you, Ms. Thi Lac.

[*English*]

We're now going to go back to a member of the governing Conservative Party.

Mr. Ed Holder, you have five minutes.

Mr. Ed Holder (London West, CPC): Thank you very much, Mr. Chair.

I'd like to thank our guests for attending through video conference to allow us to have some very specific insights as to what you do. I've been listening with great interest, not only to the questions from all sides around this table but also your own testimony, which I have found to be particularly helpful.

You know, it's interesting. We speak of this need for open government, and I don't think there's anyone around the table who would not believe that it's an important objective as we go forward. I would like to hope and believe that governments accept that as their responsibility.

Mr. Ferriero, you spoke of the issue, when responding to one of our colleagues, about security concerns and in terms of information. I'd like to ask all panellists something. In the world of WikiLeaks now, how has this changed your attitude about security of information and perhaps even the kind of information that would be disseminated? And it sounds like even with something like WikiLeaks, it's not even your choice. Information does get disseminated, whether we want to or not. That can lead to a number of interesting circumstances nationally and internationally.

That is my question to all the panellists. How does this whole concern about WikiLeaks and hacking into systems change the approach of what you do? I'd ask all panellists that, please.

You can pick one.

Mr. David Ferriero: I'll start.

It has certainly renewed the concern within the government about cyber-security and has served as a wake-up call that we really need to continue our vigilance on access, hacking attacks. It's something this government is constantly working on and is concerned about. We will continue that vigilance.

Mr. Ed Holder: Could I have the other panellists' thoughts?

Dr. Beth Simone Noveck: Let me say that I have a slightly different take on this, a different focus on this perhaps from what you're driving at with your question. But the interest that the whole WikiLeaks incident has generated demonstrates to me a tremendous interest that the public has in foreign policy. I don't think anybody would have predicted the outpouring of interest and engagement that this would create. So it suggests to me a really interesting opportunity for government—and not just government, but the private sector as well—to really think about the opportunity to truly create wikis in this space that will allow people to share and trade information and to collaborate on contributing information to help round out and improve our knowledge of foreign policy.

The CIA, for example, in the United States has an internal wiki called the "Intellipedia". The State Department has something called "Diplopedia". They use these information and collaboration tools in order to exchange and share better information. I think what the WikiLeaks unfolding story really teaches us is that we have an opportunity to harness this interest, to really generate and create better information for everyone's benefit. We should be looking for the collaborative opportunities that can emerge here as a result of the interest that's been generated through these news stories.

● (1705)

Mr. Ed Holder: Well, Professor Noveck, that's certainly a very interesting take on WikiLeaks. I'm not sure I've heard that particular angle, that this whole issue of WikiLeaks shows a great interest in foreign policy. It strikes me more that the reason the *National Enquirer* and *Globe* sell so many of their magazines in retail settings is that people love gossip, and they love salacious stories. The more salacious they are, the more interesting, and the more magazines they sell.

And it strikes me that there's some kind of a curious causal connection with WikiLeaks, which frankly in my view was intended to serve not so much to inform as to perhaps embarrass. If that wasn't the intent—and I'd be shocked if it wasn't in part—certainly the part the media seemed to pick up on was the most salacious or compelling aspects of those stories. So your take that this would generate a broader general interest in foreign policy is interesting. I would hope that was true.

Dr. Beth Simone Noveck: That's where the wiki part of it comes in. What I think is really missing from WikiLeaks is actually the "wiki" part of it.

Mr. Ed Holder: Not the "leaks".

Dr. Beth Simone Noveck: In other words, I'm not speaking now.... I'm intentionally being counterintuitive, if you will, in trying to sort of face us forward as to where we go from here with regard to harnessing this interest.

But you're precisely right about the salacious quality of tabloid magazines. What's interesting about something like Wikipedia or this genre of tools is that when somebody posts something that is not factual and that is salacious gossip, someone else can come in and correct it. Someone else can come in, and that's often where these contributions are most valuable.

I think what we're seeing in terms of the interest level that this is generating—and this is not to speak to issues of first amendment concerns or national security concerns or espionage or after any of the many issues one could get into, but simply the interest that this has generated—is that it could cause us to ask, what are the ways we can productively and positively harness this interest to foster our culture of collaboration, which is to say nothing about protecting the security of national systems and the national security issues the archivist already alluded to. I agree completely with what he suggested. I want to just offer an additional viewpoint on this that is intentionally, I hope, provocative and counterintuitive.

The Chair: Thank you.

Mr. Holder, you're out of time.

I'm going to move on now. We're going to go back to Mr. Siksay, from the New Democratic Party.

Mr. Siksay, you have five minutes.

Mr. Bill Siksay: Thank you, Chair.

I want to come back to the example of the *Federal Register* that both Dr. Noveck and Mr. Ferriero mentioned in their testimony. I know there seems to be a little discrepancy about how many guys there were and where they were sitting when they did this work, but whether they were in a garage or a café, I think it's an important example.

Mr. Ferriero, I appreciate why this is such an innovation and why this is important, but surely how cumbersome the *Federal Register* was isn't a new issue for the National Archives. And why wasn't there the in-house capacity to address this issue before open government and before it could be set out in a contest to the public at large?

I mean, surely the goal of having something that was accessible and understandable has been an issue in the *Federal Register* for many years. So why wasn't there the capacity in the National Archives to deal with that prior to the open government initiative, and why couldn't it be done in-house?

● (1710)

Mr. David Ferriero: If the culture had been focused on the customer, it probably could have been. The whole open government initiative is flipping things around and looking at ourselves and how we look to the general public in this case. The general public never really made use of the *Federal Register*. I grew up in research libraries; we had the *Federal Register* delivered all the time and it was never used. It's because of the technical language, the bureaucratic language that's used in the document itself. Thinking about it from how useful this is from a user perspective is something that's never been addressed before. That all came from open government.

Mr. Bill Siksay: Surely this is a really important resource, and a really important change in how that resource is being used. Is a prize enough of a reward for the gentleman who did the work on this? Surely this is a very significant thing for the National Archives and the register.

Mr. David Ferriero: In this case, yes, because these guys have gone on to larger and more glorious activities in their company. Actually, it's three guys in California.

Mr. Bill Siksay: Okay.

Dr. Noveck, you can see I'm interested in the effect on employment and work on this and how we value the kind of work that's being done. At this stage do you see that changing down the road? You reminded me at the beginning of the importance of civic engagement and how people are excited about being part of this process and how important that is, and not to undervalue that. At the same time, it seems as if really important work is being done, and I just want to be clear about how we value that work and how we appropriately remunerate people who do that work for us. Are good feelings, prizes, or certificates of appreciation enough, or is that a temporary phase? Do you see that changing at some point?

Dr. Beth Simone Noveck: First, the academic literature is very clear in areas like open-source production in the technology industry. And I mean this not facetiously that a T-shirt can make the difference. So for people often the incentives.... And again, there is empirical data on incentives about belonging and a sense of community and a sense of achievement and professionalism. We surveyed the volunteer participants in the peer-to-patent work we did. Why are people who are busy scientists, technologists, engineers volunteering their time to help the patent office examine patent applications?

[*Technical difficulty—Editor*].

Mr. Bill Siksay: Oh no, just to the good part and we lost the connection. Are you there, Dr. Noveck?

We've lost Dr. Noveck right when she was getting to the good part of the answer.

The Chair: You've got one minute left, Mr. Siksay. Do you want to go to someone else?

Mr. Bill Siksay: Is there any chance of getting her back, Mr. Chair?

A voice: We're working on it.

Mr. Bill Siksay: Okay.

Maybe until that happens, I could ask Ms. Wright.... Ms. Wright, you're on the open government cross-agency working group?

Is that Dr. Noveck again? Sorry....

Ms. Melanie Ann Pustay: No, it's Melanie Pustay, and I just wanted to tell you I was off for a while but I'm back on, so I just wanted to reintroduce myself to the group.

Mr. Bill Siksay: Okay, good to know you're back.

To Ms. Wright, who sits on the cross-agency working group, what is its role? Tell me a bit about it.

Ms. Pamela Wright: Sure. It's representatives from the federal agencies working together to talk about a lot of the things that Beth discussed: best practices, how to implement and make happen all the information from the open government directive.

The Chair: Mr. Siksay's time is up. If we do get Professor Noveck back, we'll ask her to finish her answer.

I expect the bells will start ringing very shortly. What the chair proposes to do, but I need unanimous consent to do it, is to go to one more five-minute round from the Liberals, one more from the Conservatives, and ask for closing comments. Is that okay with everyone?

Some hon. members: Agreed.

The Chair: Okay, so we're now going to go to Mr. Easter for five minutes and then Mr. Calandra for five minutes and then we'll ask for closing comments. If we do get Professor Noveck back—

A voice: She's back.

The Chair: Oh, she's back now.

A voice: She should be.

The Chair: Perhaps we can ask her to finish her answer where she was interrupted.

Professor Noveck, are you there?

A voice: No, she's not.

The Chair: No.

Okay, Mr. Easter, five minutes.

● (1715)

Hon. Wayne Easter: One of the problems on access to information here, regardless of the political stripe, I might add, is that security and privacy is always used as an angle by whatever government is in charge in case there is something that might complicate their life or show what's really happening, and it is prevented from being made public.

Are you seeing any of that as a problem in the United States? There is a huge effort many times to use security and privacy, I believe, as an excuse to not allowing that information to get out into the public.

Mr. David Ferriero: Go ahead, Melanie.

Ms. Melanie Ann Pustay: Okay. I was just happy to be back in the discussion.

I could take a stab at that. One of the things that is key to avoiding that situation from happening, of course, is to have clear direction from the top, as we have here in the United States. We have right in the President's memorandum statements that specifically say information should not be withheld because it would be embarrassing to the government official and that we have to remember that disclosure is the purpose behind transparency. Of course, the President also had a beautiful principle that transparency is a key part of democracy and it's all connected with accountability. We start from the top by having clear statements that we can't withhold information based on those faulty principles.

At the same time, of course, we have a recognition that there are legitimate privacy interests that are properly protected, and the idea here is to only withhold the smallest amount of information necessary in order to recognize those valid privacy interests and then release the remaining material.

A key thing that the Attorney General mentioned in his guidelines was that agencies should really strive to make partial disclosures whenever full disclosures are not possible. That is one of the key ways we're finding that we are able to recognize legitimate interests and still disclose the remaining information.

Hon. Wayne Easter: Mr. Ferriero.

Mr. David Ferriero: She said it eloquently.

Hon. Wayne Easter: We have agreement. That's what open government does.

Ms. Melanie Ann Pustay: Thank you.

Hon. Wayne Easter: There is another area I was wondering about. Often you would find, I imagine, that some departments were very good in opening up documents. We all know, having been in government, that there are turf wars, power struggles between departments. Was there any problem with that as you moved to open government? And were there disputes between departments on what really should be allowed to be made public?

Mr. David Ferriero: I don't think we have those kinds of situations that you describe down here.

That was a joke.

Hon. Wayne Easter: I was in shock.

Ms. Melanie Ann Pustay: I was jumping in to second that.

Mr. David Ferriero: I've actually been pleasantly surprised in the work of the National Declassification Center about the collaboration, cooperation among the agencies. We are talking about the big hitters: the Department of Defense, Justice, EPA. The ability to work together to fulfill the mandate of this executive order has been rewarding.

Hon. Wayne Easter: The key to getting this done, when the President comes in and there is a major staff change at the very top of so many agencies and departments.... The political culture really changed at the top of pretty nearly every institution—is that not correct?

Mr. David Ferriero: That's true.

● (1720)

Ms. Melanie Ann Pustay: That's right.

Hon. Wayne Easter: That's a big step forward, whereas our bureaucracy in this country really doesn't change, which would create another problem for us.

The Chair: Thank you very much, Mr. Easter.

Mr. Calandra, for five minutes.

Mr. Paul Calandra (Oak Ridges—Markham, CPC): I'm shocked to learn that Mr. Easter would like the bureaucracy to change with the government. I sometimes wish that would happen, but it didn't.

Let me ask this. There's a big difference between facebooking and twittering and releasing data and information sets. One of the things some of us have trouble with is the types of data sets and the security around them. This is something that's new for you and new for us.

What I've been finding during all of this testimony is that those people who are excited about open government are very excited about open government. But when I'm in my riding and in my community, I'm not often seized by individuals who are overly concerned with open government. Is it that the data is not available, or is it just that it's hard for people to find? I know in our context we have StatsCanada. Individuals can go to StatsCanada to get data.

Is it just that it's difficult to find the data that's out there? Do we need to just do a better job of making it available? If you can, just blue-sky for me. If we continue down this path, where are we ten years from now with open government? Or where are you ten years from now?

Ms. Melanie Ann Pustay: There's an element of data being difficult to find, but it's more surprising that agencies have a tremendous amount of data that they just never thought to proactively put on their websites.

A lot of the gains that we've seen in implementing our open government plan have to do with making available data that used to be available only when someone specifically asked for it, or that was available piece by piece to one individual at a time. It's now available to everyone in bulk. Agencies are reporting that this has tremendously cut back on the number of requests for data that they receive.

The other beauty of having the data available in one spot like on data.gov is that we're seeing people combining data from different agencies and creating new and interesting things. It used to be that the data was held separately at each agency. By putting it all up together in a place where it's matchable, it can all be intertwined, and that's a new element of transparency that we just didn't have before.

Ms. Pamela Wright: Instead of people coming to our websites and finding the data, we're taking the data out to where the people are online. Social media that may seem a little lightweight take that data out there to where people are living. So you're on places like Flickr. You're out there in Twitter and it's actually bringing information to people who would never look for it, and that's an exciting next step in this process.

The Chair: Are you through, Mr. Calandra?

Mr. Paul Calandra: I wouldn't mind hearing the answer to the question that he had.

The Chair: Okay.

I understand Professor Noveck is back with us.

Professor Noveck.

Dr. Beth Simone Noveck: I didn't hear the question. I just rejoined you.

The Chair: I think you were in the middle of an answer when we lost you.

Perhaps I'll turn it over to Mr. Siksay and he'll refresh your memory.

Dr. Beth Simone Noveck: Well, if you refresh my memory then I will be helpful in what you'd like to hear.

The Chair: Mr. Siksay.

Mr. Bill Siksay: Dr. Noveck, you were explaining the value for the work that was being done. I think you were using an example from the patent office and your interviewing of the folks there who were involved in this. Then we lost you. You were just getting to the good part and then we lost you.

Dr. Beth Simone Noveck: I know, I'm sorry. And then my brain cells were all distracted trying to figure out how to use the video-conferencing equipment.

So one of the key denouements.... You see, I build up a lot of suspense this way. The answer was that a lot of people are participating because they feel they will be recognized in the marketplace and be able to potentially get hired. They'll get a job as a result of showing what they know about a particular patent. So if there's a patent on battery storage or hard drives or whatever it may be and they can demonstrate that they have some know-how in that space, particularly a lot of students and younger people who are participating, they may get hired by the person whose application they were reviewing. Or they'll become known within that community of practice as being somebody knowledgeable.

So there are potentially real economic motivators to participating. As the archivist alluded to when Dave, Bob, and Andy did their work of developing the prototype for the *Federal Register* in response to the prize, I think what you see that's happened is they have become extremely popular and famous now as Dave, Bob, and Andy who have built the *Federal Register*. You're seeing more people like that.

There's a fellow from somewhere in New Jersey who posted something to a government forum, and that's how Health and Human Services found him and tapped him to build the new healthcare.gov site. He was an innovator, a sole entrepreneur, the type of person who never does business with the federal government.

The company that built challenge.gov for the federal government won the RFP to do that. It was a company of maybe two people when they won the RFP, and now they have a dozen people who work for them. The RFP that the government put out was a no-cost contract. The federal government didn't pay them to build challenge.gov. They wanted to do it because now they are known as the go-to people for knowing something about challenges and how to build these sites and they're getting hired by other people.

On the point you asked me earlier—is this a transitional phase, and will that always be the case over time—I think you're right, we'll see that this sort of ecosystem of open government data and innovations and jobs that are created by this will have a sort of good run, but I think we're just at the beginning of it. I can't yet see the end of it in sight, but I'm sure you're right, that over time the balance between what people are willing to do and what they want to get paid to do will change, which is why I think it's really important to keep reminding ourselves that this is ultimately about democracy and not just about business. It's about doing well by doing good, to keep getting people out there to clean up their local park or participate on patents or whatever it may be. We're ultimately doing it for a sense of belonging, and I think that is a sustainable motivation. But I think there's a lot of economic value to be extracted that we're just at the beginning of.

● (1725)

The Chair: Thank you, Mr. Siksay.

I understand you have one question, Madame Freeman.

[*Translation*]

Mrs. Carole Freeman: My question is for Ms. Noveck. In your blog of February 28, you were wondering about the economic impact of government transparency and you mentioned that you were going to talk about this to our committee today.

You have briefly touched on it, but I would really like you to expand on the economic aspect. We know very well that government transparency also leads to a healthy democratic life, public participation and data...

But, if you had to convince the government about the economic aspect, what would you say?

[*English*]

Dr. Beth Simone Noveck: Let me come back to something I mentioned earlier, which is to say first and foremost that I think we have a lot of work to do to marshal those arguments in a succinct and comprehensive way. And that's where I'm very excited about the work that the folks at National Oceanic and Atmospheric Administration are doing to make the case much more systematically in collaboration with the academic community, to put numbers on how much value is being generated by the work they're doing to create transparency. That has not been done yet across the board, which is why what you're hearing from us are stories and anecdotes of how this is unfolding.

This work is all extraordinarily new. But I think the stories that I would tell would be not only about the tales from government but also about work that's happened and the surprising developments that we've seen in the technology community, that one never would have expected the kinds of collaborations you see that are generating real business value through the development of things like the Linux operating system and other open-source tools that are, through collaboration, engendering real economic value, the development, again, of open collaboration and peer production and open innovation in businesses.

There are countless case studies now that are beginning to come out of places like Harvard Business School that are identifying the real value and wealth that's being generated by companies that are collaborating with their customers to develop better products or improve their customer service. So there is good data in the private sector, and we're beginning to gather it in the public sector, but really just at the beginning.

● (1730)

The Chair: I'm going to cut you off, Madame Freeman. It is close to 5:30.

First of all, I'm going to thank all of you for testifying before the committee today. Your evidence was extremely helpful. You're probably a couple of years ahead of this country in the whole open government initiative, and you brought personal experiences and a lot of wisdom to the discussion. That has been very helpful to the committee.

I'm going to ask if you have any brief closing remarks you want to leave with the committee, after which I will adjourn the meeting.

Perhaps we'll start with Mr. Ferriero.

Mr. David Ferriero: I would close by answering the question that Carole Freeman asked earlier about international activities. I want to remind you all that there is a group of international archivists who meet regularly. We met in Oslo last November, and I was on a panel with your archivist, and the archivists of Russia, Japan, China, and the United Kingdom, talking about open government activities. This is a conversation that's going on at various levels of governments around the world.

The Chair: Thank you very much.

Ms. Pustay.

Ms. Melanie Ann Pustay: I would say don't be discouraged. You can begin in small ways or large ways, but the point is there are dramatic results just by trying to be more open and sending the message that it's possible to be more open. Once you get started down the path it has a cascading effect, and I think you'll find you're happy with the outcome.

The Chair: Finally, Professor Noveck, do you have any concluding comments?

Dr. Beth Simone Noveck: Thank you again for having me.

As a part answer to the last question, I think the real intersection between the cost savings agenda and the democratization agenda is the opportunity to create new processes for collaboration, by government working with the public, that will allow us to identify strategies for doing more with less: solving problems more effectively through collaboration at lower cost, but also through greater democratization and collaboration.

I want to echo what Melanie said. You can do it. We're only two years into this in the U.S., and we have made tremendous progress. Two years in government time is really nothing. You're going to do it faster than we did it and better than we did it, and we welcome opportunities for collaboration and partnership in that conversation.

The Chair: I hope you're right with regard to that last comment.

Again, I want to thank you very much. Your testimony has been extremely helpful.

It is 5:30, and I will now adjourn the meeting.

The meeting is adjourned.

MAIL POSTE

Canada Post Corporation / Société canadienne des postes

Postage paid / Port payé

Lettermail / Poste–lettre

1782711
Ottawa

If undelivered, return COVER ONLY to:
Publishing and Depository Services
Public Works and Government Services Canada
Ottawa, Ontario K1A 0S5

En cas de non-livraison,
retourner cette COUVERTURE SEULEMENT à :
Les Éditions et Services de dépôt
Travaux publics et Services gouvernementaux Canada
Ottawa (Ontario) K1A 0S5

Published under the authority of the Speaker of the House of Commons

SPEAKER'S PERMISSION

Reproduction of the proceedings of the House of Commons and its Committees, in whole or in part and in any medium, is hereby permitted provided that the reproduction is accurate and is not presented as official. This permission does not extend to reproduction, distribution or use for commercial purpose of financial gain. Reproduction or use outside this permission or without authorization may be treated as copyright infringement in accordance with the *Copyright Act*. Authorization may be obtained on written application to the Office of the Speaker of the House of Commons.

Reproduction in accordance with this permission does not constitute publication under the authority of the House of Commons. The absolute privilege that applies to the proceedings of the House of Commons does not extend to these permitted reproductions. Where a reproduction includes briefs to a Committee of the House of Commons, authorization for reproduction may be required from the authors in accordance with the *Copyright Act*.

Nothing in this permission abrogates or derogates from the privileges, powers, immunities and rights of the House of Commons and its Committees. For greater certainty, this permission does not affect the prohibition against impeaching or questioning the proceedings of the House of Commons in courts or otherwise. The House of Commons retains the right and privilege to find users in contempt of Parliament if a reproduction or use is not in accordance with this permission.

Additional copies may be obtained from: Publishing and Depository Services
Public Works and Government Services Canada
Ottawa, Ontario K1A 0S5
Telephone: 613-941-5995 or 1-800-635-7943
Fax: 613-954-5779 or 1-800-565-7757
publications@tpsgc-pwgsc.gc.ca
http://publications.gc.ca

Also available on the Parliament of Canada Web Site at the following address: http://www.parl.gc.ca

Publié en conformité de l'autorité du Président de la Chambre des communes

PERMISSION DU PRÉSIDENT

Il est permis de reproduire les délibérations de la Chambre et de ses comités, en tout ou en partie, sur n'importe quel support, pourvu que la reproduction soit exacte et qu'elle ne soit pas présentée comme version officielle. Il n'est toutefois pas permis de reproduire, de distribuer ou d'utiliser les délibérations à des fins commerciales visant la réalisation d'un profit financier. Toute reproduction ou utilisation non permise ou non formellement autorisée peut être considérée comme une violation du droit d'auteur aux termes de la *Loi sur le droit d'auteur*. Une autorisation formelle peut être obtenue sur présentation d'une demande écrite au Bureau du Président de la Chambre.

La reproduction conforme à la présente permission ne constitue pas une publication sous l'autorité de la Chambre. Le privilège absolu qui s'applique aux délibérations de la Chambre ne s'étend pas aux reproductions permises. Lorsqu'une reproduction comprend des mémoires présentés à un comité de la Chambre, il peut être nécessaire d'obtenir de leurs auteurs l'autorisation de les reproduire, conformément à la *Loi sur le droit d'auteur*.

La présente permission ne porte pas atteinte aux privilèges, pouvoirs, immunités et droits de la Chambre et de ses comités. Il est entendu que cette permission ne touche pas l'interdiction de contester ou de mettre en cause les délibérations de la Chambre devant les tribunaux ou autrement. La Chambre conserve le droit et le privilège de déclarer l'utilisateur coupable d'outrage au Parlement lorsque la reproduction ou l'utilisation n'est pas conforme à la présente permission.

On peut obtenir des copies supplémentaires en écrivant à : Les Éditions et Services de dépôt
Travaux publics et Services gouvernementaux Canada
Ottawa (Ontario) K1A 0S5
Téléphone : 613-941-5995 ou 1-800-635-7943
Télécopieur : 613-954-5779 ou 1-800-565-7757
publications@tpsgc-pwgsc.gc.ca
http://publications.gc.ca

Aussi disponible sur le site Web du Parlement du Canada à l'adresse suivante : http://www.parl.gc.ca