



Upholding the Public's Trust:

Key Features for Effective State Accountability Websites

OMB Watch

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About OMB Watch

OMB Watch is a nonprofit research and advocacy organization dedicated to promoting government accountability and effectiveness and increasing citizen engagement. Our mission is to build an open, accountable government that invests in the common good, protects people and the environment, and advances national priorities defined by an active, informed citizenry.

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Introduction

Transparency is crucial in a democracy – and in a 21st century democracy, transparency means public access to information online. This report considers four key areas of transparency in the U.S. state and federal governments: campaign finance, lobbying, procurement, and public officials’ assets. The report describes the key features needed for effective online disclosure in these areas and highlights leading practices in the states.

Democracy in the Digital Age: Transparency, Trust, and Public Integrity

A government answerable to the people is at the heart of America’s democratic aspirations. The Declaration of Independence was a grand pronouncement that government authority derives from the consent of the people and that government can and should be held accountable for its ability to promote the well-being of its citizens. From the beginning, we sought to create a system of governance that limited corruption and the abuse of power. The U.S. Constitution laid out a system of checks and balances to limit the power of any official, even the president, from acting without oversight or consequence.

The Founding Fathers realized that democratic government was fundamental to advancing the goals of freedom, equality, human rights, and broadly shared prosperity. To build a better society, we must build a better government; to build a better government, we must build a better democracy. Although the way we practice democracy has evolved over the years, that self-evident truth has stood the test of time.

In a democracy, the people expect their public officials to serve in the public interest, rather than advance their particular self-interests or the interests of the well-placed and wealthy. Most public officials strive to be honest and ethical in their behavior, and we have made the most egregious unethical activities – bribery, nepotism, and intimidation – illegal. However, the

corrupting influence of money in politics continues to challenge most democracies, and in the U.S., financing expensive paid media election campaigns is a special problem.

When citizens perceive that public officials are using their positions to unfairly benefit themselves (individual corruption) or that money, rather than the public good, has undue influence in our public institutions (structural corruption), they lose confidence that our democratic system is responsive to them. The loss of public trust discourages honest Americans from getting more engaged in our democracy. Political scandals through the years, from the Watergate wiretapping to Jack Abramoff's influence peddling, have worn away the public's belief in the system and the officials. A recent CNN poll found that the public's trust in the federal government had reached an all-time low. Only 15 percent of those surveyed trusted the government to do what's right always or most of the time.¹

Increasingly, citizens want to find and examine information themselves. People want data on officials' activities – receiving campaign contributions, consulting with special interests, investing money, hiring contractors – to verify that officials are operating in the public's interest. The Internet and digital information offer new opportunities for citizens to conduct their own research. Interactive databases and online tools make it easier for the public to explore government information. Online access can also be more timely, and in many cases more cost-effective, than traditional methods such as freedom of information requests. Online disclosure can help deter and expose corruption. In short, online disclosure is becoming a fundamental way to democratize public information.

Moreover, Americans increasingly expect public information to be accessible online. A recent study showed that almost 70 percent of citizens and more than 90 percent of government employees believed that public data should be available online.² The survey also found that people were more likely to vote for officials that support open government – by a 3 to 1 margin.

Governments at all levels have embraced online disclosure and launched new websites to enhance transparency. However, there is wide variation in the effectiveness of government websites at helping Americans retrieve and make sense of the information they provide. We still have a long way to go for online disclosure of government data to be truly user-friendly and empowering to the public.

1 “Trust in government at all time low,” CNN.com, Sept. 28, 2011, <http://politicalticker.blogs.cnn.com/2011/09/28/cnn-poll-trust-in-government-at-all-time-low/>.

2 Alex Howard, “Open data study shows progress, but a long road ahead for open government,” *O'Reilly Radar*, Dec. 16, 2010, <http://radar.oreilly.com/2010/12/open-data-study-progress-made.html>.

Background

The inspiration for this report is the State Integrity Investigation,³ a project of the Center for Public Integrity, Global Integrity, and Public Radio International. The State Integrity Investigation ranks each state on its risk of public corruption by examining more than 300 measures of integrity policy and practice. The state project builds on the methodology of the Global Integrity Report, an effort since 2004 to rank similar measures at the national level for countries around the world. The inaugural State Integrity Investigation was published on March 19, 2012.

Both the state and the Global Integrity reports look at a wide range of transparency and anti-corruption mechanisms that go far beyond online information disclosure, but they do include questions assessing targeted disclosures as measures to reduce corruption risk – for example, public disclosure of the donors to political campaigns. The State Integrity Investigation includes a number of questions that ask explicitly about the quality and accessibility of online disclosure of information ranging from state budget information to political donations to lobbying records.

As an independent companion to the State Integrity Investigation, OMB Watch developed this report to elaborate on what makes online disclosure effective. This report examines four disclosure topics from the State Integrity Investigation: namely, the disclosure of campaign funding, lobbying activities, government contracting, and public officials' assets. OMB Watch reviewed the State Integrity Investigation's top-ranked states, along with comparable federal sites, for each topic to determine their most important features and identify innovative practices.

About the Topics

The four disclosure topics examined in this report are vital to ensuring public integrity and upholding democratic accountability at both the state and federal levels. Campaign finance, lobbying, public procurement, and officials' finances are perennial topics of controversy in American politics. They represent the most important methods through which individual or structural corruption can occur.

Campaign Finance data provides information on the income and expenditures of political candidates and parties. Many experts have questioned whether campaign donors have undue influence with candidates for public office.

Lobbying is defined as the paid efforts of certain actors to directly influence legislative or executive decisions. Many people believe that private-sector lobbyists have undue influence with public officials through campaign giving and other special access.

Public Procurement is a process for selecting vendors to provide goods and services to the government. Unscrupulous public officials may attempt to steer public contracts to benefit certain companies in which they, family members, or campaign contributors have an interest. This is often referred to as “pay-to-play” – i.e., provide a campaign contribution to have a bid for a government contract considered.

Officials’ Finances are the personal income and assets, such as stocks and property, of public officials. Unscrupulous public officials may allow their personal finances to influence the way they exercise their public duties – for instance, promoting policies that would benefit a company in which they own stock.

Some information about each of these topics is currently disclosed online by the federal government, as well as many states. However, as this report will explain, there is wide variation within each area in the method and manner of online disclosure, with the effect that some disclosure websites are markedly more useful and user-friendly than others.

Why Online Disclosure Is Important

Transparency has long been recognized as vital for sustaining democracy and deterring corruption. In this day and age, transparency requires making information available to the public online. Websites make information more widely available more efficiently than traditional methods such as freedom of information requests or public files available in a government office.

Online disclosure also opens the possibility of using tools such as mapping and visualizations to help citizens explore the information. In addition, distributing data in digital formats can enable more advanced analyses by journalists, activists, and researchers and allow technologists to repackaging the data in new ways.

Methodology

OMB Watch reviewed the State Integrity Investigation’s top-ranked states, along with comparable federal sites, for each topic to determine their most important features and identify innovative practices. In each topic area, OMB Watch sought to review every state that scored 100 on questions about online disclosure. As SII research continued, some states’ scores were reduced while others were moved up. OMB Watch also reviewed additional selected state websites, the analogous federal websites for each topic, and notable non-governmental websites that provide access to this information.

States Reviewed by Topic			
Campaign Finance – Top Scoring	Lobby Disclosure – Top Scoring	Procurement – Top Scoring	Asset Disclosure – Top Scoring
Arizona California Colorado Connecticut Indiana North Dakota Oregon Rhode Island Tennessee Texas Virginia Wisconsin Wyoming	Florida Rhode Island Texas	Colorado Delaware Hawaii Iowa Kansas Montana New Jersey Pennsylvania Utah	Tennessee
Campaign Finance – Also Reviewed	Lobby Disclosure – Also Reviewed	Procurement – Also Reviewed	Asset Disclosure – Also Reviewed
Alaska Georgia Hawaii Kansas Kentucky Massachusetts Michigan Nebraska Pennsylvania	Colorado Georgia Illinois Louisiana Maine Massachusetts Michigan Ohio Pennsylvania Wisconsin	Alabama Mississippi Missouri Nebraska Rhode Island Texas	Arkansas Illinois Iowa Kansas Kentucky Louisiana Nevada New Hampshire Ohio Pennsylvania Rhode Island

In designing and conducting the review, OMB Watch consulted with external experts, who are listed in the acknowledgements. We are grateful for their insight. Any errors are solely the responsibility of OMB Watch.

What Are the Features of a Good Transparency Website?

When designing transparency websites, governments should put the public first. Designers and policymakers should ask, “What will the public want to know, and how can we make it easier for citizens to find the information they seek?” Thoughtful, citizen-centric designs share five common elements:

Easy to Navigate

Transparency websites should provide an intuitive interface that citizens can easily use to find what they’re looking for. Sites should be designed to help users easily find information among a large number of records, including simple search and sort options. Sites should include basic instructions, describe what data is available, and explain any technical terms.

Basic Information

Transparency websites should provide the basic information that citizens want to know. For each type of website, there are a few core types of information that most users will be interested in – generally, the answers to who, what, where, when, and how (or how much). For example, procurement websites should easily answer who received a government contract, what the contract is for, which agency awarded the contract, when the contract was awarded, and how much the contract is worth.

Features to Explore

Transparency websites should offer features beyond basic search and sort to help users explore overviews and trends in the data. While the pre-digital paradigm of transparency was based on retrieving records, today transparency also comprises understanding data. Transparency websites should include features that let users generate charts, graphs, maps, and reports to look at changes over time or comparisons between entities.

Advanced Information

Transparency websites should provide more detailed information needed by journalists, watchdog organizations, and researchers. “Power users” such as these – many of whom serve as intermediaries who explain the information to the broader public – need access to more detailed information.

Downloads

Transparency websites should allow users to download their datasets in order to perform more in-depth analyses. Some users will want to work with the data in their own spreadsheet or statistical software. In addition, technologists may want to incorporate the data into independent websites or applications, such as those provided by media outlets and NGOs.

Throughout the following sections of the report, we evaluate select state and federal transparency websites against these five features.

Conclusions

Specific observations about websites and performance are addressed in the topic sections. Overall, the current state of online disclosure across the public integrity topics is decidedly mixed. Generally, it is impressive that the federal government and so many states are disclosing enormous amounts of integrity information online. However, the quantity and quality of disclosure is far from consistent. For example, campaign finance and procurement both had a large number of states scoring high in the SII survey, while many fewer states seemed able to qualify for the top spots in either lobbying or asset disclosure. We noted that key information is often missing, and the websites that provide public access to the information are frequently frustrating to use.

Even among the top-ranked sites, many struggle with basic usefulness and usability issues. Many of the sites seem more oriented toward users inside government or regulated entities than toward easy use by the wider public. Many websites would benefit by improving the ability to search and sort data, which are basic features that most people find useful. Additionally, many sites need more effort on summarizing data or offering features (graphs, maps, etc.) that offer easy overviews of data.

Sites are still overwhelmingly based on a “records” rather than “data” paradigm: they are meant to retrieve the digital analog of a paper filing, rather than using modern technology to allow users to explore and analyze the information contained in those records. Citizens familiar with state-of-the-art general consumer technology would likely find themselves disappointed by most of the sites we reviewed. Agencies need to break information out of disclosure forms and post it in databases, which will allow much greater use of the information.

Generally speaking, the federal websites we reviewed were more robust in information and features than the state websites. Asset disclosure is the main exception to that, with essentially no online disclosure by any part of the federal government. Across the four topics, several states have implemented a number of innovative features that the federal government and other states should consider adopting. Moreover, each of the federal websites we reviewed fell short of our criteria in one or more important ways.

Nevertheless, we were able to find examples for nearly all of our criteria in each topic area. In other words, some states strongly implement each key practice for each area that protects against conflicts of interest by public officials. Therefore, better serving the public is fully achievable if each state brings together leading practices. We hope this report will serve to help states find examples of those practices and share experiences in order to strengthen transparency across the country.

Campaign Finance

The State Integrity Investigation examines state governments and considers whether “the publicly available records of political parties’ finances are accessible to the public online in a meaningful and accessible manner” (Indicator #52) and whether “the publicly available records of political candidates’ finances are accessible to the public online in a meaningful and accessible manner” (Indicator #57). In this report, we highlight some of the key features and best practices of campaign finance disclosure websites.

Introduction

How political campaigns are financed has proved to be one of the most enduring controversies in American politics. To introduce their candidates to voters, modern campaigns have to pay for everything from yard signs to legal fees to TV advertisements. For example, in 2008, at least \$118 million was spent in 11 gubernatorial elections.⁴

To pay for those expenses, nearly all campaigns raise funds from private donors. In 2010, state-level candidates across the country, for positions ranging from governors to judges, raised more than \$2.4 billion.⁵ Many experts have raised questions about the influence that such donors can have with public officials. Fundraising events and phone calls, which can consume a large amount of a candidate’s time, often provide special access for donors to candidates and their staff. The perception that special interests can buy access or influence in the political system can breed public cynicism about the integrity of our democracy.

The Railroad Commission of Texas (RRC),⁶ a public authority whose elected commissioners regulate Texas’ oil and gas industry, illustrates a potential conflict of interest. The RRC chairwoman, Elizabeth Ames Jones, received the majority of her campaign contributions from the oil and gas industry.⁷ Texas’ Sunset Advisory Commission, a state legislative body that

4 Thad Beyle and Jennifer M. Jensen, “Gubernatorial Campaign Finance Database,” accessed February 2012, <http://www.unc.edu/~beyle/guber.html>.

5 “Total Dollars for all Candidates,” National Institute on Money in State Politics, accessed February 2012, <http://www.followthemoney.org/database/nationalview.phtml?l=0&f=C&y=2010&abbr=0>.

6 “Railroad Commission of Texas,” Sunset Advisory Commission, November 2010, http://images.bimedia.net/documents/rct_sr.pdf, pg. 1.

7 Railroad Commission of Texas, accessed Feb. 14, 2012, <http://www.rrc.state.tx.us/commissioners/index.php>.

identifies waste, inefficiency, and duplication, issued a 2010 report that expressed “several critical concerns” with the oversight, funding, and enforcement processes of the RRC’s activities, noting, “Elected officials rely on campaign contributions to seek office, re-election or otherwise, creating an opportunity for regulated entities to help elect commissioners they believe will be sympathetic to their issues.”

While there are disagreements about the public financing of elections or limits on financial contributions, the public strongly believes in disclosure. In fact, a 2010 *New York Times*/CBS News poll found that an overwhelming 92 percent of Americans believe that the public should know the identities of the interests financing elections.⁸ Transparency about who is donating to candidates for public office is important for several reasons:

Accountability. Campaigns are high-stakes contests with large amounts of money being collected and spent. The opportunity for inappropriate behavior and deal-making is great. Transparency in the campaign finance process makes corruption and malfeasance less likely to occur. Having contributions on the record can deter political kickbacks and help expose them if they happen.

Democracy. People take many things into consideration when choosing who to vote for in elections, and who is supporting and contributing to campaigns is one of those things. Some voters would update the old adage “a man is known by the company he keeps” to say a candidate is known by the contributions he or she takes. Knowing who funds which candidate or party allows voters to use the information in their decision making process.

Historical Perspective. The contribution history of a candidate allows the public to review the influence money has had on his or her career, how it has affected his or her stance on issues, and the probability it will influence future decisions.

The public should have easy access to campaign finance information – without requiring a trip to the state capital. Many states provide campaign finance information online, but some campaign finance websites do a better job than others at making their information accessible to the average citizen. We believe that every state should provide a user-friendly website that

⁸ “Americans Want Disclosure and Limits on Campaign Spending,” *The New York Times*, Oct. 28, 2010, <http://thecaucus.blogs.nytimes.com/2010/10/28/americans-want-disclosure-and-limits-on-campaign-spending/>.

helps the public make sense of the cavernous maze that can be campaign finance records.

Easy to Navigate

The wealth of campaign finance information on these sites can easily intimidate users. A good site needs to make it easy and intuitive to find information. Visitors should not be overwhelmed with a clutter of unclear options. For example, **Georgia**⁹ has a very intuitive interface. Search options are clearly labeled, and the site effectively utilizes graphics to help users. An average citizen would be able to decide, in an uncomplicated way, which of the options available best fits his or her needs.



Georgia Government Transparency and Campaign Finance Commission – Campaign Reports

An easy-to-understand sorting mechanism is a critical aid to finding information. Campaign finance sites should allow visitors to sort data by recipient, contributor, amount, and year.

California¹⁰ has strong browsing and sorting features that allow users to easily navigate its campaign finance data. The site makes it easy to browse down through main categories like candidates and parties, and then explore further through subcategories like years. Inside the sub-groups, additional sorting options are available, such as contributions received and

9 Georgia Government Transparency and Campaign Finance Commission, accessed March 2012, <http://ethics.georgia.gov/>.

10 "Campaign Finance: Committees, Parties, Major Donors and Slate Mailers," Cal-Access, accessed February 2012, <http://cal-access.sos.ca.gov/Campaign/Committees/>.

made, late contributions (meaning contributions given within three months of election day), contributions that exceed \$5,000, and expenditures.

A robust search function should work for those less versed in campaign finance, as well as for experts. Websites offering campaign finance data should allow searches by candidate, party, committee, contributor, and year. **Connecticut**¹¹ has an exceptional search feature on its campaign finance website. Drop-down menus assist those not familiar with terms and names. For instance, the drop-down menu for “Type of Receipt” offers contributions, grants, proceeds, and transfers. The Connecticut site also allows a user to search on fields that many other sites do not, such as city and district, and to select minimum and maximum amounts contributed. Finally, Connecticut has designed its search to provide maximum flexibility for users by not including a large number of “required” search fields, a common problem on other sites that makes searching more difficult.

The Basic Information that Most Users Need

Campaign finance can be daunting to the average person, so it is critical that websites effectively provide the key data of interest to citizens. At a minimum, sites should provide information about:

- Who is donating money,
- How much they are giving,
- The date(s) of the transaction(s), and
- What candidate or party is benefiting from that contribution.

Knowing the identity of funders of political campaigns is critical to understanding who supports a candidate or party. For instance, if a candidate has received multiple contributions from executives in a particular industry, it could indicate that the candidate’s policies are viewed favorably by that industry. The amount of contributions is important, as well, because it can indicate the relative wealth of contributors (e.g. few middle-class Americans donate \$2,000 to a particular candidate) and the intensity of the contributor’s preference (e.g. large contributions indicate strong favorability). The date of a contribution is also needed to examine whether the timing of the donation coincides with any particular actions by the candidate (e.g. whether

11 “Campaign Reporting Information System,” State Elections Enforcement Commission, accessed February 2012, <http://seec.ct.gov/eCris/DocumentSearch/DocumentSearchHome.aspx>.

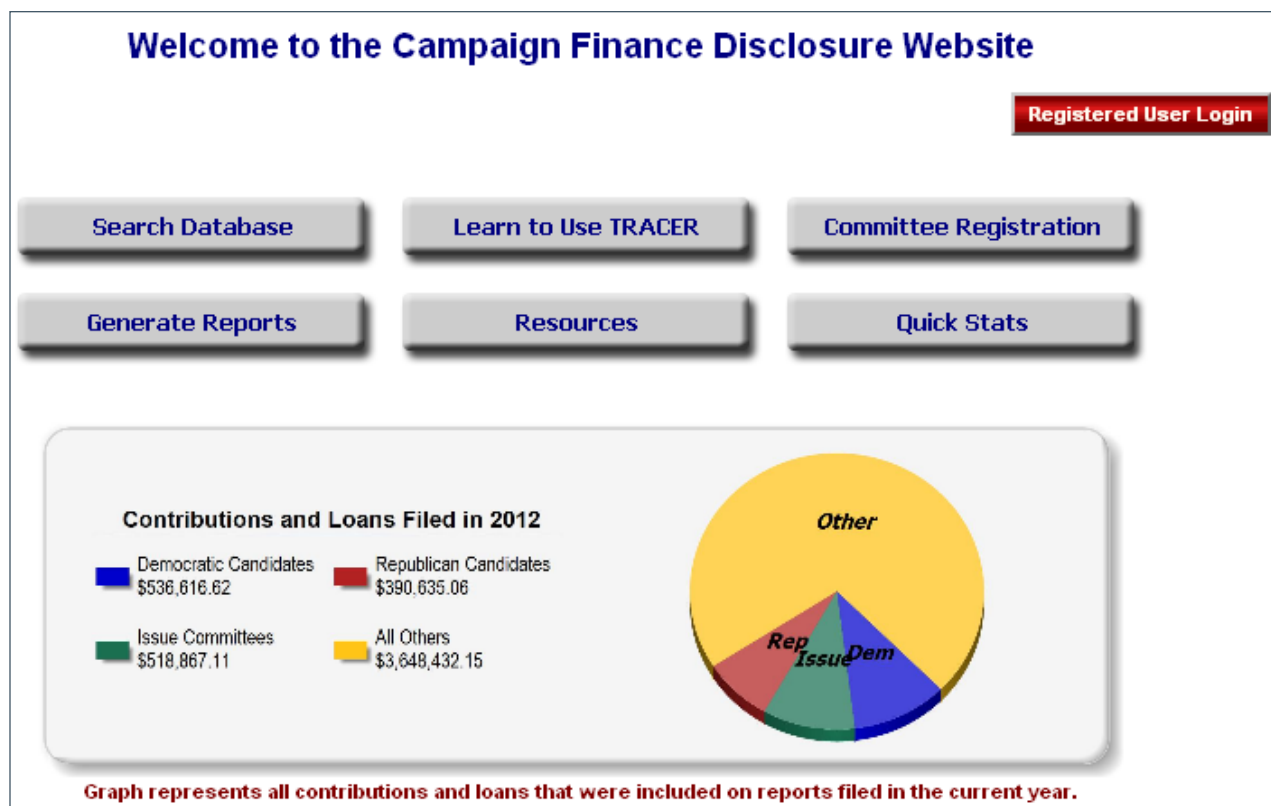
donations are made before a certain vote).

This basic information is at the core of campaign finance transparency, and it is vital citizens have access to these facts before they cast their vote. **Arizona**¹² does a good job of providing this basic information by allowing visitors to search by “Campaign,” “Party,” and “Contributor,” among other options.

Features that Help Users Explore the Data

Campaign finance websites should offer features that help users explore trends in the data and an overview of what is going on in the state and nation with regard to campaign contributions. Websites should seek to improve data presentation with charts, graphs, or interactive maps that summarize campaign finance facts and trends. If a citizen wants to know how much money has been contributed to state senate candidates from a certain district, he or she should be able to select an option without having to sort and search through all the records a site may possess.

Colorado's¹³ campaign finance site makes good use of graphs and charts. The site has a “Quick Stats” page that offers a graph and pie chart for a general overview of contribution history in the



[Colorado Elections Division](#) – Campaign Finance Main Page

12 “Campaign Finance Search,” Arizona Department of State, accessed February 2012, <http://www.azsos.gov/cfs/GeneralSummarySearch.aspx?t=3>.

13 “Campaign Finance Disclosure,” Tracer, accessed February 2012, <http://tracer.sos.colorado.gov/PublicSite/homepage.aspx>.

state, dating back to 2000, including contribution and expenditure totals for house and senate candidates by district. Colorado also uses interactive district maps to allow further investigation of campaign contributions. The maps allow visitors to view contributions and expenditures of candidates by moving the mouse over the districts. While this feature doesn't allow users to delve into greater detail, the unique format could be useful in more easily identifying geographic patterns in contributions.

Detailed Information for Advanced Users

The best campaign finance sites also provide more detailed information, such as the address, occupation, employer, and party affiliation of a donor. Employer information allows citizens to better understand the full contributions a company is making to a candidate by including those from employees of the company. Occupation of a donor is similar to employer information in that it allows research into the total money being contributed from different industry sectors, which could be relevant if an official makes a decision that affects those industries or occupations. The address information helps users investigate if decisions by government officials that benefit or detract from a geographic area could be influenced by contributions, or the lack thereof, from that region. This information can help inform a citizen's choices.

An advanced site like **Connecticut's**¹⁴ provides such information. For instance, all contributors to the election committee "Dan Carter 2010" made available their names, addresses, employers, occupations, contribution amounts, and date received, among other things.

Data Downloads

People who are accessing this information need to be able to work with it on their own, whether it be in spreadsheets or other formats. The ability to take data from websites to share or to create reports is essential for effective and efficient transparency. With this capability, visitors can run tests on data from sites to make sure they are accurate, as well as compare with data they receive from other sites. Every site should, at a minimum, allow a visitor to export data into spreadsheet software. All of the sites mentioned in this section have the ability to export data.

Colorado's¹⁵ exemplary site has numerous options for exporting data, and when the data is exported into an Excel spreadsheet, there are no formatting complications (jumbled

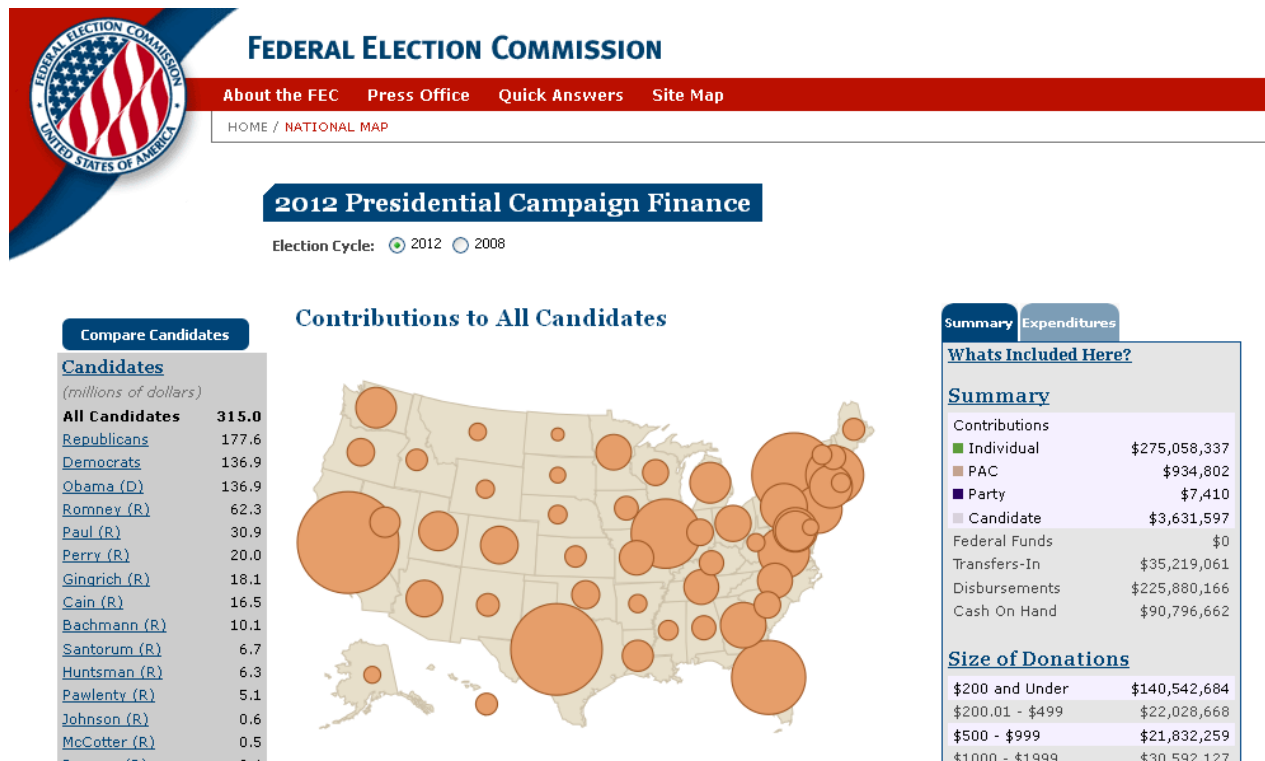
14 "Campaign Reporting Information System," State Elections Enforcement Commission, accessed February 2012, <http://seec.ct.gov/eCris/DocumentSearch/DocumentSearchHome.aspx>.

15 "Campaign Finance Disclosure," Tracer, accessed February 2012, <http://tracer.sos.colorado.gov/PublicSite/homepage.aspx>.

spreadsheets, for example). Many of the states that do offer download formats produce unreadable spreadsheets with cells too small for the information they contain. Colorado’s download feature provides search criteria at the top of the spreadsheet, above the data, which makes it easy to understand the data occupying each column.

Conclusion

The **Federal Election Commission (FEC)**¹⁶ does a fairly good job of providing the five features listed above on its website of campaign finance information about candidates for federal office. The site has a basic search for specific contributors, candidates, and committees (a group that is organized to support or defeat a certain candidate), as well as an “advanced search” that gets into more detail concerning location, party affiliation, ID numbers, and more. These search options make it possible to be as specific or vague as a user wants. The FEC site also provides excellent maps for House, Senate, and presidential elections to assist visitors in their research. For example, when selecting the presidential map, you are able to see, from state to state, how much money was given to campaigns in either 2012 or 2008 in general, by party, or by candidate.



Federal Election Commission – 2012 Presidential Campaign Finance Interactive Map

The federal site needs work on its sorting feature and download capabilities. There is a sorting feature, but it can be difficult to locate and offers limited functionality. The FEC would benefit from providing features more akin to those on the California site. Users can download data files via File Transfer Protocol (FTP) but are unable to export data found in searches. The FEC is currently working to expand its download options.¹⁷ The Obama administration included campaign finance information in the recently launched Ethics.gov portion of the Data.gov website.¹⁸ The new site allows users to sort and search various ethics-related datasets.

Overall, the sites mentioned in this section, both state and federal, do a thorough job of providing the essential information the public needs. Some of the sites go further by offering more innovative ways to analyze and present the data, which helps to improve understanding in a way that is accessible to the average citizen. Also, all of the sites listed above make it possible to export data. However, these sites are not representative of most states. Unfortunately, the majority of states do not have sites that are very intuitive, and some do not make available the basic information that should be standard for campaign finance disclosure. The availability of this information via the Internet is essential and will only strengthen our democratic process.

17 “Downloadable Data Files,” Federal Election Commission, accessed Feb. 17, 2012, http://www.fec.gov/finance/disclosure/ftp_download.shtml.

18 “Ethics - Data.gov Communities,” U.S. Government, accessed March 9, 2012, <http://explore.data.gov/ethics/>.

Lobbying Disclosure

The State Integrity Investigation examines state governments and considers whether “lobbying disclosure documents are accessible to the public online in a meaningful and accessible manner” (Indicator #252).

In this report, we highlight some of the key features and best practices of lobbying disclosure websites.

Introduction

Lobbyists play a significant role in the framing and development of legislation and policy in the United States. Whether they represent large corporations, smaller special interest groups, or individuals, their efforts can make the difference on whether or not legislation passes or agencies issue rules. Their significance in our legislative process makes it crucial that the records of those employing lobbyists, and the extent of their financial support, be made available to the public.

The egregious case of Jack Abramoff and his lobbying activities for various Native American tribes exemplifies the corruption that can sometimes occur in lobbying. Abramoff was convicted of conspiracy, fraud, and tax evasion stemming from the campaign contributions and gifts he gave to prominent members of Congress in return for support for legislation that benefitted his clients.¹⁹ Most lobbying activities are legal, but the public deserves to know who is paying for lobbying services and the positions lobbyists are being paid to champion.

Accountability. Lobbying is about trying to influence the decisions of officials and agencies on issues that affect the public; therefore, the public has a right to know about the lobbying. Transparency in the lobbying process makes outright bribery and malfeasance less likely to occur, as it becomes more difficult to hide deals and favors.

Democracy. The public can examine the source of funding for a lobbyist and information about who that lobbyist is seeking to influence and use that information to make decisions about who to support with campaign contributions or votes. Officials who are heavily lobbied and then change a policy position may have to answer to voters

who supported them because of their original stance on the issue.

Trust in Government. Many people believe that special interests and lobbyists already hold too much sway over the actions of government officials. Disclosure of lobbying activities allows the public to more fully understand the scope of these activities.

Easy to Navigate

A quality site needs to make it easy to find information. Visitors should not be overwhelmed with a clutter of unclear options. **Maine**²⁰ has a very intuitive interface. The main page for lobbying is straightforward, and it is easy for a visitor to perform useful searches. The visitor is presented with clear search options, starting with selecting a legislative session (dating back to 2001-2002), followed by a selection of a lobbyist, client, or legislative document. The drop-down menus further assist the visitor in locating the information they need.

A robust search should work for those less versed in campaign finance, as well as those who are experts. Lobbying disclosure websites should allow searching by a lobbyist's name (full or partial), employer, and branch of government. **Louisiana**²¹ also has strong search capabilities, and it is not necessary for visitors to fill out all the fields. There are no specified "required" fields, and drop-down menus help to determine how exact or general a search will be. Visitors only need to provide some information, which could be the last name of a lobbyist or partial name of an employer, to perform a search.

The wealth of information in lobbying records is sometimes so immense that finding what you need can be an arduous task. A good sorting mechanism can make finding that needle in a haystack easier. **Florida**²² does an excellent job of providing robust browsing and sorting features, which allow users to easily navigate through the lobbying disclosure data. By selecting the "Access Lobbyist" option, visitors are taken to a page where they can sort the data by several categories. Visitors can sort by year (dating back to 2001) and whether the lobbying activity is legislative or executive in nature. Site visitors can further specify if they want the data arranged by lobbyist name, location, principal client, or industry.

20 "Lobbyists and Clients," Maine Commission on Governmental Ethics and Election Practices, accessed February 2012, http://www.maine campaignfinance.com/Public/entity_list.asp?TYPE=LC.

21 "Lobbying Portal," Louisiana Ethics Administration Program, accessed February 2012, <http://www.ethics.state.la.us/LobbyistData/>.

22 "Lobbyist Information," Online Sunshine, accessed February 2012, <http://www.leg.state.fl.us/lobbyist/index.cfm>.



**LOUISIANA ETHICS
ADMINISTRATION
PROGRAM**

LOBBYING PORTAL

Home General ▶ Disclosure ▶ Campaign Finance ▶ Lobbying ▶ Training ▶ Contact Us ▶

Search by Lobbyist Data

Lobbyist's First Name:

Lobbyist's Last Name:

Employer's Name:

Branch:

Find records if all fields match.
 Find records if any fields match.

Display: records. Sort by:

Start New Search: [by Lobbyist Information](#) [by Company Representation](#) [by Expenditure Reports](#) [Archived Reports](#)

Louisiana Ethics Administration Program – Lobbying Portal

The Basic Information that Most Users Need

At a minimum, sites should provide:

- The lobbyist’s name,
- The lobbyist’s address and contact information,
- Clients represented,
- Client addresses, and
- The compensation the lobbyist received for his or her work.

This information is basic and should be a fundamental requirement for every lobbying disclosure site. Without this information, a visitor to the site will not be capable of answering, in any detailed manner, the questions they may have about lobbying activity. **Michigan**²³ does a good job of providing these data points for each lobbyist in its system.

A good disclosure website would allow, for example, a citizen from Nebraska to determine if the

oil and gas industry or a particular energy company has hired a lobbyist to influence his or her representative in Congress concerning the Keystone pipeline. The citizen might then write a letter of complaint to the shareholders or CEO of the company or reference his or her knowledge in a letter to his or her representative.

Features that Help Users Explore the Data

Lobbying disclosure websites should offer features that help users explore overviews and trends in the data. The nonprofit Center for Responsive Politics’ **OpenSecrets.org**²⁴ does an exceptional job of this. Its lobbying page provides multiple ways to generalize lobbying activities. For example, one of the lists the site makes available compares the number of federal lobbyists, year by year, with the total amount spent on lobbying the federal government that corresponding year. Also, the site provides helpful graphs on aspects like “Top Spenders,” “Top Lobbying Firms,” “Industries” (with regard to money spent on lobbying), and “Issues” (with regard to number of clients). This is a quick way to look at what is going on in a state or country, specifically with regard to lobbying activities, and it presents the information in a way that is easy to understand.

Lobbying Database

In addition to campaign contributions to elected officials and candidates, companies, labor unions, and other organizations spend billions of dollars each year to lobby Congress and federal agencies. Some special interests retain lobbying firms, many of them located along Washington's legendary K Street; others have lobbyists working in-house. We've got totals spent on lobbying, beginning in 1998, for everyone from AAI Corp. to Zurich Financial.

You can use the options below to search through our database in several ways: search by name for a company, lobbying firm or individual lobbyist; search for the total spending by a particular industry; view the interests that lobbied a particular government agency; or search for lobbying on a general issue or specific piece of legislation.

Total Lobbying Spending			Number of Lobbyists*		
1998		\$1.44 Billion	1998		10,407
1999		\$1.44 Billion	1999		12,938
2000		\$1.56 Billion	2000		12,538

[OpenSecrets.org](http://www.opensecrets.org) – Lobbying Database

24 “Influence and Lobbying,” OpenSecrets.org, accessed February 2012, <http://www.opensecrets.org/influence/index.php>.

State websites should also seek to improve data presentation with charts, graphs, or interactive maps that provide overviews. This is a way to take information out of a lobbying report and organize it so that it provides a broader scope of what is going on in the state. If a citizen wants to know how much money has been spent on lobbying efforts in a certain district, he or she should be able to find this without having to sort and search through all the data a site may hold. States should make overviews or summaries available in an accessible format. The most effective way to do this is through the use of graphs and maps.

However, **Texas**²⁵ has a unique and helpful list feature on its website that organizes lobbyists by topic. An alphabetical list of all the issues that were lobbied for in that fiscal year is presented to the user, with the names of all the lobbyists that worked on each issue. From this, one can easily see the number of lobbyists working particular issues in the state in a given year.

Detailed Information for Advanced Users

It is not enough just to see who is lobbying, how much they are being paid, and where are they getting their money from. The bill or activity for which the lobbyist was hired, as well as the position taken, are really the most crucial in understanding the effect outside influences are having on our political process. **Massachusetts**²⁶ excellent website allows users to get a clearer picture of what lobbyists in the state were hired to do by linking the lobbyist’s activity to particular legislation and recording the lobbyist’s position on that legislation.

Activities and Bill Numbers				
Activity or bill number	Agent's position	Agent's direct business association with public official	Client represented	Compensation received
SB 2437/2447 sections: 13A, 13B, 13C, 16, 20-22, 26-29, 27, 37, 38, 43	Oppose	None	Blue Cross Blue Shield of Massachusetts	\$1,750.00
SB 2437/2447 sections: 1, 2, 10, 12, 17-19, 23-25, 31, 36, 38B	Support	None	Blue Cross Blue Shield of Massachusetts	\$1,750.00
HB 1080/4320/4689	Oppose	None	Blue Cross Blue Shield of Massachusetts	\$200.00
HB 4490	Oppose	None	Blue Cross Blue Shield of Massachusetts	\$200.00
HB 4477	Oppose	None	Blue Cross Blue Shield of Massachusetts	\$50.00
HB 4601 sec. 56-59, and SB 2470 sec. 69-71, 177-180, line item 4100-0060,	Oppose	None	Blue Cross Blue Shield of Massachusetts	\$750.00

The Commonwealth of Massachusetts Lobbyist Section – Public Records Division

25 “Lobby Lists and Reports,” Texas Ethics Commission, modified Feb. 13, 2012, <http://www.ethics.state.tx.us/dfs/loblists.htm>.

26 “Public Records Division – Lobbyist Section,” Massachusetts Department of State, accessed February 2012, <http://www.sec.state.ma.us/LobbyistPublicSearch/Default.aspx>.

Without those two pieces of vital information, the influence the client is having would be difficult to ascertain.

Operating expenses, and other expenditures like travel and meals, are also important. A breakdown of how money was spent by a lobbying firm while working for a client makes lobbyists accountable for how the money is being used. The Massachusetts site requires these breakdowns. Another piece of advanced information that Massachusetts provides is the lobbyist's direct business relationship, if any, with a public official. Massachusetts publishes information regarding a lobbyist's relationship with any public official that is involved with the legislation or activity for which the lobbyist was hired. For example, if the lobbyist used to be the legislator's chief of staff, this information is recorded. Thus, the Massachusetts site is one of the few places where "revolving door" activities become public knowledge. This is a very progressive step toward full transparency.

While almost all of the state sites focus exclusively on legislative lobbying, a few offer some information on lobbying of officials in the executive branch. Since governors' offices and executive agencies are charged with issuing rules and regulations to implement laws passed by the state legislature, their activities can be of equal importance to private special interests. **Texas**²⁷ and **Maine**²⁸ include fields in their lobbying disclosure forms for expenditures made while lobbying executive employees. However, neither state's disclosure site yet allows for this information to be searched.

Data Downloads

People accessing lobbying information may want to work with it on their own, whether it is in an Excel spreadsheet or another format. The ability to take data from websites to share or to generate reports is essential. With this capability, visitors can run tests on data from sites to make sure they are accurate, as well as make comparisons with data they receive from other sites. Every website, at a minimum, should allow a visitor to export data into spreadsheet software like Excel. The **Florida**²⁹ lobbying disclosure site provides this function in some capacity, but it is a difficult process that would likely deter the average citizen. However, it is one of the few state websites that makes exporting lobbying data an option.

27 "Lobby Lists and Reports," Texas Ethics Commission, modified Feb. 13, 2012, <http://www.ethics.state.tx.us/dfs/loblists.htm>.

28 "Lobbyists and Clients," Maine Commission on Governmental Ethics and Election Practices, accessed February 2012, http://www.mainecampaignfinance.com/Public/entity_list.asp?TYPE=LC.

29 "Lobbyist Information," Online Sunshine, accessed February 2012, <http://www.leg.state.fl.us/lobbyist/index.cfm>.

Query the Lobbying Disclosure Act Database

Search Filings

Step 1 of 3: choose up to five search options

Registrants

- registrant name
- registrant country
- registrant ppb country
- registrant id

Clients

- client name
- client state
- client country
- client ppb country
- client id

Lobbyists

- lobbyist name
- lobbyist covered position description (for electronic filings only)
- lobbyist covered government position indicator (yes or no)

Filings

- report type
- amount reported
- date, filing received
- filing period
- filing year
- government entity contacted
- issue area (lobbying activity)
- specific lobbying issue (for electronic filings only)(text)

Affiliated Organization

- affiliated organization name
- affiliated organization country

Foreign Entities

- foreign entity name
- foreign entity country
- foreign entity ppb country
- ownership percentage

submit

(Please note that your search results will be limited to the first 3000 records returned.)

United States Senate – Lobbying Disclosure Act Database

Conclusion

At the federal level, lobbying disclosure is provided by the websites of the House of Representatives³⁰ and the U.S. Senate.³¹ Both sites do a fairly good job of providing the five features listed above. Both sites are easy to navigate and have search mechanisms capable of being very specific while also allowing novices to perform broad basic searches. On the Senate's site, a visitor can build his or her own search form by selecting from 26 search fields. Users select one to five possible search parameters and then fill in the criteria of their selection. For example, if they chose "Lobbyist Name," they would then be presented with a blank cell where they can type in a full, or partial, name of a lobbyist. The House of Representatives' website is configured differently but has the same type of system, with a similar set of options. Each provides a sorting mechanism to better organize the data.

30 "Lobbying Disclosure," Office of the Clerk, accessed February 2012, <http://lobbyingdisclosure.house.gov/>.

31 "Legislation and Records," United States Senate, accessed February 2012, <http://disclosure.senate.gov/>.

The basic information suggested above is available on both federal sites, as well as more advanced information. For example, a visitor to both the House and Senate websites is able to search for the position a lobbyist took on a specific issue. The position can be classified as either “Yes,” “No,” or “Undetermined.”

Neither of these sites provides an obvious option for exploring the data in a way other than looking at specific lobbying reports. However, both the House and Senate sites make it easy to download data into various formats.

Similar to several states, federal lobbying disclosure forms include fields for federal executive branch entities lobbied, though the information is usually limited to simply naming the agency or office. Currently, neither the White House nor any executive agencies post any information about executive branch lobbying on their websites. The Obama administration included lobbying information from the Senate in the recently launched Ethics.gov portion of the Data.gov website.³² The new site allows users to sort and search various ethics-related datasets.

Generally, both the state and federal sites discussed in this section do a good job of providing basic information regarding lobbying activities. Some of the more advanced sites include very detailed information that should satisfy all the queries of more advanced users. A big drawback, across the board, is the lack of options for exporting data. In general, most sites do not provide this service. However, the sites mentioned in this report have set the bar, on both the state and federal levels, for lobbying disclosure transparency. There is a significant divide between the websites mentioned in this section and other sites that we have come across. Unfortunately, the majority of states do not have very intuitive websites, and some do not make available the basic information that should be a standard for lobbying disclosure.

32 “Ethics - Data.gov Communities,” U.S. Government, accessed March 9, 2012, <http://explore.data.gov/ethics/>.

Procurement

The State Integrity Investigation examines state governments and considers whether “the results of major procurement bids are accessible to the public online in a meaningful and accessible manner” (Indicator #223). In this report, we highlight some of the key features and best practices of procurement transparency websites.

Introduction

Contracts for goods and services – ranging from office supplies and IT support to highway construction and emergency response training – make up a major part of state government spending; to illustrate, one division of the New Jersey state government administered more than \$900 million in contracts in 2011.³³ Therefore, being transparent about the public procurement process and the government contracts established is critical to open public financial accounting. Ensuring that government procurement is transparent is important for several reasons:

Fiscal Responsibility. Taxpayers deserve to know that their money is being well spent and that the government is getting good deals. Transparency deters wasteful or fraudulent spending – and helps expose it if it does happen. In addition, greater procurement transparency can encourage increased competition for government contracts, driving down costs and saving taxpayer dollars.

Accountability. In an era of concerns about pay-to-play contracting and slipshod privatization deals, taxpayers deserve to know what they’re buying. Transparency can deter and expose corruption in the procurement process. In addition, transparency can shed light on which companies the government chooses to do business with – for instance, whether the government is buying from local companies or those owned by women, veterans, or minorities.

Democracy. Transparency increases public understanding of government activities and empowers people to participate. Decisions about public finances should be made with the involvement of an active, informed citizenry who serve as watchdogs and contribute ideas. Transparency is a critical element in building more efficient and responsive governments that people can trust.

To be truly useful and empowering, procurement websites should be intuitive and user-friendly for the general public and have robust tools for “power users” like journalists, activists, and researchers.

A Note on the Scope of this Section

This section focuses on the results of procurement bids (i.e., who won a government contract). Ideally, the entire life cycle of a contract should be transparent, and each stage should be easily linked: from the request for bids, to the award announcement, to the actual payments made, to the assessment of the contractor’s performance. Unfortunately, our review found this to rarely be the case. The different types of information, if available at all, are often provided on separate sites and are not linked.

The best source for information about awards is typically government procurement websites. However, additional information about contract spending is often available on separate websites that disclose government expenditures. In many cases, spending websites provide “checkbook-level” information about funds that have actually been spent, including spending on contracts as well as grants, government salaries, and other outlays.³⁴ For the purposes of procurement transparency, however, the major disadvantage of spending websites is that, while they disclose individual payments, they typically do not disclose the total or projected cost of a contract and can therefore paint an incomplete picture of government procurement. As a result, this section generally considers procurement websites rather than spending websites.

Easy to Navigate

It is vital that procurement transparency websites provide an intuitive interface that citizens can easily use to learn how public dollars are being spent. Sites should provide a simple mechanism for users to search or browse contracts by basic information, such as the date the contract was awarded, the agency that awarded the contract, and the company that received the contract. For

³⁴ See e.g. U.S. PIRG Education Fund, *Following the Money 2012: How the 50 States Rate in Providing Online Access to Government Spending Data*, March 14, 2012, <http://www.uspirg.org/reports/usp/following-money-2012>.

instance, **Hawaii**³⁵ offers a drop-down box of options for users to search by vendor. In addition, users should be able to select the kind of good or service procured, such as office supplies or cleaning services, as well as search for a particular keyword.



Hawaii State Procurement Office – Contracts for Goods, Services, and Construction

Sites should be designed to help users easily find what they are looking for among a large number of records. After searching, the user should receive a basic overview of all applicable contracts, including the date, agency, vendor, and amount for each. The results page should also allow users to sort the results by those fields, which allows them to easily locate a name, date, or amount. Several sites, such as those in Kansas and Delaware, offered good sorting functions. **Delaware**'s³⁶ site includes various tables for categories, such as awarded vendors, cooperative contracts, and recently closed solicitations, and each table allows users to resort, ascending or descending, for any column included. **Kansas**³⁷ also allows users to sort search results by vendor name, agency, expiration date of contract, etc. One problematic example is **Texas**³⁸; a search on that state's site lists only the contract's ID number and date. Users have to open each contract to view information as basic as the contract's title.

35 "Awards," Hawaii State Procurement Office, accessed February 2012, <http://hawaii.gov/spo2>.

36 "Awarded Contracts Directory," State of Delaware, accessed February 2012, <http://contracts.delaware.gov/>.

37 "Procurement Contract List," Kansas Department of Administration, accessed February 2012, <http://www.da.ks.gov/purch/contracts/>.

38 "Electronic State Business Daily (ESBD)," Window on State Government, accessed February 2012, <http://esbd.cpa.state.tx.us/>.

Another important aspect of helping users navigate a procurement site is providing clear instructions. Procurement websites should explain what information is available and what is not – for instance, whether all contracts are posted or if certain types of contracts are excluded, and how far back data is available. Additionally, websites should include a user manual describing how to use site features and a data dictionary that defines specialized terms. Access to the instructions and definitions should be embedded throughout the site. For instance, search forms and results displays should have links explaining data fields and offering help in using site features. Unfortunately, most of the state procurement sites reviewed did not provide much guidance or explanation to assist users. **Colorado**³⁹ did provide a page of Frequently Asked Questions, which included a few basic questions and answers about locating types of information in its Bid Information and Distribution System.

The Basic Information that Most Users Need

While it may seem obvious, it is important that procurement websites provide the basic information that citizens want to know about government contracts. At a minimum, each contract should include:

- The date it was awarded,
- The agency that awarded the contract,
- The name and location of the company that received the contract,
- The contract's total value, and
- A basic description of the goods purchased or the work to be performed (e.g. "20 desktop computers," "5 snowplows").

This information is needed to answer citizens' most fundamental questions about government contracts, such as: Who received the award? How much was the contract worth? What was the contract for? For example, **Mississippi**⁴⁰ provides all the basic information in each contract's overview, other than the company's location, which is often available in the attached copy of the contract.

39 Colorado BIDS: Bid Information and Distribution System, accessed February 2012, <http://www.colorado.gov/cs/Satellite/DPA-DFP/DFP/1251575096616>.

40 Transparency Mississippi, accessed February 2012, <https://www.transparency.mississippi.gov/contracts.php>.

The screenshot shows the Mississippi Transparency Website interface. At the top, there is a navigation bar with links for Home, Additional Reports, stimulus.ms.gov, ms.gov, and Contact. A search bar is present with radio buttons for 'Contracts/Grants' (selected) and 'Vendor'. Below the navigation bar are tabs for Budget, Expenditures, Revenue, Travel, Contracts (selected), Leases, Grants, and Workforce. The main content area is titled 'Agency Contracts' and includes a search form with a dropdown for 'Search by Agency' and a 'Submit' button. Below this is a detailed view for 'Agency Contract Details' for Agency Number 475 and Vendor Number V0002398190. The details include Agency Name (ARCHIVES AND HISTORY), Vendor Name (RE:DISCOVERY SOFTWARE INC), Agency Contact Name (BOBBY HUSBANDS), Agency Contact Phone Number (601-576-6862), Agency Contact Email (BHUSBAND@MDAH.STATE.MS.US), Contract Number (IT20110211), Contract Service Type Code / Description (ITS / IT SOFTWARE), Contract Type (ITS - CP1), Bid/Quote Type (COMPETITIVE), Contract Status in SPAHRS, Contract Detailed Description (PROFICIO SOFTWARE, CONVERSION SERVICES, TRAINING AND 5 YEARS), Stimulus Funded (NO), and Attachment Document Links (CONTRACT - DiscoverySoftware.PDF). A table at the bottom provides financial and date information for the contract.

Contract Total Amount	Contract State Amount	Contract Federal Amount	Contract Other Amount	Contract Award Date	Contract Start Date	Contract End Date	Modification Type	Modification Number	Modification Date	Modification Description
\$52,425.08	\$52,425.08	\$0.00	\$0.00	12/31/1999	12/07/2010	12/31/2015		0		

Agency Number = 475 and Contract Type = ITS - CP1 and Contract Number = IT20110211

Mississippi Transparency Website

A common stumbling block is that many states fail to provide the total amount of a contract. Instead, they provide a price list that displays what an agency would pay for a particular good or service but does not indicate how many purchases were actually made. It is important that sites provide this information, though, because it is of considerable interest to the public. We can easily imagine that citizens might have more interest in multi-million dollar contracts than those costing only a few thousand dollars. Unit prices for the contract are welcome but should not substitute for total costs.

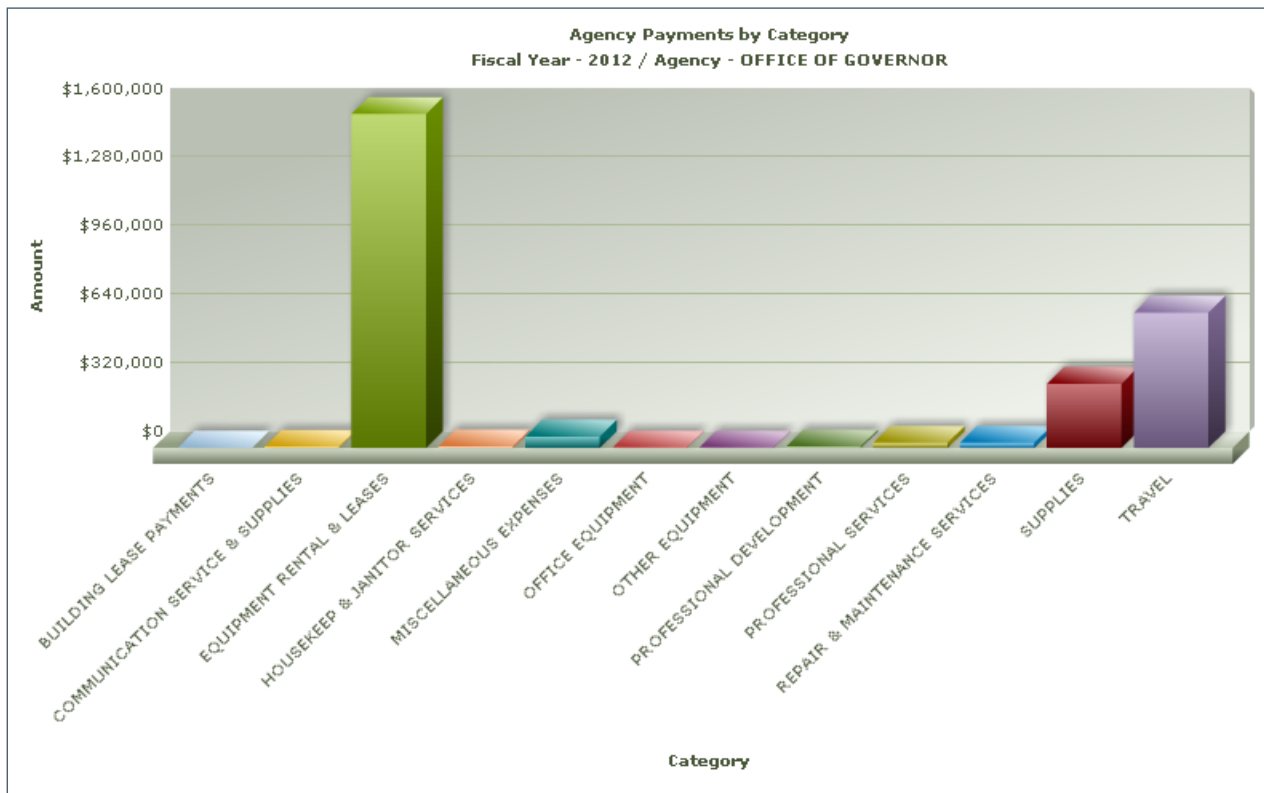
It is also important that this information be available for all contracts awarded in the past several years, not only for the most recently awarded contracts or contracts that are currently open.

Features that Help Users Explore the Data

Procurement websites should offer features beyond basic search and sort to help users explore overviews and trends in the data. For instance, a user should easily be able to see the total value

of all contracts held by a particular company or to list the companies receiving the greatest number of government contracts. In addition, a user should be able to easily compare a summary of contracting (e.g. the absolute amount and the amount as a percentage of the agency’s budget) among different agencies, or see whether contracting in a state has grown or declined over the years.

For instance, **Missouri**⁴¹ lets users generate basic charts that compare the total amount of spending by category or sub-category of expenditure. For example, users can see at a glance how the state’s overall spending in a category such as professional services is divided among its subcategories of accounting services, public relations services, etc.



Missouri Accountability Portal – Expenditures

Detailed Information for Advanced Users

At their best, procurement transparency websites provide a bevy of information needed by journalists, watchdog organizations, and researchers. There are several key types of advanced information useful to “power users,” and while some sites provide some of them, no current website seems to provide all of them.

41 Missouri Accountability Portal, accessed February 2012, <http://mapyourtaxes.mo.gov/MAP/Expenditures/>.

The texts of contracts are frequently sought because they detail the cost breakdown (how much the company is paid for various aspects of the work, the cost of personnel and supplies, etc.) and the specific standards for performance. A few states provide the text of their contracts, including **Mississippi**.

Some sites, like those in **Delaware** and **New Jersey**,⁴² describe the contractor characteristics for each company, such as whether it is a small business or whether it is minority- or woman-owned. This information could allow users to research whether the state is awarding its contracts equitably or if it is meeting its goals for supplier diversity.

VENDOR INFORMATION	
Vendor Name & Address:	ACTION OFFICE SUPPLIES 687 PROSPECT ST LAKEWOOD, NJ 08701
Contact Person:	SUNEET ARORA
Contact Phone:	732-534-3000
Order Fax:	732-534-3016
Contract#:	80979
Expiration Date:	02/28/15
Terms:	NONE
Delivery:	2 DAYS ARO
Small Business Enterprise:	YES
Minority Business Enterprise:	YES

New Jersey Department of the Treasury – Division of Purchase and Property Fiscal Year 2012 Awards

Some sites, such as **Hawaii**'s, describe the procurement method used for each contract – for instance, whether it was a competitive procurement or a sole-source contract. Because non-competitive contracting can have a higher cost and can lend itself to the development of cozy relationships between contractors and public officials, it is important that states be required to reveal the nature of the procurement methods that they use.

Several state procurement sites include the name of the procurement officer awarding contracts in the detailed information about each award. **Nebraska**⁴³ stands out as being one of the only sites to allow users to search contracts based on the procurement officers overseeing them. The identity of the procurement officer can be used to evaluate overall workload and trends in contracting, such as repeated awards to the same company or limited competition for contracts. The information can also allow investigations into possible conflicts of interest for specific procurement officials.

42 "Fiscal Year 2012 Awards," State of New Jersey Department of the Treasury, accessed February 2012, <http://www.state.nj.us/cgi-bin/treas/purchase/awards.pl>.

43 "State Purchasing Bureau," Nebraska Administrative Services, accessed February 2012, <http://www.das.state.ne.us/materiel/purchasing/>.

It can also be useful to know where a contract's work is to be done – for instance, where a bridge will be built. Reporting under the American Recovery and Reinvestment Act (ARRA), better known as the 2009 federal economic stimulus bill, includes the place of performance for funded contracts.⁴⁴ However, no state procurement site seems to provide this information.

Data Downloads

For users that want to perform more in-depth analysis, it's important that procurement websites allow users to download their databases. At a minimum, sites should provide a straightforward mechanism for users to download the entire dataset; preferably, sites should allow users to export a specified selection, as well. The best way to make this data available is in an open, non-proprietary format such as XML. Sites additionally may want to provide data in familiar formats such as Microsoft Excel or CSV files. No site seems to provide downloads of its complete dataset, although some sites, such as Mississippi's, allow users to export a selection in Excel format.

Governments should also encourage independent developers to try new ways to make the information available. It's useful for sites to provide an application programming interface (API) that allows other websites and applications to use the most recent data.

Conclusion

Overall, procurement transparency in the states is struggling with consistent implementation of the key features needed for good websites. Although we have sought to highlight some of the top performers and innovative practices in this report, few of these sites are strong across the board.

The federal government's procurement website, **FedBizOpps (FBO)**,⁴⁵ stands head and shoulders above most of the state sites. FBO provides a basically usable interface, most of the basic and advanced information that users would seek, and offers downloadable data and an API. However, there are some practices where the states are in the lead, most notably in disclosing actual contract documents.

44 P.L. 111-5.

45 Federal Business Opportunities, accessed February 2012, <http://www.fbo.gov/>.

Federal Business Opportunities

★ FEDBIZOPPS.GOV

Home Getting Started General Info Opportunities Agencies Privacy

Search more than **25,800*** active federal opportunities.

Posted Date: Last 90 Days Set-Aside Code: Any

Place of Performance: Any State or Territory Type: Any

Keyword / Solicitation #: Agency:

Search Additional criteria and multiple selections are available on the [advanced search form](#).
* Notices posted within the last 90 days.

RECOVERY
Locate actions funded by the American Recovery and Reinvestment Act.

SEARCH RECOVERY OPPORTUNITIES

SEARCH RECOVERY AWARDS

FBO RECOVERY REPORTS

- Click here for **Opportunities**
- Click here for **Awards**

Federal Business Opportunities – Procurement Search

Citizens deserve to understand how goods and services are purchased with public monies. Procurement transparency is a vital component for encouraging greater efficiency, deterring corruption, and supporting more informed public debate. Both the states and the federal government should make improvements to ensure their procurement websites are easy to use, contain needed basic and advanced data, provide features that allow users to explore the data, and offer data downloads. One promising reform that federal and state governments should consider is closer integration between their procurement and spending sites, which would better enable users to see the full cycle and broader context of government contracting.

Asset Disclosure

The State Integrity Investigation examines state governments and considers whether the “asset disclosure records of [public officials] are accessible to the public online in a meaningful and accessible manner” (Indicators #86, #107, #148, #195, #277, #302, and #320). In this report, we highlight some of the key features and best practices of asset disclosure websites.

Introduction

Over time, it is normal for people to accumulate various sources of income and assets – stocks, property, business investments, etc. When that person takes public office, his or her income and financial assets become a public concern. Public officials, be they in the executive, legislative, or judicial branches, regularly make decisions that can impact the value of their personal holdings. Decisions such as when companies are granted lucrative contracts, how lawsuits against companies are decided, and when public roads go through an area can pay huge dividends to those holding the right assets. And when public officials themselves hold those assets, it raises serious questions about their ability to objectively make decisions that are best for the state without letting the process get clouded by what would be best for themselves.

One example of this occurred in California in 1993. The state’s superintendent of public instruction, Bill Honig, was convicted of making state contracts in which he had a financial interest. Specifically, he authorized more than \$300,000 in Department of Education contracts to a nonprofit group, Quality Education Project (QEP), which set up parent involvement programs in schools. However, QEP was headed by Nancy Honig, the superintendent’s wife, and was run out of Honig’s house.⁴⁶

On the national stage, Lester Crawford resigned from his position as Commissioner of the Food and Drug Administration (FDA) in 2005 after serving only two months. Crawford was eventually charged and pled guilty to violating conflict of interest laws because he lied about continuing to own tens of thousands of dollars in stock in large companies regulated by the FDA.⁴⁷

46 “Honig Convicted on All Counts in Conflict Trial,” *Los Angeles Times*, Jan. 30, 1993, http://articles.latimes.com/1993-01-30/news/mn-1655_1_schools-chief.

47 “Ex-FDA chief pleads guilty to conflict of interest,” MSNBC, Oct. 17, 2006, http://www.msnbc.msn.com/id/15291650/ns/health-health_care/t/ex-fda-chief-pleads-guilty-conflict-interest.

There are a number of options for managing conflicts of interest in public office, ranging from recusal from a particular matter, to selling assets or placing them in a blind trust, to reassignment or removal from office. However, all of these options rely on first disclosing the officials' assets. Asset disclosure helps ensure that such conflicts of interest are identified and addressed before decisions are made. Disclosure of financial holdings brings several benefits:

Accountability. When decisions that could have significant financial impacts are in the hands of individuals, there is a risk that those individuals will misuse their authority to benefit themselves or their family or friends. Transparency reduces the likelihood of such abuse. Officials, aware that their, and often their spouse's, financial assets are publicly known, act more aggressively to avoid any perception of conflict. Should some officials still attempt to abuse their offices for personal gain, the disclosure of their financial holdings increases the chances of quickly discovering and addressing such problems.

Trust in Government. Seeing upfront disclosure from public officials about the financial assets they hold and the potential conflicts of interest they could face provides the general public with reason to trust government decisions – on contracts, regulations, court rulings, laws, state budgets, etc.

Democracy. Knowing public officials' financial holdings allows the public to evaluate the officials' performance with respect to their ethical obligation to recuse themselves from decisions that could impact their own wallets. Sometimes, this conflict of interest is clear and obvious to all. However, officials sometimes believe that no conflict exists, and they maintain their involvement in a decision. With information on officials' financial assets, the public is empowered to make their own assessment – ultimately informing their decisions in the voting booth.

While rules often require asset disclosure information to be collected for many government positions across all three branches, online public access to this information is not nearly as common as it is with other types of government accountability data. Even when information is available online, the tools for searching, understanding, and using the information are often underwhelming.

A Note on the Scope of this Section

This section focuses on asset disclosure across seven different positions and offices explored by the State Integrity Investigation. Specifically, it covers governors and cabinet members; senior civil servants; legislators; judges; ethics agency officials; pension board members and staff; and insurance commission members and staff. Though laws can require different types of disclosures and forms for different positions, the states with high-scoring websites often provided access to all financial disclosure information collected through one site.

Easy to Navigate

When states are providing the financial disclosure records for large numbers of public officials across the three branches of government in one location, it becomes critical that the site have helpful search capabilities to allow users to easily find officials in particular positions or agencies. For instance, **Tennessee**⁴⁸ has a simple but useful search feature on its site that includes a drop-down menu listing public positions to help users easily pull up just judges or only state senators. Many other websites for asset disclosure required users to know the names of judges, agency officials, or legislators in order to find them among alphabetical lists, which make the sites more difficult to browse. The Tennessee site also has a check box to limit searches to candidates, drop-down menus for the year being searched, and a separate search form for local officials with a new drop-down menu for county. It also provides screenshots explaining how to use the search page and other aspects of the site.

Sites should also allow users to sort results by name, date, agency, filing date, and type of form filed. Sorting results is helpful for finding particular information among a large amount of data. **Arkansas**⁴⁹ is one of the only sites that allows sorting of search results. However, even Arkansas does not allow sorting by value of assets or extra income, because this information, if collected, seems to be left on the forms rather than totaled and entered into a database. It should also be noted that Arkansas also has a useful auto completion feature for names being typed into its search form that helps prevent fruitless searches because of slight misspellings.

48 “State Officials and Candidates,” Tennessee Ethics Commission, accessed February 2012, <https://apps.tn.gov/conflict-app/search.htm>.

49 “Financial Disclosure Search,” Arkansas Secretary of State, accessed February 2012, http://www.sos.arkansas.gov/filing_search/index.php/filing/search/new.



Search for Statement of Disclosure of Interests (ss-8004 & ss-8005) reports

[See Examples](#)

State Officials & Candidates

State Officials' & Candidates' Reports

To search, type in the name or first few letters of the first or last name, select a position, choose a year, or choose to show candidates only.

Search by First Name

Search by Last Name

Search by Position

Search by Year

Candidates Only

Local Officials' & Candidates' Reports

To search, type in the name or first few letters of the first or last name only.

Search by First Name

Search by Last Name

Search by County

Search by Year

Candidates Only

Tennessee Ethics Commission – Disclosure of Interests Reports Search Page

The Basic Information that Most Users Need

Currently, asset disclosure is probably among the least easily understood or used data on public officials that government regularly collects. Several factors contribute to this. First, officials are less willing to openly share their financial information, which results in delays in posting information online and limitations in the functionalities of the sites that do get created. The information is also highly variable, not just from state to state but also from individual to individual. Where one person may have significant real estate holdings, another might have stock investments, and another may have extra income from business ventures or book deals.

This makes the information difficult to normalize and compare across officials. Still, the basic information that any asset disclosure site should provide includes:

- The name of the public official,
- The official's position and agency,
- The date the disclosure report was filed, and
- The assets (gifts, income, expense reimbursement, etc.) claimed.

This information allows users to investigate potential conflicts of interests of particular officials or within government agencies and offices. The name of the official and the name of the agency allow users to locate those making key decisions regarding particular industries or areas of the state. The assets claimed, such as stock in a particular company, land in a particular area, or salary received by a spouse from a company, all help users detect potential conflicts of interests related to decisions those officials have made or influenced. The data from the disclosure can also be important to determine if officials took any actions, such as buying or selling assets, prior to government decisions that would affect their value.

Features that Help Users Explore the Data

Asset disclosure websites should offer features that help users explore overviews and trends in the data. This could include at-a-glance summaries of officials' holdings, graphs that convey changes in the value of assets over time, or a breakdown of assets into categories (e.g. stocks, properties, etc.). Unfortunately, none of the state websites reviewed had any significant tools for exploring data beyond basic searches and reviewing scanned images of individual forms.

Arkansas does offer an advanced search for statements of financial interests that allows a user to enter dollar amount ranges for gifts, awards, nongovernmental payments, and sales to government bodies. Theoretically, this could be used to pull up officials with high asset values in certain areas. Unfortunately, the advanced form only searches filings that were made electronically, which appears to be very few, so it often fails to produce results.

An example of good data presentation and exploration tools for asset disclosure data is the nonprofit Center for Responsive Politics' **OpenSecrets.org**.⁵⁰ The asset disclosure section of the site includes summary pages for each member of Congress, with total values for the official's

50 "Personal Finances: Overview," OpenSecrets.org, accessed February 2012, <http://www.opensecrets.org/pfds/>.

assets, income, transactions, and other data. The profile also includes a bar chart displaying the value of the official's assets over time and in comparison to the average for their position (Senate or House). Specific assets can be listed for each official along with a pie chart demonstrating the breakdown of industries associated with the holdings. Such information is particularly useful to investigating potential conflicts of interest. The site also offers lists explaining which officials ranked highest for assets, outside income, net worth and liabilities, industry breakdowns, and more.

Presidential

Congress

Congressional Committees

Congressional Elections

Personal Finances

Net Worth

Assets

Liabilities

Outside Income

Most Popular Investments

Sectors

Industries

Missing Reports

Average Wealth

Search ▾

Why This Matters

Methodology

Disclosure Rules

Read More

Outside Spending

Earmarks

Political Parties

2012 Overview

Historical Elections

Get Local!

Donor Lookup


PERSONAL FINANCES

Darrell Issa (R-Calif), 2010

Year:

Senate, House, Executive branch and Judicial rules require the disclosure of items belonging to the filer's spouse and/or dependent children. When present, those items are displayed on this page and are included in all calculations throughout this section.

Select a category to view detailed data below.



[Politician Profile](#)

[View full reports for all years](#)

Net Worth: From \$195,400,035 to \$700,850,000
Rank: 1st in House

Assets: 37 totaling \$295,400,036 to \$775,850,002

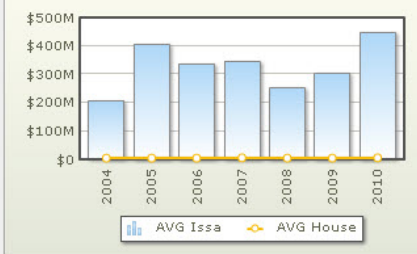
Liabilities: 2 totaling \$75,000,002 to \$100,000,001

Transactions: 196 totaling \$65,983,181 to \$220,345,000

Agreements: 0

Compensation: 0

Income: 1 totaling \$0



Positions Held: 20

Travel: 3

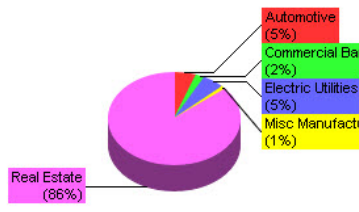
Gifts: 0

Honoraria: 2 totaling \$1,650

Assets

Organization	Value
1200 Harbor Dr LP	\$250,001 to \$500,000
12400 Stowe Dr LP	\$5,000,001 to \$25,000,000
1709 La Costa Meadows LP	\$5,000,001 to \$25,000,000
1800 Carillon Blvd LP	\$5,000,001 to \$25,000,000
212 S Main Street LP	\$1,000,001 to \$5,000,000
3186 Vista Way LP	\$5,000,001 to \$25,000,000
5931 Priestly Dr LP	\$5,000,001 to \$25,000,000
Alliance Bernstein High income Fund	\$25,000,001 to \$50,000,000

Industries invested in



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Detailed Information for Advanced Users

To support more advanced research, asset disclosure sites should also provide detailed information regarding the value of assets and monies received, industries each holding is associated with, and total value of assets. Very few of the state websites reviewed collected any detailed information on the value of assets held by officials. A few seemed to offer very simplistic indicators of value, such as more than \$1,000. **Rhode Island**⁵¹ collects some of the most detailed information for the governor and cabinet officers, including lists of stocks, bonds, or funds held by the official, his or her spouse, or held jointly. Rhode Island also requires general officers (i.e. cabinet members) to report on sources of income and estimate the value by selecting from nine dollar ranges, with the lowest range of \$1,000 and below and a top range of more than \$1 million. However, the state doesn't collect this same level of detail for legislators.

<u>GENERAL OFFICER ADDENDUM</u>	
<u>TO 2010 FINANCIAL DISCLOSURE STATEMENT</u>	
If you hold, or are a candidate for, a statewide general office (Governor, Lieutenant Governor, Secretary of State, Attorney General, General Treasurer), list all sources and amounts of income in excess of two hundred dollars (\$200), you received during calendar year 2010. R.I. Gen. Laws § 36-14-17(b)(2).	
<u>SOURCE AND DESCRIPTION OF INCOME:</u>	<u>AMOUNT OF INCOME:</u> <i>(check one)</i>
Name of Source: <u>KINDER, LLC</u>	<input type="checkbox"/> Not more than \$1,000
Address: <u>11870 MENTE RD.</u>	<input checked="" type="checkbox"/> \$1,001 to \$10,000
<u>MANASSAS, VA</u>	<input type="checkbox"/> \$10,001 to \$25,000
Description: <u>INVESTMENT</u>	<input type="checkbox"/> \$25,001 to \$50,000
	<input type="checkbox"/> \$50,001 to 100,000
	<input type="checkbox"/> \$100,001 to \$200,000
	<input type="checkbox"/> \$200,001 to \$500,000
	<input type="checkbox"/> \$500,001 to \$1,000,000
	<input type="checkbox"/> More than \$1,000,000

Rhode Island Ethics Commission – Financial Disclosure Statement

Data Downloads

People who are accessing this information need to be able to work with it on their own, whether it be in Microsoft Excel spreadsheets or other formats. The ability take data from websites to share or to create reports is essential for effective and efficient transparency. With this capability,

51 The Rhode Island Ethics Commission, accessed February 2012, <http://www.ethics.ri.gov/>.

visitors can run tests on data from sites to make sure they are accurate, as well as compare with data they receive off of other sites. Websites should allow users to download either copies of the entire database or sections of it. Users should also be able to export search results into standard file formats, such as tab-delimited or Excel.

Unfortunately, none of the state websites allow for any significant downloading of their asset disclosure data. The biggest reason for this enormous failing is that most states don't have an asset disclosure database to download from. The reported information is most often made available as scanned image files (PDFs) of forms filled out by hand. This means that the websites can be little more than electronic filing cabinets. Users can save individual forms, but downloading numerous records in a format that allows users to manipulate the data offline is not possible. **Tennessee**⁵² is one of the few state sites reviewed that had the information available in a non-PDF, electronic format (HTML) but still did not offer data downloads.

Conclusion

Of the government integrity information being reviewed in this report, asset disclosure and extra income of government officials appears to be least accessible online. Few states seem to be providing many tools to easily search the data. Almost all of the states reviewed seemed content to leave the information locked in hard-to-use images of scanned forms, rather than developing actual databases for the information that allows greater searching and use.

With that in mind, the limited state websites on asset disclosure are leaps and bounds beyond asset disclosure at the federal level, where there simply aren't any websites at all. Despite the fact that senior officials, members of Congress, and federal judges have been required to disclose their assets for many years, the federal government does not post any of this information online. The sole exception is the White House, which posts the disclosure forms for President Obama and Vice President Biden online each year. The White House website also offers users an online form to request electronic copies of other administration officials' disclosure forms, which are then e-mailed.

Both the House and Senate have recently passed versions of the Stop Trading on Congressional Knowledge Act (STOCK Act).⁵³ The STOCK Act is ethics legislation that would, among other things, require a new electronic system for financial disclosure filings from hundreds of thousands

⁵² "State Officials and Candidates," Tennessee Ethics Commission, accessed February 2012, <https://apps.tn.gov/conflict-app/search.htm>.

⁵³ S. 2038, 112th Congress.

of government officials to be posted online. It has also been reported that the Office of Government Ethics is planning to launch a new online system for accessing financial disclosure reports from Senate-confirmed appointees.⁵⁴

At the federal level, the task of providing meaningful online access to this information falls to public interest groups. As noted above, CRP’s OpenSecrets.org does a terrific job providing asset information for Congress, complete with overviews, trend analysis, and other data tools. Judicial Watch’s **Judicial Financial Disclosure Project**⁵⁵ provides online access to federal judges’ asset disclosure filings. Both have had to fight to get the full data and have to put a great deal of work into making it more accessible and usable electronically.

JUDICIAL FINANCIAL DISCLOSURE

Federal Courts

United States Circuit Courts of Appeals and District Courts

Select the Circuit Court by clicking the appropriate number for your region on the map, or select from the list below.

Judicial Watch – Judicial Financial Disclosure



54 Eric Yoder, “Easier access to disclosure forms planned,” *The Washington Post*, March 9, 2012.

55 “Judicial Financial Disclosure,” Judicial Watch, accessed February 2012, <http://www.judicialwatch.org/judicial-financial-disclosure/>.

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