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07/21/2009 04:08 PM

To: improvefecinternet@fec.gov
cc
Subject: Sunlight Foundation Comments

Mr. Hickey,
Attached please find the comments of the Sunlight Foundation.

Please don't hesitate to contact me with any questions or concerns.

Thank you.
Lisa Rosenberg
Government Affairs Consultant
The Sunlight Foundation
202-360-7895

Ellen S. Miller
Co-Founder and Executive Director
The Sunlight Foundation
1818 N Street, NW
Suite 410
Washington, DC 20036

July 21, 2009

Mr. Robert Hickey
Staff Director
Federal Election Commission
999 E Street, NW
Washington, DC 20463

Via Email: improvefecinternet@fec.gov

Dear Mr. Hickey:

Attached please find the comments of the Sunlight Foundation, pursuant to the Federal Election Commission's Notice of Public Hearing and Request for Public Comment, posted in the Federal Register, Vol. 74, No. 125 on July 1, 2009.

We respectfully request that Clay Johnson, the director of the Sunlight Labs, be given an opportunity to testify at the hearing on this issue on July 29-30, 2009.

If you have any questions or need any additional information, please contact Lisa Rosenberg at 202-360-7894 or via email at rosenberg@sunlightfoundation.com.

Sincerely,
Ellen S. Miller
Executive Director
The Sunlight Foundation

Comments of the Sunlight Foundation Pursuant to the Federal Election Commission's
Notice of Web Site and Internet Communications Improvement Initiative

The Sunlight Foundation applauds the Federal Election Commission's efforts to improve access to campaign finance information through its Web site. Earlier this year, the Sunlight Foundation provided comments to the FEC on making improvements to its Web site. We respect and appreciate how seriously the Commission has taken this effort in the intervening months.

Today, we offer two new critical recommendations: First, the FEC must hire a Director of New Media to run its Web site. Second, the FEC must provide opportunities for the public to provide input and engage in a dialogue on and about the FEC's site. We also provide recommendations on the Organization of the Agency's Web Site, Data Accessibility and Electronic Filing Procedures.

Hire a Director of New Media

Overarching all of Sunlight's other proposals is our strong recommendation that the FEC should create a position for a Director of New Media. As the FEC attempts to make the information on its Web site more accessible and available to the public, it must follow the lead of most federal agencies and hire a dedicated senior staff member to be in charge of the effort. The Director of New Media should be an expert in online communication *and* technology. Because communicating with the public by way of its Web site is integral to the FEC's mission, the site should be run by a communications expert rather than by the technology team. Likewise, because the ways of communicating online differ from traditional media, responsibility for the site should not fall within the scope of the FEC's traditional communications team. The New Media Director should be a senior staff position, reporting directly to the Deputy Staff Director for Management, not to the Director of IT, the CIO or CTO. Having a specialist in new media responsible for the Web site will not only help the FEC improve its online communications immediately, it will help the FEC ensure that the agency's forward progress on Internet communication continues well into the future.

Provide Opportunities for Public Outreach

FEC Brainstorm

The Sunlight Foundation believes in reaching outside of traditional sources for innovative ideas on using the Internet. Likewise, the FEC could learn from the comments and suggestions of individuals who use the FEC's site. The FEC should consider adopting on its own site a feature like Sunlight's [FEC Brainstorm](#). Sunlight created FEC Brainstorm to solicit ideas from members of the public on ways to improve the FEC's Web site. Hundreds of users participated in the process, which provided individuals with an opportunity to submit ideas and vote for their favorites. The complete results can be viewed [here](http://feedback.sunlightfoundation.com/fec/) (<http://feedback.sunlightfoundation.com/fec/>), but to demonstrate the depth and knowledge of the public's understanding of the issues facing the FEC, we have summarized a number of the most promising suggestions below:

- Create Web services to replace FECFile by developing Web services to which third party vendors and committees would certify and post filings. This was the top recommendation by participants in FEC Brainstorm.
- Hire a new media director in a senior staff position. This recommendation was the second most popular of FEC Brainstorm participants.
- Make RSS feeds available for new content, including new committees, new candidates and new campaign finance filings.
- Make the disclosure search engine more forgiving by, for example, ensuring that a link to all contributions by a particular individual include variants of the individual's name and address.
- Provide a REST API to the candidate/committee summary information to facilitate the creation of mashups and widgets.
- Allow committees to opt-in to real-time disclosure and report their campaign contributions via Web service in real time rather than quarterly.
- Improve detection of duplicate information by creating a method whereby information does not get filed twice, or if it does, it does not get loaded twice.
- Ensure that total contribution amounts on the summary pages equal the total individual contributions.

Many of the suggestions echo the recommendations of Sunlight and no doubt many other “traditional” participants in the FEC’s notice and hearing process. By instituting its own Brainstorm-like feature, the FEC could foster an ongoing stream of fresh ideas from the users of its site.

FEC Blog

We endorse the idea that the Commission develop a blog to facilitate a conversation about the substance and techniques used by staff to disclose campaign finance data. The FEC’s site could and should be a dynamic place where various user groups can come to interactively discuss campaign finance law. Again, we note that a Director of New Media would be able to make recommendations on what types of user groups and online conversations might be best suited to the agency.

Organization of the FEC’s Web Site

When Sunlight began to examine the FEC’s Web site, we asked our Senior Designer Ali Felski to experiment with her own redesign of the site. Her suggestions center on making the site more user-friendly and ensuring the site focuses on the FEC’s disclosure mission. Her designs can be viewed here: [Home Page](#), [Campaign Reports and Data 1](#), [Campaign Reports and Data 2](#).

The Home Page

The FEC’s Web site is the most important tool the agency has to fulfill its mandate to publicly disclose campaign finance information. Unfortunately, the headline on the home page, “*Administering and Enforcing Federal Campaign Finance Laws*” (emphasis added), foreshadows the primary shortcoming with the site, which is that it fails to embrace the agency’s *disclosure* mission. The average user wants to candidate profiles and

information about who is making campaign contributions to which candidates. The FEC's Web site should make clear that such information is available.

Sunlight recommends that the home page prominently feature buttons that enable users to quickly access key information about candidates. Users would also benefit from replacing the difficult to read scrolling text on the home page with a "What's New" section to highlight current or new information without distracting from the other content on the page.

The maps on the home page embrace the creative and interesting ways the Internet can be used to inform the public. We hope the FEC is able to maintain that feature because it is dynamic and user-friendly. But, Sunlight cautions that creating visualizations should come second to the FEC's primary mission of making as much basic data available to the public in a timely manner. Organizations such as the Huffington Post, The New York Times and OpenSecrets make visualizations of this data available. Ensuring that data is timely and accurate will lead to these organizations publishing more useful visualizations.

Navigation

The navigation on the FEC's site is cumbersome, confusing and should be restructured to be more intuitive to casual users. Currently, there are menus on three sides of the site and drop-down menus appear when a user rolls over the buttons on two of the sides. In addition, when a user resizes the browser window, the search box disappears behind the menu leaving users searching for a primary navigation tool.

As we noted in our January comments, a prime example of the confusing and outmoded way the FEC site functions can be found in the section that shows the latest electronic filings from candidates. After selecting the candidate name, the user sees a long list of filing reports. Selecting a report at random — for example, the latest monthly filing of contributions — a user must choose "Schedule A filings (Itemized Receipts)" to find the contributions. At that point, he or she must select from the following choices:

- For all Line Numbers
- For Line Number: 17A
- For Line Number: 17C
- For Line Number: 20A
- For Line Number: 21

Virtually no one other than a trained campaign worker would know that line number 17A is the one that holds the information they want.

The site's navigation features must be streamlined by, for example, replacing searches for each individual database with a single search that can be easily narrowed by the user at the outset.

The Language

The FEC could further improve its Web site by undertaking a review of the language on the site and defining, revising or rewriting it in a manner a lay-user can understand.

Legally accurate terms such as “24 hour notice of disbursements/obligations for electioneering communications” or “24 hour notice of independent expenditures or coordinated expenditures” are meaningless to most casual users. Links to plain language definitions should be provided to make the site more accessible to casual users.

Contact the FEC

Even after the FEC undertakes a revamping of the site, certain users will be unable to access the information they are seeking. Because providing campaign finance information to the public is a core mission of the agency, there should be a way for users of the site to contact the agency directly with specific questions.

Data Accessibility

The data the FEC collects and makes available on its Web site lends itself to analysis and interpretation by others. The Commission should, therefore, make it possible and easy for outside organizations to add value to the data available on the FEC’s site and make it available on other sites. In particular, the FEC should provide Web services that allow data from an official FEC search to be syndicated on other Web sites or used programmatically by other software. All search queries should provide a permanent RSS feed that can be used to syndicate the results to other clients. End users must have the ability to link to search results in emails and other Web sites. The FEC should develop an API (Application Program Interface) that will allow programmers to interact with FEC data. End-users of outside Web sites should be free to use the FEC’s APIs to obtain, display and reuse FEC data in their own applications. The technologies adopted should not be proprietary, nor should they be likely to become quickly outdated.

We are pleased the Commission is planning to release software that will address the problem of truncated information that Sunlight raised in our previous testimony. The Commission could further improve access to its raw data by replacing formats currently used with formats such as JSON, XML or SQL as well as a REST-based API for search queries. These technologies, along with open standards, are likely to result in Web services are easy to consume and that will not be quickly outdated.

The Commission specifically requests comment on whether it is appropriate for the FEC to provide access to election related data that are outside the scope of the Commission’s direct jurisdiction. Sunlight believes that “public means online,”¹ therefore, any report prepared by the Commission that is supposed to be available to the public must be available online. Because the FEC’s Web site is a natural destination for individuals who are interested in all aspects of elections, not just campaign finance data, we believe it is also appropriate to provide studies and other government reports or analyses related to elections on the FEC’s site.

¹ Whatever information the government has or commits to making public, the standard for “public” should include “freely accessible online.” Information cannot be considered public if it is available only inside a government building, during limited hours, or for a fee. In the 21st Century, information is properly described as “public” only if it is available online, 24/7, for free, in some kind of reasonably parse-able format.

Electronic Filing Procedures

The FEC has implemented rules to facilitate electronic filing of campaign reports, including data formats for information such as donor name and occupation/employer. Unfortunately, it is extremely common for report data to be missing, incomplete or jumbled. Data that is filed in non-standardized formats is difficult to manage, may not be accurate and must be cleaned up to make it useful to the public.

The FEC could mitigate much of the work currently required to clean up data by enforcing software standards more strictly and refusing to certify campaign packages that do not comply with such standards. In specifying filing information as well as structuring its own data, the FEC should look for opportunities for interoperability with other government data sets, such as the data found on FedSpending.gov and the Securities and Exchange Commission's interactive data filing requirements.² In pursuing interoperability, the FEC reduces the financial burden on filers and consumers of supporting multiple, non-standard data formats.

In addition to enforcing current electronic filing standards more stringently, the Commission should consider expanding the number and types of documents that are required to be filed electronically. The agency should require electronic filing of complaints (and related documents) alleging campaign finance irregularities. Electronic filing would facilitate prompt online disclosure and allow the documents to be searchable by text, thus providing the public with a more complete and accurate survey of the campaign finance activities that are monitored and regulated by the Commission.

The Sunlight Foundation

The Sunlight Foundation was founded in 2006 with the non-partisan mission of using the revolutionary power of the Internet to make information about Congress and the federal government more meaningfully accessible to citizens. Through our projects and grant-making, Sunlight serves as a catalyst for greater political transparency and to foster more openness and accountability in government. Sunlight's ultimate goal is to strengthen the relationship between citizens and their elected officials and to foster public trust in the federal government. We are unique in that technology and the power of the Internet are at the core of every one of our efforts.

Our work is committed to helping citizens, bloggers and journalists be their own best government watchdogs, by improving access to existing information and digitizing new information, and by creating new tools and Web sites to enable all of us to collaborate in fostering greater transparency. Since our founding in the spring of 2006, we have assembled and funded an array of Web-based databases and tools including OpenCongress.org, Congresspedia.org, FedSpending.org, OpenSecrets.org, EarmarkWatch.org and LOUISdb.org. These sites make millions of bits of information available online about the members of Congress, their staff, legislation, federal spending and lobbyists.

² These systems rely on the open business reporting XBRL markup tags.

By facilitating the creation of new databases, and the maintenance and expansion of pre-existing ones, along with the application of technologies that free data from its silos, we have liberated gigabytes of important political data from basements, paper, .pdfs and other non-searchable and non-mashable formats. These efforts, combined with our own [distributed investigative research projects](#), community-based engagement with Congress to bridge its [technological gaps](#) and lobbying to demand [changes](#) in how and what Congress makes publicly available online, have created an unprecedented demand for more: more information, more transparency and more easy-to-use tools.

Underlying all of Sunlight's efforts is a fundamental belief that increased transparency will improve the conduct of Congress itself and the public's confidence in government.