

# E-Government Re-authorization Act

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## (1) E-Government Act of 2002 Up for Reauthorization with Two Improvements

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Five years of experience, technological progress, and changes in user expectations have guided two key revisions to the E-Government Act: increasing the public's accessibility to government information resources, and to further implement privacy protections for new technologies.

The Reauthorization Act directs the Office of Management and Budget to create regulations making federal Web sites more accessible to search engines, and thus more accessible to the public. Consumers have become accustomed to finding information online, through commercial search engines, making it crucial that federal information and services are also widely searchable using the same techniques.

The 2007 Reauthorization Act also includes improvements to one of the most important federal protections of privacy, the Privacy Impact Assessment (PIA). One of the main concerns accompanying federal adoption of new information technology is the protection of personal information. PIAs were included in the E-Gov Act of 2002 to increase transparency about how the government collects, manages, and uses personal information about individuals.

[Bill to Amend E-Government Act of 2002](#) [1]

[Testimony, Ari Schwartz, before the Committee on Homeland Security and Governmental Affairs on E-Government, Dec. 12, 2007](#) [2]

## (2) Federal Information, Hiding in Plain Sight

Federal websites often put vast amounts of information online, but don't make that information accessible to search engines for indexing. The Pew Internet & American Life Project has found that commercial search engines are the most popular means to find government information, but often

search engines cannot find a great deal of the federal resources online.

In a report titled "Hiding in Plain Sight: Why Important Government Information Cannot be Found Through Commercial Search Engines," released in December of 2007, we found that many search queries miss critical, authoritative and trustworthy information from government agencies. We traced these problems of non-searchable government information to a simple, technological oversight; unfortunately, that oversight rendered vast amounts of vital government information invisible to those searching for it, because commercial search engines weren't able to index the content. This means that when a consumer tries to search for something like "government telecommunications contracts" using their favorite search engine, or into the search feature on USA.gov, they probably don't find the information that they are looking for.

The E-Government Act of 2002 recognized the importance of availability and accessibility of information, instructing OMB to have agencies proactively improve the organization and accessibility of government information. The Reauthorization Act contains new provisions telling the OMB to make sure that federal Web sites comply with the industry standards for making content widely accessible, and that search engines are able to index that content.

[Report: Hiding in Plain Sight](#) [3]

### **(3) Creating Federal Best Practices for Privacy Impact Assessments (PIAs)**

The 2002 E-Government Act required agencies to perform PIAs before adopting any new technology or using collections of personally identifiable information. These PIAs are public documents, containing a description of the project, a risk assessment, a discussion of potential threats to privacy, and ways to mitigate those risks. PIAs ensure that universal privacy concerns are considered as part of these decisions, and that the public has access to this element of the decision making process.

However, while a few agencies have adopted high-level standards for their PIAs, most agencies do not release quality assessments to the public. The guidance issued by OMB, pursuant to the Act, regarding PIAs was vague and has not provided agencies with the tools they need to successfully implement the PIA. While some agencies, like the Department of Homeland Security, have set a high standard for PIAs and have continued to improve them over time, the lack of clear guidance has led some agencies to create cursory PIAs or none at all.

Language in the 2007 Reauthorization Act is intended to help address these problems, by instructing OMB to develop "best practices" guidelines, that agencies government-wide can use. Using these best practices guidelines, drawn from agencies making effective use of PIAs, the OMB can offer help to those agencies lacking the expertise to develop good PIAs.

A new bill in the House addresses another shortcoming of federal PIA policy: the fact that agencies are not required to draft PIAs for their use of commercial databases. A similar provision has passed out of the Senate Judiciary Committee.

[Federal Agency Data Protection Act](#) [4]

- [Privacy](#)

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[2] [https://www.cdt.org/testimony/Schwartz\\_egov\\_Testimony\\_20071211.pdf](https://www.cdt.org/testimony/Schwartz_egov_Testimony_20071211.pdf)

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