

June 13, 2016

The Honorable Paul Ryan
Speaker of the House
H-232 The Capitol
Washington, DC 20515

The Honorable Nancy Pelosi
Democratic Leader
H-204 The Capitol
Washington, DC 20515

Dear Speaker Ryan and Democratic Leader Pelosi:

We, the undersigned good government, transparency, and civil liberties organizations, are writing to express our strong support for S. 337, the FOIA Improvement Act of 2016 and ask that the House of Representatives vote on and pass this bill as soon as possible. Senators Grassley, Cornyn, and Leahy introduced this bill in the Senate, where it passed unanimously, to amend the Freedom of Information Act (FOIA) to promote greater government transparency and accountability. Representatives Chaffetz, Cummings, and Issa have determinedly led the efforts to strengthen FOIA in the House of Representatives.

Congress meant for FOIA to be an effective and efficient tool for granting public access to government information; however, the experiences of FOIA requestors over the past few years makes clear the need for reforms that ensure the law is implemented as Congress intended. Specifically, the FOIA Improvement Act significantly improves requestors' ability to obtain information about government actions and decision-making. Particular reforms included in S. 337 that we support include:

1. Codifying the presumption of openness for future administrations, thereby requiring agencies to disclose information unless there is a foreseeable harm or legal requirement to withhold the information.
2. Ending secrecy for 25-year-old drafts and other internal deliberations not otherwise exempt from disclosure, thereby curbing the overuse of FOIA's Exemption 5 to withhold historical records that will help the public better understand how a policy was developed.
3. Codifying requirements to make more preemptive disclosures so fewer FOIA requests will be necessary to make records available to the public.

These reforms to FOIA have been hard-fought, and the President has pledged to sign this legislation if it reaches his desk.

At a time when Congress is so divided, it is encouraging to see not only bipartisan cooperation, but also bicameral cooperation to move this legislation forward. There would be no more appropriate way for Congress to honor the upcoming 50th anniversary of FOIA on July 4, 2016, than to strengthen it by passing S. 337.

We support the efforts of Representatives Chaffetz and Cummings to ensure the nation can celebrate FOIA's 50th anniversary with a stronger and better statute, one that enhances the public's capacity to hold its officials accountable, and to understand the workings of our government.

To reach our groups, you or your staff may contact Liz Hempowicz, Policy Counsel at the Project On Government Oversight, at 202-347-1122 or ehempowicz@pogo.org.

Sincerely,

American-Arab Anti-Discrimination Committee (ADC)
American Association of Law Libraries
American Society of News Editors and Association of Alternative Newsmedia
American Civil Liberties Union
Association of Research Libraries
Bill of Rights Defense Committee/Defending Dissent Foundation
Campaign for Liberty
Cause of Action Institute
Center for Media and Democracy
Center for Science and Democracy at the Union of Concerned Scientists
Citizens for Responsibility and Ethics in Washington
Community Research
Data Coalition
Fight for the Future
Free Speech Coalition
Government Accountability Project
National Freedom of Information Coalition
National Security Archive
National Security Counselors
OpenTheGovernment.Org
PEN America
Project On Government Oversight (POGO)
Public Citizen
Reclaim The Records
Society of Professional Journalists
Sunlight Foundation
Transactional Records Access Clearinghouse (TRAC)
Washington Coalition for Open Government

Cc: Members of the House of Representatives