

OpenTheGovernment.org Message to the New Congress

We welcome the incoming 110th Congress. We hope that they and the President recognize that the elections were as much about improving government transparency and accountability as they were about changing course. More than 40% of voters indicated in exit polls that corruption and scandals in government were very important in their voting decisions. Sunshine on the workings of Congress and the Executive branch is the first step toward winning back public trust.

The 109th Congress had a mixed record on government openness. Hearings were held and legislation introduced on over-classification and “sensitive but unclassified” information. Legislation was moved on FOIA and the House held its first hearings in 5 years on the Freedom of Information Act. These were important steps toward congressional oversight of executive branch secrecy and proper implementation of the laws ensuring public access to information. But the 109th Congress did not fulfill its role as an effective check on the Executive Branch on these information policy issues.

The 109th Congress was largely unsuccessful in passing legislation that would address the problems in the areas of access and secrecy. The one exception was the bi-partisan success with the Federal Funding Accountability and Transparency Act (S. 2590), which requires the Office of Management and Budget (OMB) to ensure that a single searchable website provides free public access to information about contracts, grants, loans, and other forms of federal assistance. This is a modest, but important, starting point toward improving public access to executive branch information.

There were not even modest efforts, however, to transform congressional transparency and accountability. The few small attempts to improve transparency were flaunted but toothless. With great fanfare, for example, the House changed its rules to require disclosure of tax and budget earmarks. Within the first week of the new rule, it was ignored and no repercussions ensued. Nor was any meaningful legislation enacted in the aftermath of the Jack Abramoff scandal.

We hope the incoming 110th Congress heeds the message from the election that the public wants transparency and accountability, not secret dealing, secret bargains, and secret lawmaking. The OpenTheGovernment.org coalition looks forward to working with Democrats and Republicans in the new Congress to make the federal government, including Congress, more open in its workings and more accountable to the public.