

# United States Senate

WASHINGTON, DC 20510

March 1, 2005

Dear Colleague,

Last month, we introduced S.394, also known as the OPEN Government Act of 2005, in a bipartisan effort to achieve meaningful reforms to federal government information laws – including most notably the Freedom of Information Act of 1966 (“FOIA”). If enacted, the legislation would substantially enhance and expand the accessibility, accountability, and openness of the federal government. We invite you to co-sponsor this significant legislation.


The OPEN Government Act contains important Congressional findings to reiterate and reinforce our belief that the Freedom of Information Act establishes a presumption of openness, and that our government is based not on the need to know, but upon the fundamental right to know. In addition, the Act contains over a dozen substantive provisions, designed to strengthen FOIA and close loopholes, help FOIA requestors obtain timely responses to their requests, ensure that agencies have strong incentives to act on FOIA requests in a timely fashion, and provide FOIA officials with all of the tools they need to ensure that our government remains open and accessible.

Moreover, our legislation is not just pro-openness, pro-accountability, and pro-accessibility – it is also pro-Internet. It requires government agencies to establish a hotline to enable citizens to track their FOIA requests, including Internet tracking, and it grants the same privileged FOIA fee status currently enjoyed by traditional media outlets to bloggers and others who publish reports on the Internet.

The OPEN Government Act is the culmination of months of extensive discussions between our two offices and various members of the requestor community. Open government is not a Republican or a Democratic issue; it is an American issue. Accordingly, we are pleased to report that the bill is supported by Texas Attorney General Greg Abbott as well as a broad coalition of organizations across the ideological spectrum, including: the American Association of Law Libraries, the American Civil Liberties Union, the American Library Association, the American Society of Newspaper Editors, the Associated Press Managing Editors, the Association of Health Care Journalists, the Center for Democracy & Technology, the Coalition of Journalists for Open Government, the Committee of Concerned Journalists, the Education Writers Association, the Electronic Privacy Information Center, the Federation of American Scientists’ Project on Government Secrecy, the Free Congress Foundation’s Center for Privacy & Technology Policy, the Freedom of Information Center at the University of Missouri, the Freedom of Information Foundation of Texas, the Heritage Foundation’s Center for Media and Public Policy, Information Trust, the Magazine Publishers of America, the National Conference of Editorial Writers, the National Freedom of Information Coalition, the National Newspaper Association, the National Security Archive at George Washington University, the Newspaper Association of America, People for the American Way, the Project on Government Oversight, the Radio-Television News Directors Association, the Reporters Committee for Freedom of the Press, and the Society of Environmental Journalists.

Starting on Sunday, March 13, open government advocates across the country will celebrate the nation's first-ever Sunshine Week – an entire week devoted to the fundamental principles of freedom of information and openness in government. We invite you to celebrate this important event by co-sponsoring the OPEN Government Act of 2005. For more information about the legislation or about national Sunshine Week, please feel free to contact us or our respective staff contacts, James C. Ho at (202) 224-7840 and Tara Magner at (202) 224-7481.

Sincerely,



JOHN CORNYN  
United States Senator



PATRICK LEAHY  
United States Senator