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COMMITTEE ON GOVERNMENT REFORM
U.S. HOUSE OF REPRESENTATIVES
MAY 2005

Summary

THE RESTORE OPEN GOVERNMENT ACT OF 2005

The Restore Open Government Act (H.R. 2331) reverses the policies of the Bush Administration that undermine open government laws and reduce government accountability. The bill will improve the transparency of government operations and strengthen public access to government information.

Restoring the Presumption of Public Disclosure of Information
The bill overturns the "Ashcroft Memo," which restricts release of information under the Freedom of Information Act (FOIA), and the "Card Memo," which urges agencies to stretch FOIA exemptions to withhold any "sensitive" information. The bill restores the policy that agencies should release requested information absent some finding of harm.

Eliminating Unnecessary Pseudo-Classification Designations
The bill calls on the Archivist of the United States to report on the use of pseudo-classification designations, such as "sensitive but unclassified" and "for official use only." Unnecessary pseudo-classification designations are banned, and the use of other information control designations is restricted.

Restoring Public Access to Presidential Records
The bill repeals President Bush's executive order on presidential records, which severely curtailed release of these important historical documents, and restores President Reagan's executive order on presidential records.

Prohibiting Secret Advisory Committees
The bill prevents the White House from establishing advisory committees of government employees that meet secretly with industry groups, as did the Vice President's energy task force. Under the bill, these advisory committees must reveal their meetings and communications with private parties.

Promoting Timely Declassification of Government Documents
The bill promotes public access to information and helps prioritize declassification by funding the Public Interest Declassification Board. The bill calls on the Archivist of the United States to levy a fee on agencies to pay for the operations of the Board.

Improving the Operations of the Freedom of Information Act
The bill restores the integrity of FOIA by limiting the broad FOIA exemption for critical infrastructure information created in the Homeland Security Act of 2002. The bill further creates transparency in agency compliance with FOIA and makes it more feasible for citizen groups to challenge the improper withholding of government information.