



February 24, 2014

Honorable Darrell Issa
Chairman
Committee on Government Reform and Oversight
2157 Rayburn Building
Washington, DC 20515

Dear Chairman Issa:

The Small Business & Entrepreneurship Council (SBE Council) is pleased to support H.R. 1211, the FOIA Oversight and Implementation Act of 2013.

In a recent SBE Council/Center for Regulatory Solutions poll, 84% of Americans believe that there are too many special interests involved in shaping government rules, and 72% say regulations are created in a “secretive” rather than “open” process. Most Americans have no idea how the regulatory system works and they feel they have no voice in the process. At the same time, 70 percent of Americans believe regulations hurt the economy, 67 believe regulations hurt America’s competitiveness, 66 percent believe regulations hurt American workers, and 66 percent believe regulations hurt America’s small business.

We believe H.R. 1211 is an important step in reforming the regulatory process and making government more open and accountable. It would cause federal agencies to be more transparent and responsive to taxpayers by requiring information to be posted online and accessible to taxpayers. In addition, it would provide an opportunity for citizens to discover important information that is not available to them currently.

Thank you for your leadership on H.R. 1211. SBE Council looks forward to working with you to advance it into law.

Sincerely,

Karen Kerrigan
President and Chief Executive Officer

Members of Congress
U.S. House of Representatives
Washington, DC 20515

February 24, 2014

Dear Representative,

We, the undersigned organizations, are pleased to support H.R. 1211, the FOIA Oversight and Implementation Act of 2014, a bill to amend the Freedom of Information Act (FOIA) to promote greater government transparency and accountability. The bipartisan bill is cosponsored by House Oversight and Government Reform Chairman Darrell Issa (R-Calif.), Ranking Member Elijah Cummings (D-Md.), and Representative Mike Quigley (D-Ill.). We urge you to vote in favor of this open government legislation.

The FOIA has yet to become an effective and efficient tool for the public to access government information, and the experience of the past few years makes clear the need for reform to ensure the law is implemented as Congress intended. Particular reforms included in H.R. 1211 that we support include advancing the online portal for FOIA requests, establishing an open government advisory committee, requiring all agencies to update their FOIA regulations, and providing the Office of Government Information Services with the ability to submit reports and testimony directly to Congress and the President. The bill also encourages more proactive disclosures, and puts into statute the current administrative policy of a “presumption of openness” with which agencies should review FOIA requests.

This bill has also been a catalyst for administrative reform. We welcome the Obama Administration’s commitments to similar significant reforms to FOIA in the U.S. National Action Plan for the Open Government Partnership. Similar to H.R. 1211, the President has pledged to create a central, online FOIA portal, establish an advisory committee for modernizing FOIA, and improve agency FOIA practices to reduce backlog. We also appreciate the President’s promise to harmonize the current confusing patchwork of FOIA regulations. While we are working to support the fulfilment of these commitments, we believe that these efforts will be strengthened when supported in statute. We will work with Congress and the Administration to ensure that any final FOIA reform legislation will do just that.

While the House bill reflects several of our recommendations to improve FOIA for the American people, there is still more that must be done. We look forward to working with the Senate Judiciary Committee to advance legislation with additional reforms, including provisions to curb the overuse and abuse of certain exemptions—particularly Exemption 3 and Exemption 5. At a minimum, the application of Exemption 5 should be narrowed to promote greater transparency and be subject to the same time limits as the President’s records, and a public interest balancing test should be used when applying Exemption 3. Additionally, we hope that the Senate Judiciary Committee will put in place a much stronger requirement that agencies make all records that have been reviewed for release available to the public.

We urge you to vote for H.R. 1211 and then join us in supporting House and Senate FOIA champions to produce a final bill with robust Freedom of Information Act reforms.

Sincerely,

American Association of Law Libraries

American Library Association

American Society of News Editors

Association of Alternative Newsmedia

Association of Research Libraries

Center for Effective Government

Center for Media and Democracy

Delaware Coalition for Open Government

Delaware League of Women Voters

Government Accountability Project – GAP

iSolon.org

James Madison Project

Liberty Coalition

Mine Safety and Health News

National Coalition Against Censorship

National Security Archive

National Security Counselors

OpenTheGovernment.org

Project On Government Oversight (POGO)

Public Citizen

Public Employees for Environmental
Responsibility (PEER)

Sage Information Services

Society of American Archivists

Society of Professional Journalists

Sunlight Foundation

Tully Center for Free Speech at Syracuse
University

Vermont Press Association

Sunshine in Government Initiative

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The Honorable Darrell Issa
Chairman
Oversight and Government Reform Committee
United States House of Representatives
2157 Rayburn House Office Building
Washington, DC 20515

The Honorable Elijah Cummings
Ranking Member
Oversight and Government Reform Committee
United States House of Representatives
2471 Rayburn House Office Building
Washington, DC 20515

Dear Mr. Chairman Issa and Ranking Member Cummings,

The Sunshine in Government Initiative, a coalition of nine media associations promoting open government policies and practices, is writing in support of H.R. 1211, the FOIA Oversight and Implementation Act of 2014.

In the nearly half century since Congress enacted the original Freedom of Information Act in 1966, the public has rightly learned important things uncovered despite government reluctance or embarrassment. To this day, FOIA remains a powerful tool for the media and others to learn uncomfortable truths, such as the human cost of technical problems with military jets, crime aboard cruise ships and disproportionate rates of overdoses among veterans, just to name a few of the nearly 700 stories we have catalogued that rely on FOIA. At the same time, FOIA suffers as requesters wait for responses, agencies use outdated technology, and the public has little way to hold government accountable for fixing FOIA's longstanding problems.

The provisions in H.R. 1211 push agencies to improve their FOIA operations. In particular, we strongly support efforts to strengthen the voice of the Office of Government Information Services, to make FOIA more efficient by creating a single system for the public to ask for information from any participating agency, to bring experts together to find solutions to FOIA's most vexing problems, and to bring greater transparency to agency efforts to meet their obligations currently in law.

We applaud the sponsors of this bipartisan legislation for putting together commonsense improvements to what is arguably the government's more important transparency law. We look forward to continuing to work with you and others to strengthen FOIA and the way agencies meet their obligations under the law.

Sincerely,

A handwritten signature in black ink that reads "Rick Blum". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

Rick Blum
Director