

June 14, 2007

Dear Senator:

I am a former Undersecretary of State for Political Affairs and United States Ambassador to the United Nations, and a current member of the Constitution Project's Liberty and Security Committee. I am writing to you today to urge your support for S. 849, the "Openness Promotes Effectiveness in our National Government Act," or OPEN Government Act. The OPEN Government Act will make needed, common sense reforms designed to improve and make more responsive the way federal agencies process requests for documents under the Freedom of Information Act (FOIA). I urge the Senate to pass this bipartisan legislation soon.

The legislation has bipartisan support and was reported from the Senate Judiciary Committee by voice vote. It is sponsored by Sen. Patrick Leahy (D-VT) and Sen. John Cornyn (R-TX) and co-sponsored by Sen. Sherrod Brown (D-OH), Sen. Ben Cardin (D-MD), Sen. Russell Feingold (D-WI), Sen. Johnny Isakson (R-GA), Sen. John Kerry (D-MA), Sen. Mary Landrieu (D-LA), and Sen. Arlen Specter (R-PA). Similar legislation (H.R. 1309) passed the House of Representatives by a vote of 308 - 117. The Act would provide critical updates to FOIA, and has been endorsed by a broad range of groups including the U.S. Chamber of Commerce, the American Library Association, and the National Association of Manufacturers.

Open government laws such as FOIA help foster accountability and allow the public to make informed choices in their communities. Unfortunately, after 40 years FOIA is beginning to show its age; FOIA has not been updated in more than a decade. While FOIA requests for public documents continue to stream into federal agencies, the federal government's response is slowing. Too often the public receives the documents they need too late, or not at all. And the problem is getting worse.

For several years, the Constitution Project's Liberty and Security Committee has urged Congress to strengthen the oversight provided by FOIA to improve government accountability while continuing to protect the secrecy of sensitive documents. This legislation contains common sense reform such as providing tighter time deadlines and increased, more transparent reporting requirements regarding agency and departmental responses to FOIA requests, giving requesters a tracking number to follow the status of their requests online, creating an ombudsman to help requesters, imposing consequences on federal agencies for missing statutory deadlines and increasing agency accountability for FOIA decisions.

I urge you to support the common sense open government reforms contained in S. 849. If you have any questions regarding this letter, please do not hesitate to contact Corey Owens of the Constitution Project at (202) 580-6922.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas R. Pickering". The signature is fluid and cursive, with the first name "Thomas" being the most prominent part.

Thomas R. Pickering