

**Statement of Sen. Patrick Leahy
Chairman, Senate Judiciary Committee
On The OPEN Government Act, S.849
May 24, 2007**

Mr. LEAHY: Mr. President, I am deeply disappointed that the Senate may not consider the *Openness Promotes Effectiveness in our National Government Act* (the "OPEN Government Act"), S.849 before it adjourns for the Memorial Day recess. The Judiciary Committee favorably reported this bipartisan bill. We have filed a Committee report on this important legislation. Regrettably, an anonymous Republican hold is stalling this important Freedom of Information Act ("FOIA") legislation, needlessly delaying long-overdue reforms to strengthen FOIA and to protect the public's right to know.

It is both unfortunate and ironic that this bipartisan bill, which promotes sunshine and openness in our government, is being hindered by a secret and anonymous hold. This is a good government bill that Democrats and Republicans alike, can and should work together to enact. I hope that the Senator placing the secret hold on this bill will come forward, so that we can resolve any legitimate concerns, and the full Senate can promptly act on this legislation.

The OPEN Government Act is cosponsored by 10 Senators from both sides of the aisle. This bill is also endorsed by more than 100 business, public interest, and news organizations from across the political and ideological spectrum, including, the American Library Association, Conservation Congress, the Liberty Coalition, OpenTheGovernment.org, the Sunshine in Government Initiative, the Republican Liberty Caucus and Public Citizen.

I thank all of the cosponsors of this bill and commend Senator Cornyn as our lead Republican sponsor. I also thank the many open government organizations that are working tirelessly to encourage the Congress to enact this bill this year. This measure is cleared for passage on the Democratic side. It should be passed without further delay.

The OPEN Government Act promotes and enhances public disclosure of government information under FOIA, by helping Americans to obtain timely responses to their FOIA requests and improving transparency in the federal government's FOIA process. During the recent hearing that the Judiciary Committee held on this legislation, we learned that, although FOIA remains an indispensable tool in shedding light on bad policies and government abuses, this open government law is being hampered by excessive delays and lax FOIA compliance. Today, Americans who seek information under FOIA remain less likely to obtain it than during any other time in FOIA's 40-year history. This bill would help to reverse this trend and to restore the public's trust in their government.

Senator Cornyn and I both know that open government is not a Democratic issue or a Republican issue. It is an American issue. It is in this spirit that I urge the removal of the anonymous hold placed on this bill. I also urge all Members of the Senate to join me in supporting this important open government legislation.