PAGE 1/1 * RCVD AT 2/15/2005 11:46:27 AM [Central Standard Time] * SVR:RIGHTFAX/11 * DNIS:9183 * CSID:5124632063 * DURATION (mm-ss):00-46

ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

February 15, 2005

The Honorable John Cornyn, Chairman
U.S. Senate Judiciary Subcommittee on the Constitution,
Civil Rights & Property Rights
Dirksen Senate Office Building, Room 139
Washington, D.C. 20510

Dear Senator Cornyn:

I strongly endorse the proposed OPEN Government Act of 2005, which will strengthen the federal Freedom of Information Act (FOIA) and advance government openness.

James Madison once observed that "[k]nowledge will forever govern ignorance; and a people who mean to be their own governors must arm themselves with the power which knowledge gives." The Father of the Constitution recognized that our constitutional democracy, which is rooted in self-government, requires the informed consent of the people. I share Madison's belief, and yours, that a government of the people, by the people, and for the people must operate in full view of the people. Openness and accountability – not secrecy and concealment – are what keep democracies strong and enduring.

A commitment to open government underpins both FOIA and the Texas Public Information Act, which you interpreted and forcefully defended as the 49th Attorney General of Texas. As your successor, I am proud that Texas leads the nation in promoting open government and privileged to build upon your efforts to make sure the public's business is conducted in full sunshine. As you know, the Texas Public Information Act declares that "government is the servant and not the master of the people," and "[t]he people do not give their public servants the right to decide what is good for the people to know and what is not good for them to know."

The OPEN Government Act of 2005 will bring similar benefits to all Americans and ensure that FOIA finally lives up to its noble ideals. By closing loopholes and enabling government to be more responsive to requests for information, the OPEN Government Act of 2005 will modernize FOIA's nearly 40-year-old commitment to open and accessible government.

Our system of self-government does not rest on the public's *need* to know, but on its fundamental *right* to know. Your proposed legislation will codify this venerable standard in federal law and reinforce one of our nation's first principles: open government leads inexorably to good government.

I cannot overstate my support for these important reforms and commend you for your exceptional leadership on this issue.

Sincerely,

Greg Abbott
Attorney General of Texas

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