

Statement of Senator John Cornyn
OPEN Government Act of 2007
December 18, 2007

Mr. President, it is no secret that every Senator who comes to Washington, D.C., comes with a few select issues in mind which he makes his own, and which he takes a particular interest in. For me, open and transparent government has been one of those issues.

From my time as a Texas lawyer, Supreme Court Justice, and Attorney General I know first hand the importance, but also the difficulty of creating and enforcing open government and the free flow of information. I have always taken to heart, however, the words of James Madison, who once declared: “the advancement and diffusion of knowledge is the only guardian of true liberty.”

Of course, I have the advantage of coming from Texas, one of the strongest states in terms of free information and open government. In Texas, it is a matter of principle that everyone should be able to quickly and easily find out what their government is doing and how.

That is why I was so pleased last week when the Senate passed the Openness Promotes Effectiveness in our National Government, or OPEN Government Act of 2007. Now, the House has likewise passed this important bill, and I eagerly await the President signing it into law.

I have to thank my colleagues, the chairman of the Judiciary Committee, Senator Leahy, and Lydia Griggsby of his staff; Sen. Kyl, and Joe Matal of his staff; and two of my former chief counsels, James Ho and Reed O'Connor. Without their hard work, we wouldn't be celebrating this legislative victory today.

I have spoken on several occasions in this chamber about the importance of reforming and updating the Freedom of Information Act, so that undue delays and onerous burdens which plague American citizens looking for information that they by right should have. After 40 years of FOIA there still remain pending requests for information more than a decade old. And many requests result in costly and drawn out lawsuits which effectively prevent the average citizen from receiving the information they deserve.

This bill will restore this most fundamental principle of a free and informed citizenry. It reinforces Lincoln's notion of a government “of the people, by the people, for the people,” placing information back in the hands of Americans. It is nothing short of a victory for democracy.

This bill restores meaningful deadlines with real consequences to the FOIA system, ensuring government agencies will provide timely responses to requests. It creates a new system for tracking pending FOIA requests and an ombudsman to review agency compliance. At the same time it closes loopholes and strengthens FOIA law ensuring all journalists have equal access to information.

These reforms are long overdue, and are but a part of creating a government focused on openness. Still, I look forward to the President signing this bill and paving the way for a culture of transparency in America. In my home of Texas, we have worked hard to establish the ideals of openness and transparency, and I know that the nation can follow suit. It's in everyone's best interest to throw a little more sunshine on Washington, D.C.

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