Dear Chairman Chaffetz,

Thank you for your request for comments on pending Freedom of Information Act reform legislation, specifically regarding possible changes that would require deeper structural changes to FOIA. We are pleased to respond to the request. In doing so, we want to clearly state our request is that the current FOIA legislation be considered and passed by the House without substantial modification. This will lock in improvements likely to be accepted by the Senate with a minimum of delay.

We wish to highlight the fact that significant improvements were made in the House of Representatives during the Committee on Oversight and Government Reform's markup of the FOIA Oversight and Implementation Act of 2015 (“FOIA Act”). Efforts by some to weaken the legislation, specifically with regards to how it would apply to entities that regulate the financial industry, were rightfully questioned and rejected. We wish to specifically single out for praise the House’s updating of Exemption 5, which should help ensure a reduction in the amount of secret law to which Americans are subject.

We look forward to passage of the current FOIA legislation, and are eager to work with you in securing further necessary reforms that must follow on its heels. We understand that several organizations have responded to your request for comments and submitted recommendations that would lead to important FOIA advancements. We hope to supplement those with additional recommendations at a later time. Please contact Patrice McDermott at OpenTheGovernment.org (pmcdermott@openthegovernment.org), Sean Vitka at Sunlight Foundation (svitka@sunlightfoundation.com) or Daniel Schuman at Demand Progress (daniel@demandprogress.org) with any questions.

Sincerely,

American Civil Liberties Union
American Library Association
American Society of News Editors
Association of Alternative Newsmedia
Bill of Rights Defense Committee
Campaign for Accountability
Center for Science and Democracy at the Union of Concerned Scientists
Citizens for Responsibility and Ethics in Washington
Defending Dissent Foundation
Demand Progress
Electronic Privacy Information Center (EPIC)
Government Accountability Project
National Security Archive
The OpenGov Foundation
OpenTheGovernment.org
Project On Government Oversight (POGO)
Rural Coalition
Society of Professional Journalists
Sunlight Foundation