

President Barack Obama
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

March 10, 2015

Re: Requested White House Actions in Commemoration of Sunshine Week 2015

Dear President Obama:

Throughout the United States, federal and state government, media, non-profits, and the public will be celebrating Sunshine Week, an annual event spotlighting the right to know, from March 15th – 21st. The time is ripe, therefore, not only to examine the state of access to government information, but also to make strong advances in government openness. At the very outset of your Presidency, you committed to increase government transparency and accountability. We, the undersigned organizations, ask that you take the following steps this Sunshine Week to honor that commitment:

Support the ‘Presumption of Openness’ in FOIA Reform

The Freedom of Information Act (FOIA) is the foundational tool for the public to request information about government activities. There is a bipartisan and bicameral effort in Congress right now to strengthen FOIA. In support of these efforts, the White House should issue a formal public statement of support for Congressional initiatives to codify the Administration’s own directive and its strong presumption of openness. For a more open government, the Administration should support legislation that ensures agencies may not withhold information unless they reasonably foresee that disclosure will cause specific identifiable harm to an interest protected by an existing exemption, or if the disclosure is prohibited by law.

Release the Drafts of the TPP and T-TIP Pacts

The United States Trade Representative’s negotiations on the Trans-Pacific Partnership (TPP) and Transatlantic Trade and Investment Partnership (T-TIP) trade agreements have remained shrouded in secrecy. Without access to information about these negotiations, the public has been and continues to be denied the opportunity to express their views about agreements impacting everything from the internet to intellectual property to public health.

Proactively Disclose FISA Data for which Disclosure Would be Mandated under Sen. Leahy’s 2014 USA Freedom Act

The White House rightly supported the reforms outlined in Senator Leahy’s USA Freedom Act in the previous Congress. These reforms would have included a requirement that our intelligence agencies report on the total number of individuals or unique accounts whose information is collected under multiple surveillance authorities, and on the number of those who likely were U.S. persons (or, if that were not technically feasible to determine, the number who likely were located in the United States). Whether or not Congress statutorily requires such disclosures, your Administration can take those steps independently to promote better public understanding and appropriate oversight of US surveillance programs.

Issue a Statement of Support for Restoring Intelligence Community Contractor Whistleblower Protections

Intelligence community contractors are currently defenseless against retaliation for disclosing government waste, fraud and abuse. Congress has worked to expand whistleblower protections throughout your Presidency, and restoration of protections for intelligence contractors would help to safeguard taxpayer dollars and encourage greater accountability. This Sunshine Week, the White House should make clear its support for restoration of these critical protections.

We hope that you will take these steps to further government openness and accountability, Mr. President, and look forward to working with your Administration this Sunshine Week and beyond to those ends.

Sincerely,

American Booksellers for Free Expression

American Library Association

American Society of News Editors

Association of Alternative Newsmedia

Association of Research Libraries

Bill of Rights Defense Committee

Brennan Center for Justice

Center for Effective Government

Center for Science and Democracy at the Union
of Concerned Scientists

Defending Dissent Foundation

DownsizeDC.org, Inc.

Food & Water Watch

Government Accountability Project

James Madison Project

National Freedom of Information Coalition

New England First Amendment Coalition

OpenTheGovernment.org

Pesticide Action Network North America

Project On Government Oversight

Public Citizen

Society of American Archivists

Society of Professional Journalists

Sunlight Foundation