**Senate Passes OPEN Government Act**

On Friday, Aug. 3, the U.S. Senate passed by voice vote S. 849, the *Openness Promotes Effectiveness in our National Government Act* (or *OPEN Government Act*) after last minute negotiations paved the way for an amended version of the bill to be considered prior to Congress' August recess.

Sponsored by Sen. Patrick Leahy (D-VT) and Sen. John Cornyn (R-TX), the *OPEN Government Act* seeks to reverse the trends of excessive delays and lax compliance with *Freedom of Information Act* (FOIA) requests in the U.S. government and helps restore the public's trust in the government by bringing more transparency to the FOIA process. Among other things, S. 849 restores meaningful deadlines for agency action under FOIA; imposes real consequences on federal agencies that miss FOIA's 20-day deadline; clarifies that FOIA applies to government records held by private contractors; establishes a FOIA hotline service for all federal agencies; and creates a FOIA Ombudsman as an alternative to costly litigation between FOIA requesters and federal agencies.

The amendment to S. 849 represented several changes agreed upon between Leahy and Sen. Jon Kyl (R-AZ), who blocked the Senate from considering the legislation in April.

Following passage of the *OPEN Government Act*, Sen. Leahy thanked the many citizens and organizations that lobbied for and endorsed this legislation, including the American Library Association. "The invaluable support of these and many other organizations," he said, "is what led the opponents of this bill to come around and support this legislation."

S. 849 will next be considered by the House of Representatives. In March, the House passed a related bill, the *Freedom of Information Amendments Act of 2007* (H.R. 1309). The House companion to the *OPEN Government Act* (H.R. 1326) is in the Committee on Oversight and Government Reform.
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