

SENATOR PATRICK LEAHY
KEYNOTE ADDRESS
NATIONAL ARCHIVES AND RECORDS ADMINISTRATION (NARA)
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Thank you, David, for that kind introduction. And thank you for the important work that you and your team do here. The National Archive's work is often unheralded but it is absolutely essential. Any government that claims to be a democracy must make a *record* of its work for the public. This is important not just for posterity, but to ensure that the American people can hold their government accountable. That is precisely what NARA does, and I thank you for inviting me today.

Whenever I visit these reverent halls, I am in awe. It is here in this building that our Constitution is on display for thousands of people to see every day. Our nation's founding document is central to why we are all here today. We are guided by the Constitution's principle that we must always work to create a "more perfect union" by ensuring that the government is open to the people we serve. Every year, during Sunshine Week, we recommit ourselves to this fundamental principle, which goes hand-in-hand with upholding the public's right to know.

Our democracy is built upon the premise that our government should not operate in secret. After all, a government of, by, and for the people cannot be one that is hidden from them. An open government is a powerful antidote against corruption, secrecy, and other forces that threaten to make leaders unaccountable to their citizens. As Supreme Court Justice Louis Brandeis famously said, sunlight is the best disinfectant.

One of the most powerful tools that helps bring sunshine into government and the halls of power is the Freedom of Information Act, our nation's premier transparency law. This year on July 4th, FOIA turns 50. For five decades, the law has enabled Americans to access – and therefore influence – the workings of our government. Since its passage, I have worked across the political aisle to strengthen it and to conduct oversight about how it is being enforced.

The FOIA Improvement Act, which I have been working on for years, will bring FOIA into the 21st Century. My bipartisan bill would codify what President Obama laid out in his historic 2009 memorandum. It requires Federal agencies to adopt a "Presumption of Openness" when considering the release of government information under FOIA. This policy was first put into place by President Clinton but then repealed by President Bush. President Obama reinstated it as one of his first acts in office. We cannot leave it to the next President to decide how open the government should be. We have to hold all Presidents and their administrations accountable to the highest standard. **By codifying the presumption of openness, we declare that sunshine, not secrecy, is the default setting of our government.**

When my bill becomes law, federal agencies will be required to make frequently requested documents available online — putting government information in a format most accessible to the American people. It also creates an online portal that allows FOIA requests to be submitted to

any Federal agency through one website. The legislation will update FOIA for the digital age and make our government more transparent and more accountable to We the People.

The Senate passed my FOIA Improvement Act in 2014 unanimously, and I was deeply disappointed that the House failed to act. The time is now to do what is right. Previous efforts to improve FOIA have always been bipartisan, and that should continue. It is my hope that Democrats and Republicans can come together and pass this commonsense legislation this week.

While passing the FOIA Improvement Act will be important progress, we cannot stop there. We must make sure that our government conducts its work in public and uses technology to invite more people into public proceedings. This access and transparency was a priority for me when I was chairman of the Judiciary Committee during the consideration of the last two Supreme Court nominees.

Public confirmation hearings for Supreme Court nominees are an important moment when the three federal branches of government come together and the American people see their democracy at work. The Senate Judiciary Committee first began holding public hearings to consider Supreme Court nominees in 1916. And since then, the Senate's process for considering nominees has become increasingly accessible to the American people. In 1981, Justice Sandra Day O'Connor made history. She broke the glass ceiling, becoming the first woman nominated to the Supreme Court. She also was the first Supreme Court nominee to have her confirmation hearings televised.

Today, Americans can follow these all-important proceedings through webcasts, social media and other platforms. As a result, Americans have justifiably come to expect an opportunity to view this confirmation process. After all, its outcome directly affects their constitutional rights and their lives. They know that when the cameras are rolling, there is transparency. They understand that when there is transparency, there is accountability.

Three weeks ago, Judiciary Committee Republicans decided to end this transparent process and 100 years of bipartisan tradition. Emerging from a session that was closed to the press, to the public, and to all Democrats serving on the Judiciary Committee, Republicans unilaterally announced that our committee would not hold a public hearing or vote on any Supreme Court nominee this year.

In a letter to the Senate Majority Leader, Republicans claimed their closed-door and unprecedented decision was somehow an effort "to protect the will of the American people." But if they are truly acting to protect *the will of* the American people, why are they so afraid to do so *in front of* the American people?

By opposing a public hearing and a vote, Senate Republicans are on the wrong side of history. In my 40 years in the Senate, every pending Supreme Court nominee has received a public hearing and a vote. Without a public hearing, Americans cannot watch their senators and their President's nominee engage in weighty discussions about our Constitution. Without a vote, American citizens are unable to hold their Senators accountable. It is only through a

transparent process and a vote by their elected Senators that Americans can have a voice in this critical moment in our democratic process.

We have spent decades bringing more and more daylight to the Supreme Court confirmation process. Now, some partisans want to impose an artificial sunset. I hope that once the President upholds his constitutional duty by making a nomination, then Senate Republicans will choose sunshine over secrecy in the Supreme Court confirmation process.

Despite this transparency showdown looming in the Senate, I have reason to remain optimistic about the trajectory we are on. Today's conference focuses on one of our most powerful tools for promoting transparency and accountability — technology. My parents ran an independent printing press in Vermont. From an early age, I understood the power of technology to inform the public. Today, all that separates our citizens from vital information and news is often the click of a button. As Federal policymakers, it is our job to ensure that technological progress translates into real, palpable access to the workings of our government. We must work to make this digital age the true age of transparency. That is what I am fighting for.

As we begin Sunshine Week, let us reaffirm our commitment to transparency. And as we approach FOIA's 50th birthday, let us strengthen that historic law by passing the FOIA Improvement Act. Fifty years from now, on FOIA's centennial anniversary, the next generation will look back to this moment. They will gauge our commitment to creating a government that is genuinely open to the people. Let them see that we chose to let the sun shine in.

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