

S 2427

OPEN Government Act of 2007

Congress: 110 (2007–2009, Ended)

Chamber: Senate

Policy Area: Government Operations and Politics

Introduced: Dec 6, 2007

Current Status: Read twice and referred to the Committee on the Judiciary. (text of measure as introduced: CR S14854)

Latest Action: Read twice and referred to the Committee on the Judiciary. (text of measure as introduced: CR S14854-14855) (Dec 6, 2007)

Official Text: <https://www.congress.gov/bill/110th-congress/senate-bill/2427>

Sponsor

Name: Sen. Leahy, Patrick J. [D-VT]

Party: Democratic • **State:** VT • **Chamber:** Senate

Cosponsors (1 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Cornyn, John [R-TX]	R · TX		Dec 6, 2007

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Referred To	Dec 6, 2007

Subjects & Policy Tags

Policy Area:

Government Operations and Politics

Related Bills

Bill	Relationship	Last Action
110 S 2488	Related bill	Dec 31, 2007: Became Public Law No: 110-175.
110 S 849	Related bill	Sep 4, 2007: Held at the desk.
110 HR 1326	Related bill	Mar 27, 2007: Referred to the Subcommittee on Information Policy, Census, and National Archives.
110 HR 1309	Related bill	Mar 15, 2007: Received in the Senate and Read twice and referred to the Committee on Homeland Security and Governmental Affairs.

Openness Promotes Effectiveness in our National Government Act of 2007 or the OPEN Government Act of 2007 - Amends Freedom of Information Act (FOIA) provisions to define "representative of the news media" and "news," specify examples of news-media entities, and provide that a freelance journalist shall be regarded as working for a news-media entity if the journalist can demonstrate a solid basis for expecting publication through that entity.

Provides that, for purposes of recovery of attorney fees and other litigation costs under FOIA, a complainant has substantially prevailed if the complainant has obtained relief through either: (1) a judicial order or an enforceable written agreement or consent decree; or (2) a voluntary or unilateral change in position by the agency, provided that the complainant's claim is not insubstantial. Requires attorney fees to be paid only from appropriations of an agency against which a claim or judgment has been rendered.

Directs the Attorney General to notify the Special Counsel of and report on civil actions taken for arbitrary and capricious rejections of requests for agency records.

Sets forth provisions concerning: (1) the tolling of the time limit within which agencies determine whether to comply with a request for records; and (2) refunding search fees if an agency fails to comply with time limits.

Requires each agency to make available its FOIA Public Liaison to assist in resolving requester disputes.

Requires agencies to establish: (1) a system to assign an individual tracking number for each FOIA request that will take longer than ten days to process; and (2) a telephone line or Internet service to provide information on the status of requests.

Revises certain reporting requirements relating to FOIA requests and agency responses.

Establishes the Office of Government Information Services within the National Archives and Records Administration (NARA) to: (1) review agency compliance with FOIA policies; (2) recommend policy changes; and (3) offer mediation services between FOIA requesters and administrative agencies as a non-exclusive alternative to litigation.

Requires each agency to designate a Chief FOIA Officer and at least one FOIA Public Liaison.

Requires the Office of Personnel Management (OPM) to report on personnel policies related to FOIA.

Actions Timeline

- **Dec 6, 2007:** Introduced in Senate
- **Dec 6, 2007:** Sponsor introductory remarks on measure. (CR S14853-14854)
- **Dec 6, 2007:** Read twice and referred to the Committee on the Judiciary. (text of measure as introduced: CR S14854-14855)