

**AALL ACTION ALERT**  
**August 18, 2010**

**AUGUST RECESS ACTION ALERT:**  
**YOUR HELP NEEDED ON THREE “MUST-PASS” BILLS**

**BACKGROUND**

With Congress in recess until September 10, we need your help to get Hill support for three “must-pass” bills that protect government whistleblowers and promote improved access to government information. By taking just a few minutes to call or email your Senators and House Representative using the talking points below, you’ll deliver our message and make a difference before the 111<sup>th</sup> Congress adjourns at the end of the year. Thanks in advance for your help!

**TAKING ACTION IS AS EASY AS 1...2...3...4!**



**PREPARE** by reading our talking points and using our [sample messages](#).



**LEAVE A MESSAGE** for your elected officials using the Capitol Switchboard at 202-224-3121 or call their local district office.



**EMAIL** them using the [Senate](#) and [House](#) Web forms.



**LET US KNOW** if you receive a reply by forwarding it to Advocacy Communications Assistant [Emily Feldman](#).

**1. *Whistleblower Protection Enhancement Act* ([S. 372](#))**

The *Whistleblower Protection Enhancement Act* would ensure new meaningful protections for government employees and contractors who blow the whistle on waste, fraud or abuse. President Obama has expressed strong support for this bill, and we’re very close to getting it passed after ten long years.

**Status:** On July 29, 2009, the [Senate Homeland Security and Governmental Affairs Committee](#) voted by unanimous consent to order the bill to be reported favorably with an amendment in the nature of a substitute. The bill as reported includes several necessary protections, such as access to jury trials in federal district court.

**Action Needed:** Ask your Senators to urge Majority Leader Harry Reid and Minority Leader Mitch McConnell to schedule a Senate vote on S. 372 when Congress returns in September.

**Talking Points:**

- S. 372 is needed to ensure meaningful protections for government whistleblowers who take personal and professional risks to protect the public against waste, fraud and abuse.
- The bill would close several loopholes in the current laws that have gutted available protections since the passage of the *Whistleblower Protection Act* in 1989.
- Crucially, the bill would provide access to jury trials and specific authority for whistleblowers to disclose classified information to members of Congress on relevant oversight committees, or their staff.

For more information on AALL's efforts to ensure whistleblower protections, please read our [Issue Brief](#).

**2. Access to Congressionally Mandated Reports Act ([H.R. 6026](#))**

This recently introduced bill directs the Office of Management and Budget (OMB) to create a free searchable Web site to provide public access to congressionally mandated reports, a category of important resources that are rarely made available to the public. Director of Government Relations Mary Alice Baish is working with the staff of Rep. Steve Driehaus (D-OH-1), the sponsor of the bill, on a few constructive changes.

**Status:** Rep. Driehaus introduced H.R. 6026 on July 30, 2010 and it was referred to the [House Oversight and Government Reform Committee](#).

**Action Needed:**

- If your Representative is a member of the [House Oversight and Government Reform Committee](#), urge him or her to co-sponsor the bill and support it when it comes before the committee in September.
- If your Representative is not on the committee, urge him or her to co-sponsor H.R. 6026 and vote in favor of it when it reaches the House floor.
- If your Representative co-sponsored the bill, please be sure to say thank you. H.R. 6026 is co-sponsored by:
  - [Rep. Steve Driehaus](#) (D-OH-1)
  - [Rep. Edolphus Towns](#) (D-NY-10), Chair of the House Oversight and Government Reform Committee
  - [Rep. William Lacy Clay](#) (D-MO-1), Chair of the Oversight Committee's Subcommittee on Information Policy, Census, and National Archives

**Talking Points:**

- H.R. 6026 would, *for the first time ever*, make congressionally mandated reports easily available to the public. It requires the Office of Management and Budget (OMB) to create a centralized, free searchable database.
- The bill also requires Federal agencies to submit reports to OMB for posting within 30 days of submitting the reports to Congress.

- The bill mandates that any report that is issued to Congress and is releasable under the Freedom of Information Act be posted in the database.

### 3. [H.R.6086](#) and [S. 3717](#) to repeal a FOIA exemption for the Securities and Exchange Commission in the *Dodd-Frank Wall Street Reform and Consumer Protection Act*

On July 21, 2010, President Obama signed the *Dodd-Frank Wall Street Reform and Consumer Protection Act* (P.L. 111-203) which included a provision exempting certain data produced by the Securities and Exchange Commission (SEC) from the Freedom of Information Act (FOIA). In early August, AALL joined more than 30 open government groups on letters to the [Senate](#) and the [House](#) urging Congress to repeal the new exemption.

#### Action Needed:

- Urge your House Representatives and Senators to co-sponsor [H.R.6086](#) and [S. 3717](#) to repeal the recently enacted new FOIA exemption for the SEC.
- If your elected official co-sponsored either bill, thank him or her:
  - The House bill is sponsored by [Rep. Edolphus Towns](#) (D-NY-10)
  - The Senate bill is co-sponsored by [Sen. Patrick Leahy](#), [Sen. John Cornyn](#) (R-TX), [Sen. Chuck Grassley](#) (R-IA) and [Sen. Ted Kaufman](#) (D-DE)

#### Talking Points:

- [H.R.6086](#) and [S. 3717](#) are necessary to repeal a recently enacted new exemption from FOIA for the Securities and Exchange Commission.
- These bills would strike that exemption and make clear that records of financial institutions are *already* protected by FOIA Exemption 8.
- In the aftermath of the financial crisis, it is more important than ever that Congress ensures that the public can access critical information related to the oversight activities of the SEC.

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#### SAMPLE MESSAGES

*Please personalize your message by explaining why these bills are important to you. If your member is one of the co-sponsors of the bills, please thank him/her for supporting it.*

*Also, please take a quick look at our list of [Representatives](#) and [Senators](#) to see if your elected official has a JD. If so, please personalize your message by mentioning the law school he/she attended or any other connection you might have to him/her.*

#### To your House Representative:

Dear Representative [Last Name]:

I am writing to ask you to co-sponsor two important bills that would ensure greater public access and accountability: H.R. 6026, which would require the Office of Management and Budget to create a free searchable Web site to provide public access to Congressionally mandated reports; and H.R.6086, which would repeal the recently enacted and unnecessary Freedom of Information Act (FOIA) exemption for the Securities and Exchange Commission (SEC).

As a law librarian, I strongly support H.R. 6026, the *Access to Congressionally Mandated Reports Act*, which would make reports mandated by Congress easily available to the public for the first time ever. I believe it is absolutely vital that researchers, historians and members of the public have access to these important reports.

I also strongly support H.R. 6086, which would repeal a provision in the recently enacted *Dodd-Frank Wall Street Reform and Consumer Protection Act* that shields the SEC from FOIA. In the aftermath of the financial crisis, it is more important than ever that the public has access to critical information related to the oversight activities of the SEC.

I urge you to co-sponsor H.R. 6026 and H.R.6086 and to vote in favor of these bills when they reach the House floor. Thank you for your consideration.

Sincerely,  
[Add your name here]

**To your Senators:**

Dear Senator [Last Name]:

I am writing to ask you to support two bills to protect government whistleblowers and increase access to government information: S. 372, which would ensure meaningful protections for government whistleblowers; and S. 3717, which would repeal the recently enacted Freedom of Information Act (FOIA) exemption for the Securities and Exchange Commission (SEC).

Please urge Senate Majority Leader Harry Reid and Senate Minority Leader Mitch McConnell to act quickly to schedule a floor vote on S. 372, *Whistleblower Protection Enhancement Act*. S. 372 would add much-needed protections for whistleblowers, such as access to jury trials, and close loopholes in the current laws that have gutted available protections.

In addition, I urge you to co-sponsor S. 3717 to repeal a provision of the recently-passed *Dodd-Frank Wall Street Reform and Consumer Protection Act* that shields certain data produced by the SEC from FOIA. In the aftermath of the financial crisis, it is more important than ever that the public has access to critical information related to the oversight activities of the SEC.

Thank you for your consideration.

Sincerely,  
[Add your name here]