

***Rep. Israel bill requires all “public” executive branch documents to be online***

Washington, DC – On Tuesday, Rep. Steve Israel (D – New York), joined by Sunlight Foundation Co-Founder and Executive Director Ellen Miller and Personal Democracy Forum Founder Andrew Rasiej, announced the introduction of the Public Online Information Act, new transparency legislation that will redefine the government meaning of “public.”

“Right now, our government will stamp something ‘public’ and lock it away in a warehouse in Maryland. That’s about as accessible and transparent as a nuclear missile silo,” said Rep. Israel. “It’s time for ‘public’ to mean something different. My bill will require that all executive branch agencies make their public documents easily available online. People across the country – from scholars to school children – should be able to see any public government information from the convenience of their computer.”

“The Sunlight Foundation is proud to support the Public Online Information Act (POIA), legislation that embraces a new formula for transparency: public equals online,” said Miller. “We commend Rep. Israel for his work to ensure that government information will be available to everyone within a few keystrokes on a computer.”

The Public Online Information Act (POIA) requires executive branch agencies to publish all publicly available information on the Internet in a timely fashion and in user-friendly formats. The legislation requires each agency to establish a searchable catalog of all disclosed public documents. It also creates an advisory committee to help develop government-wide Internet publication policies.

Rep. Israel began work on the bill following a panel discussion at the 2009 Personal Democracy Forum conference in New York where Rep. Israel, Andrew Rasiej and Ellen Miller were speaking about how technology can change government. Rasiej proposed the idea of new legislation to require that when a document or piece of information is mandated by law to be “public,” it can no longer be considered “public” unless it is available online and machine searchable. Rasiej asked the Congressman if he would consider it. Following the conference, Rep. Israel began drafting the bill with input from the Sunlight Foundation and Rasiej.

“POIA will not only make it easier for citizens to find government information that belongs to them by simply using the Internet, it will redefine what the term ‘public information’ means for democracy and civic life in the 21st century,” Rasiej said. “By sponsoring this bill Congressman Israel will challenge our government to rethink and reorganize the way information is provided to citizens and will lead to more transparency and accountability.”

OMB’s E-Government Administrator and CIOs at independent agencies are responsible for crafting regulations to implement POIA. The public is granted a limited private right of action (similar to that under FOIA) to guarantee that the government lives up to its transparency obligations. There are commonsense exemptions for trade secrets, matters of national security, personal privacy and other information that is exempt from disclosure under the Freedom of Information Act.

Internet disclosure of public records becomes mandatory three years after enactment of the bill. Public records generated, updated or released after enactment must be published online.

Examples of information that is required by law to be public but is not available online include:

- Pension plan annual filings with the Secretary of Labor on how plans are funded, and the underlying assumptions behind their investment strategies.
- Reports disclosing lobbying activities (SF-LLLs) by government contractors and grantees made in connection with winning a grant.
- Filings by high-level government officials of their personal financial interests.
- Reports of when executive branch officials' travel is paid for by third parties, and not the government.
- Tax returns of organizations that are exempt from federal taxation.
- Videos maintained by the National Archives.

Rep. Israel serves on the House Appropriations Committee.