

## **A Condemnation of Threats to Openness, Ethics and Accountability**

Since 2005, Sunshine Week has been a nationwide celebration of the essential value of access to information and open government to promote accountable and responsive democratic institutions that serve the public interest.

Every year, we celebrate progress toward more open government and push back against government officials' ingrained bias toward secrecy. Regardless of which political party is in power, our goal is to combat secrecy and advocate for openness that leads to a more efficient, fair and accountable government.

This year, however, is different. Those in the highest levels of government have moved far beyond previous efforts to evade transparency, engaging in an unprecedented, systemic endeavor to undermine the basic norms of disclosure, accountability and truthfulness. The Trump Administration has undermined the role of the press, and uses misinformation to thwart the public's understanding of its actions. Furthermore, the oversight function of Congress has been weakened, if not trivialized, by partisanship. By devaluing openness and accountability, those in power today are diminishing the public trust in government and eroding the foundations of our democracy.

We, the undersigned, condemn in the strongest possible terms actions taken by the Executive Branch and Congress to undermine the public's right to know whether public officials are furthering the interests of the American people, rather than pursuing private gain.

### **We Oppose:**

#### **Attacks on Truth and Truth-Tellers**

Journalists and whistleblowers—employees who report serious abuses of public trust—are essential to the public's ability to hold institutions and leaders accountable. Journalists are under unprecedented attack—described by the president as “enemies of the American people”—even as their roles as watchdogs and sources of information are more important than ever. They are facing death threats but do their jobs despite fears for their own safety. Continued fear of reprisal and futility prevents some public servants from speaking out about wrongdoing and abuses of power, while whistleblowers within federal agencies and government contractors find themselves in the precarious situation where reporting wrongdoing leaves them subject to retaliation while the wrongdoing continues. Repeated threats from the Attorney General and others in the Administration to go after “leakers” may create a heightened sense of danger for any would-be whistleblower. Chilling the truth-tellers means corruption, fraud and illegality go unstoppable and unpunished, government waste continues unchecked, and fundamental government functions and services are compromised.

#### **Affronts to the Public's Right to Know**

Thomas Jefferson wrote that a well-informed electorate is a prerequisite to democracy and the best defense against tyranny. When political agendas dictate whether information is collected, when the minority party is kept in the dark, and when government releases information selectively to mislead the public, we face a crisis in our democracy. The key to understanding our government and holding it accountable is transparency, yet today, the right to know is under siege. President Trump and administration officials ply the public with “alternative facts,” while at the same time remove scientific and other data from agency websites or make it harder to obtain government information. Further, the President has undercut the press's role in providing accountability by refusing to hold a solo press

conference in over a year. Americans should not have to play guessing games or rely on politicians who say “believe me” to have an unimpeded path to a comprehensive understanding of policy and law. By trafficking in misrepresentations, the Trump Administration is ushering this country towards a new Dark Age of disinformation.

### **Increases in Government Corruption**

Government corruption—real or perceived—flourishes when there are gaps in transparency and openness. Uniform enforcement of strong ethics rules, a transparent contracting system that discloses government spending, and an open and fair regulatory process that gives the public the opportunity to weigh in on rules that will impact them are necessary to ensure that government decisions are made for public rather than private interests. The administration’s flagrant violations of such policies and norms, starting with candidate Trump’s failure to disclose his taxes, his refusal to divest himself of his financial interests, and his willingness to issue secret ethics waivers to high-level White House staff have largely been ignored by Congress and set a new standard where senior government officials seem more interested in serving their own needs than the public’s. These systemic problems not only threaten public trust in government, but also our national security and our democratic system.

### **Threats to Constitutional Checks and Balances**

Congressional oversight of the Executive Branch is fundamental to the checks and balances that make our democracy work. However, it appears that extreme partisanship is threatening Congress’ willingness or ability to exercise its authority as a co-equal branch of government. Congress could access and release President Trump’s tax returns, while also mandating future presidential candidates make their returns public as a condition for running for office, but has declined to exercise its authority to do so. Some committees in Congress are also falling victim to partisanship, and as a result the public has an incomplete picture of Russian interference in U.S. elections. Congress has so far also failed to exercise its oversight authority to hold hearings on ongoing questions regarding whether the president’s business holdings pose conflicts of interest. The public’s trust in our government can only begin to be restored if there is robust, transparent oversight to achieve accountability.

### Organizations

American Civil Liberties Union (ACLU)  
American Oversight  
Campaign for Accountability  
Center for Biological Diversity  
Center for Media and Democracy  
Citizens for Responsibility and Ethics in Washington  
Defending Rights & Dissent  
Electronic Privacy Information Center  
Food & Water Watch  
Global Witness  
Government Accountability Project  
In the Public Interest  
Institute for Agriculture and Trade Policy

KidsAndCars.org  
National Coalition Against Censorship (NCAC)  
National LGBTQ Task Force  
National Security Archive  
New England First Amendment Coalition  
Open the Government  
Progressive Congress Action Fund  
Project On Government Oversight  
Protect Democracy  
Public Citizen  
Society of Professional Journalists  
Sunlight Foundation  
Tax March  
Transparency International  
Union of Concerned Scientists

#### Individuals

Gary D. Bass, Georgetown University\*  
Kathleen Clark, Washington University\*  
Ambassador (ret.) Norman L. Eisen, Brookings Institute\*  
Kathleen C. Engel, Suffolk University Law School\*  
Norm Ornstein, American Enterprise Institute\*  
Richard Painter, former Chief White House ethics lawyer\*

\*For identification purposes only