

Open and accountable government is one of the bedrock principles of our democracy. Yet virtually since inauguration day, questions have been raised about the Bush Administration's commitment to this principle. News articles and reports by independent groups over the last four years have identified a growing series of instances where the Administration has sought to operate without public or congressional scrutiny.

At the request of Rep. Henry A. Waxman, this report is a comprehensive examination of secrecy in the Bush Administration. It analyzes how the Administration has implemented each of our nation's major open government laws. The report finds that there has been a consistent pattern in the Administration's actions: laws that are designed to promote public access to information have been undermined, while laws that authorize the government to withhold information or to operate in secret have repeatedly been expanded. The cumulative result is an unprecedented assault on the principle of open government.

The Administration has supported amendments to open government laws to create new categories of protected information that can be withheld from the public. President Bush has issued an executive order sharply restricting the public release of the papers of past presidents. The Administration has expanded the authority to classify documents and dramatically increased the number of documents classified. It has used the USA Patriot Act and novel legal theories to justify secret investigations, detentions, and trials. And the Administration has engaged in litigation to contest Congress' right to information.

The records at issue have covered a vast array of topics, ranging from simple census data and routine agency correspondence to presidential and vice presidential records. Among the documents that the Administration has refused to release to the public and members of Congress are (1) the contacts between energy companies and the Vice President's energy task force, (2) the communications between the Defense Department and the Vice President's office regarding contracts awarded to Halliburton, (3) documents describing the prison abuses at Abu Ghraib, (4) memoranda revealing what the White House knew about Iraq's weapons of mass destruction, and (5) the cost estimates of the Medicare prescription drug legislation withheld from Congress.

There are three main categories of federal open government laws: (1) laws that provide public access to federal records; (2) laws that allow the government to restrict public access to federal information; and (3) laws that provide for congressional access to federal records. In each area, the Bush Administration has acted to restrict the amount of government information that is available. **Documents and Links**

- [FULL REPORT: Secrecy in the Bush Administration](#)
- [Press Release](#)
- [H.R. 5073](#)
- [Bill Summary](#)