

September 23, 2008

Any Federal Financial Industry Rescue Package Must Be Transparent

The Honorable Barney Frank
Chairman
House Financial Services Committee
2129 Rayburn House Office
Building
Washington, DC 20515

The Honorable Spencer Bachus
Ranking Member
House Financial Services Committee
B-371A Rayburn House Office
Building
Washington, DC 20515

Dear Chairman Frank and Ranking Member Bachus:

We the undersigned, as advocates for open and transparent government, strongly oppose section 2(b)(2) and section 8 of the Legislative Proposal for Treasury Authority to Purchase Mortgage-Related Assets. While we hold many different views on the causes of and remedies for the current turmoil in financial markets, we are united in the belief that the legislation confers unacceptably broad powers upon the Treasury to conduct activities without transparency and accountability to the public. As written, the proposal would make any decisions by the Secretary non-reviewable by courts or administrative agencies – a certain prescription for the very kind of opacity that has contributed to the financial policy woes we face today. Equally troubling, public contracts associated with the proposal could be created outside of existing laws normally governing such actions.

Few proposals in the 110th Congress can match this one for its impact on the American people. For the sake of democratic discourse, citizens deserve vigorous, timely, and accessible disclosure of all details surrounding any government decisions in response to financial market problems. Congress should respect this vital civil right by rejecting section 2(b)(2) and section 8 of the proposal now before you.

At a minimum, any credible solution must address one of the current crisis' fundamental causes – corruption and other abuses of power sustained by secrecy. Otherwise, the taxpayers could end up giving \$700 billion more to repeat the same disasters. Congress must prove it has learned this lesson. Any genuine solution must be grounded in transparency, with all relevant records publicly available and best practice whistleblower protection for all employees connected with the new law. Secrecy worsened this crisis, and taxpayers will not accept a law for secret solutions. What happens to our money is our business.

Thank you for your attention to this important matter. If you have any questions, please contact Patrice McDermott, OpenTheGovernment.org, at 202 332 6736, or Pete Sepp, National Taxpayers Union, at 703-683-5700.

Sincerely,

Access Info Europe

American Booksellers Foundation for
Free Expression

Allied Daily Newspapers of Washington

American Civil Liberties Union

American Association of University
Professors

American Library Association

American Policy Center	9/11 Research Project
Association of Research Libraries	OMB Watch
Californians Aware	OpenTheGovernment.org
Center for Financial Privacy and Human Rights	Project on Government Oversight
Citizen Outreach Project	Public Citizen
Citizens for Responsibility and Ethics in Washington	Reporters Committee for Freedom of the Press
Common Cause	Scientific Integrity Program, Union of Concerned Scientists
Defending Dissent Foundation	Semmelweis Society International
Downsize DC	Society of Professional Journalists
Essential Information	Special Libraries Association
FreedomWorks	Taxpayers for Common Sense
Fund for Constitutional Government	U.S. Bill of Rights Foundation
Government Accountability Project	Washington Coalition for Open Government
International Association of Whistleblowers	Washington Newspaper Publishers Association
Liberty Coalition	WhyCongressCantRead.com
Minnesota Coalition on Open Government	Woodhull Freedom Foundation
The Multiracial Activist	Richard A. Knee, Freelance Journalist San Francisco, CA
National Coalition Against Censorship	Ann Garrison San Francisco, CA
National Freedom of Information Coalition	Vicki Leidner, Real Estate Agent San Francisco, CA
National Taxpayers Union	
National Whistleblower Center	Daniel Macchiarini California

Susan Nevelow Mart, UC Hastings
College of the Law (affiliation for
information only)

Chad Scherr, FOI Advocate
West New York, NJ

Harrison Sheppard, Attorney
San Francisco, CA

Dr. Laurence H. Shoup
Oakland, CA

Paul Wertz, Journalist, retired
Eugene, OR