

***Statement
Of
Chairman Wm. Lacy Clay, Chairman
Information Policy, Census, and National Archives Subcommittee
Of the
Oversight and Government Reform Committee
Thursday, March 18, 2010
2154 Rayburn HOB
2:00 p.m.***

“Administration of the Freedom of Information Act: Current Trends”

Welcome to today's oversight hearing on the administration of the Freedom of Information Act, or FOIA, held during Sunshine Week, which is focused on educating the public on the importance of open government.

The purpose of today's hearing is to examine how agencies process and respond to FOIA requests, and to receive a status report on current FOIA trends. We will consider the views of several FOIA experts, including the director of the office in the Department of Justice responsible for encouraging agency compliance with the FOIA; the federal FOIA ombudsman, responsible for mediating FOIA disputes; an agency FOIA officer; and long-time FOIA litigators and requesters.

The FOIA isn't perfect. In the forty four years since the bill's enactment, Congress has continually re-examined and strengthened it. This reflects the changing nature of government information. But it also reflects the changing nature of the public's relationship with the government.

We want to know more about what the government knows and what it is doing. And we want to do more with the information that we seek. And the government is rapidly producing not only more information but in a growing variety of formats. So it makes sense that we get frequent updates on the FOIA process.

In his own FOIA memorandum on his first full day in office, President Obama made it clear that executive branch agencies should administer the FOIA with the presumption of openness, cooperating with the public to respond to requests for information promptly. On Tuesday the President reiterated his commitment to transparency, participation and accountability in a statement on Sunshine Week.

Another recent change also has the potential to improve the FOIA process. In 2007, Congress created, and last year President Obama stood up, the Office of Government Information Services, or OGIS, at the National Archives. OGIS' mediation and training efforts will have a positive impact on FOIA.

We look forward in today's hearing to learning more about the state of the FOIA, and about the trends towards improving services, increasing access, and making government more transparent.