

COMMITTEE ON GOVERNMENT REFORM
SUBCOMMITTEE ON GOVERNMENT MANAGEMENT, FINANCE AND ACCOUNTABILITY



OPENING STATEMENT OF
CHAIRMAN TODD RUSSELL PLATTS
JULY 26, 2006

The Freedom of Information Act (FOIA) was signed into law 40 years ago this month, in July 1966. Enacted after 11 years of debate, FOIA established a statutory right of public access to executive branch information. FOIA provides that any person has a right to obtain Federal agency records. Originally, the Act included nine categories of information protected from disclosure, and Congress has added additional exemptions over time.

Balancing the need for open government with the need to protect information vital to national security and personal privacy is a constant struggle. Federal departments and agencies are operating in the post 9/11 information age and face 21st century security, information management, and resource challenges. As we seek to achieve this balance, we must remember the words of Thomas Jefferson, who said, "information is the currency of democracy". FOIA is an essential tool to ensure that the citizens of this nation have access to information in the way Jefferson envisioned.

Last May, this Subcommittee held the first hearing in the House of Representatives on FOIA implementation in over 5 years. Today serves as an important follow up to that hearing.

In response to legislative proposals introduced last year, in the House and Senate, as well as the oversight conducted by this Committee, President Bush issued Executive Order 13392, entitled *Improving Agency Disclosure of Information*, on December 14, 2005. This document seeks to improve the overall processing of FOIA requests, creating a more citizen-centered and results-oriented approach to information policy. Specifically, the Executive Order requires agencies to develop FOIA improvement plans, designate Chief FOIA officers, and establish in-house FOIA requestor centers. The results of the initial phase of the order's implementation were reported to the Attorney General and the Office of Management and Budget on June 14, 2006.

This hearing will give the Subcommittee members an opportunity to hear from key members who have introduced FOIA-related legislation, the Department of Justice on progress made implementing the Executive Order, as well as from the Government Accountability Office, which has reviewed the initial FOIA improvement plans. Finally, the Subcommittee will also hear from FOIA requestors on their views of how the Executive Order will improve FOIA processing and access to information.

We have three panels of distinguished witnesses. Our first panel includes the Honorable Patrick Leahy, United States Senator from Vermont and Ranking Member of the Senate Judiciary Committee, the Honorable John Cornyn, United States Senator from Texas, and the Honorable Brad Sherman, Member of Congress from the 27th District of California. Our second panel includes Mr. Dan Metcalfe, Director of DOJ's Office of Information and Privacy and Ms. Linda Koontz, Director of Information Management issues for the Government Accountability Office.

Our last panel will include Ms. Tonda Rush, Public Policy Director at the National Newspaper Association and Patrice McDermott, Director of Open The Government.org. Thank you all for being here today, and we look forward to your testimonies.