

COMMITTEE ON GOVERNMENT REFORM
SUBCOMMITTEE ON TECHNOLOGY, INFORMATION POLICY, INTERGOVERNMENTAL
RELATIONS AND THE CENSUS
CONGRESSMAN ADAM PUTNAM, CHAIRMAN



MARK UP HEARING
STATEMENT BY ADAM PUTNAM, CHAIRMAN

“A Citizen’s Guide on Using the Freedom of Information Act and the Privacy Act of 1974 to Request Government Records”

Wednesday, June 11, 2003
2:00 pm
Room 2154 Rayburn House Office Building

OPENING STATEMENT

Since it was first printed in 1977, the Citizen’s Guide on Using the Freedom of Information Act and the Privacy Act has been a best seller. The intentions of the first committee to issue a guide that would be widely distributed and easy to use have been realized. As has been the practice in the past, this Subcommittee will consider revisions and updates to this guide in order to issue the 2003 version. Included in these updates will be any changes to the existing FOIA laws and the Privacy Act of 1974 as well as other edits.

The introduction to the Citizen’s Guide quotes James Madison:

“A popular Government without popular information or the means of acquiring it, is but a Prologue to a Farce or a Tragedy or perhaps both. Knowledge will forever govern ignorance, and a people who mean to be their own Governors, must arm themselves with the power knowledge gives.”

The Freedom of Information Act and the Privacy Act both confirm the Congress’ commitment to the citizen’s right to know and the Federal government’s obligation to handling personal information responsibly. Under FOIA, a citizen has the right to access information without having to demonstrate a need for it. Instead, government must justify the need for non-disclosure. FOIA articulates the standards for what must be disclosed and what information can be withheld, as well as providing administrative and judicial remedies for those denied access to records. Most importantly, FOIA requires Federal agencies to provide the “fullest possible disclosure of information to the public.” FOIA is a law that presumes information will be disclosed upon request.

The Privacy Act allows individuals to access records that Federal agencies may keep on themselves as well as requiring personal information kept by agencies be accurate, complete, relevant and timely. As with FOIA, the Privacy Act provides civil remedies for individuals whose rights may have been violated.

It is important that the public be aware of the rights they possess with regard to information held by the Federal government. The Citizen's Guide has proven to be a helpful way to communicate this to individuals. It is our hope that each issue of this guide continues to be found useful.