

**Hearing of the Senate Judiciary Committee:  
“FOIA at Fifty: Has the Sunshine Law’s Promise Been  
Fulfilled?”**

**Statement of Senator Cornyn**

**July 11, 2016**

- I want to thank the Chairman and Ranking Member for holding this hearing and for their work on the FOIA Improvement Act.
- I appreciate Senator Leahy’s partnership on this bill and I am pleased that it become law last month.
- This is the second time we have worked together to improve FOIA, and I believe our government is better for it.
- The FOIA Improvement Act does much to address many of the difficulties the public now confronts in accessing government information.
- It strengthens the Freedom of Information Act—the country’s chief open government law—by requiring Federal agencies to operate under a “presumption of openness” when considering whether or not to release government information.

- The law builds upon what our Founding Fathers recognized hundreds of years ago: a truly democratic system depends on an informed citizenry to hold their leaders accountable.
- Our democracy is healthier – and our country is stronger – when we open our government.
- This law is an important step towards ensuring the American people can hold their government accountable.
- The FOIA Improvement Act brings FOIA into the digital age and ensures that sunshine, not secrecy, is the default setting of our government.
- As we consider FOIA at fifty years, it's also critical that we recognize that good laws are not enough.
- Recent events have demonstrated that FOIA cannot function when public officials skirt federal recordkeeping laws to avoid public scrutiny. The public cannot request what is a willful public employee intends to hide from them.
- This is unacceptable.
- And those who would contrive to skirt FOIA must be held accountable.

- And I appreciate the leadership of the Judiciary Committee for stewarding this bipartisan bill through Committee.