

Henry H. Perritt, Jr.

*Electronic Freedom of Information*

50 Admin L. Rev. 391 (1998)

Abstract by Meredyth S. Cooper

The author contends that the Electronic Freedom of Information Act (E-FOIA) Amendments of 1996 employing the use of the Internet will serve as a democratic model for other nations. Expanding individual rights to agency information is integral to the E-FOIA Amendments by enhancing government transparency through wider markets and sources.

The Freedom of Information Act (FOIA) was originally intended to increase public access to information, decrease the cost of accessing agency information, and adopt an information system that could respond and meet needs of evolving markets. The practice of controlling information led to monopolies over public information, often supported by the agencies themselves through exclusive contracts with private parties. The author contends that while the E-FOIA Amendments take significant steps in preventing these monopolies, district court decisions allowing agencies to maintain some monopolies over public information via contracts need to be prevented so that true public access is realized. The author concludes that the preeminent policy on dissemination of public information should utilize a variety of sources and channels for information, creating a more competitive marketplace and reducing the potential for monopolies.