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*The Public Interest Be Damned: Lower Court Treatment of the
Reporters Committee “Central Purpose” Reformulation*

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Abstract by Erika Miller

In this article, Professors Halstuk and Davis examine the reformulation of the “central purpose” test in *Reporters Committee*, in terms of the issues electronic access raise about privacy and access. The Freedom of Information Act (FOIA) was passed to ensure that the government’s activities are open to the scrutiny of the public. What *Reporters Committee* did was create a court-crafted exception to FOIA. Before the decision, FOIA requests could be made for any reason absent a showing of relevancy. Since *Reporters Committee*, lower courts have closely scrutinized public interest assertions and have applied the narrow definition of central purpose, which requires an agency record directly shed light on agency performance. This definition of central purpose affects the access to electronic records significantly, tipping the balance in favor of privacy rather than disclosure. Favoring privacy ignores the legislative intent, which placed a premium on openness and disclosure.