Appendix A

Legislative History of the FOIA

1966 Act


1. Hearings:
   - Senate Committee on the Judiciary, Hearings on S. 1160, May 12, 13, 14, and 21, 1965.
   - House Committee on Government Operations, Hearings on H.R. 5012, March 30 and 31, April 1, 2, and 5, 1956 (and Appendix).

2. Senate Passage—88th Congress:
   - Considered and passed Senate, July 28, 1964, 110 Cong. Rec. 17086.
   - On motion to reconsider, July 31, 1964, 110 Cong. Rec. 17666.

3. Reports on S. 1160—89th Congress:

4. Floor Consideration of S. 1160—89th Congress:
   - Considered and passed Senate, October 13, 1965, 111 Cong. Rec. 26820.
   - Considered and passed House, June 20, 1966, 112 Cong. Rec. 13007.

1974 Amendments


1. Hearings:
   - Senate Committee on the Judiciary, April 10, 11, 12, May 8, 9, 10, 16, June 7, 8, 11, and 26, 1972 (and Appendix).

2. House Reports:

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H. Rep. No. 93-876 accompanying H.R. 12471 (Comm. on Gov’t Op.) and No. 93-1380 (Comm. of Conference).

3. Senate Reports:

S. Rep. No. 93-854 accompanying S. 2543 (Comm. on the Judiciary) and No. 93-1200 (Comm. of Conference).


March 14, considered and passed House.
May 30, considered and passed Senate, amendment in lieu of S. 2543.
October 1, Senate agreed to conference report.
October 7, House agreed to conference report.

5. Weekly Compilation of Presidential Documents, Vol. 10, No. 42:

October 17, vetoed; Presidential message.


November 20, House overrode veto.
November 21, Senate overrode veto.

1976 Amendments

Note: Congress, in passing the “Government in the Sunshine Act,” P.L. 94-409, 94th Cong, 2d Sess. S.5, Sept. 13, 1976, 90 Stat. 1241, amended section 552(b)(3), the FOIA exemption relating to other statutes. The pages cited in the legislative history are those pages related specifically to the amendment of the third exemption to the FOIA.

1. House Reports:

H. Rep. No. 94-880, Part II (Comm. on the Judiciary) pp. 34, 7, 14, 16, 25.
H. Rep. No. 94-1441 (Comm. of Conference).

2. Senate Reports:

S. Rep. No. 94-354, to accompany S. 5 (Comm. on Gov’t Op.), and No. 94-1441 (Comm. of Conference).


July 28, pp. 7867, 7871-73, 7886, 7897-98: considered and passed House.
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Sept. 13, 1976, signed; Presidential statements.

1978 Amendments

Note: Congress, in passing the Civil Service Report Act, P.L. 95-454, 95th Cong. 2d Sess., S. 2640, 91 Stat. 1111, amended subsection 552(a)(4)(F) to substitute reference to "Special Counsel" for references to the "Civil Service Commission.")

1. House Reports:

   H. Rep. No. 95-1403 (Post Office and Civil Service Comm.).
   H. Rep. No. 95-1717 (Conference Comm.).

2. Senate Reports:

   S. Rep. No. 95-969 (Governmental Affairs Comm.).
   S. Rep. No. 95-1272 (Conference Comm.).


1984 Amendments

Note: Congress, in passing legislation that included much of a proposed Federal Courts Civil Priorities Act (H.R. 5645) as passed by the House, P.L. 98-620, Title IV, Subtitle A 98th Cong., 2d Sess., 98 Stat. 3356, struck out subsection 552(a)(4)(D) which provided for expedited docketing and hearing of FOIA cases in precedence over other cases no considered of greater importance.

1. House Report:

   H. Rep. No. 98-985 (Judiciary Comm.)


1986 Amendments

Note: These FOIA amendments were enacted as provisions of the Anti-Drug Abuse Act of 1986, P.L. 99-570, Title I, Subtitle N, Sec. 1801-1804. Because they were adopted initially as Senate floor amendments, there is no mention of them in the numerous committee reports that are cited as part of the legislative history of the public law. The amendments are explained, however, in several floor statements prepared by their individual co-sponsors.

1. Congressional Consideration:

   (All cites are to pages of daily edition of Vol. 132 Congressional Record.)
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S 13648, 13660-61 (Sept. 25, 1986) [Introduction of Senate Bill (S. 2878)].
S 14033 (Sept. 27, 1986) (Leahy Amendment and Statement).
S 14295-300 (Sept. 30, 1986) (Leahy Statement).
S 14277-78 (Sept. 30, 1986) (Senate Technical Amendments).
H 9462-68 (Oct. 8, 1986) (English/Kindness Statements).
H 9497-98 (Oct. 8, 1986) (House Approves Amendments).
S 15956 (Oct. 10 1986) (Senate Amendment to House Amendment).
S 16502 (Oct. 15, 1986) (Senate Approves Amendments/Final Text of the FOIA Changes).
SH 11233-34 (Oct. 17, 1986) (House Amendment to Senate Amendment/Final Text of the FOIA Changes).

1996 Amendments

Note: These FOIA amendments were enacted as provisions of the Electronic Freedom of Information Act Amendments of 1996, P.L.104-231, 110 Stat. 3048, based on separate Senate (S.1090) and House (H.R.3802) bills that were informally reconciled by their primary sponsors without the need of a formal House-Senate conference. The “Findings and Purposes” section which that in the Public Law was not codified as part of the statutory text of the amended FOIA.

1. House Report:

No.104-175 accompanying H.R.3802 (Comm. on Government Reform and Oversight).

2. Senate Report:

No.104-272 accompanying S.1090 (Comm. on the Judiciary).

3. Congressional Record, daily ed.

H 10447-10449 (September 17, 1996) (House passage of H.R.3802).
S 10713-10715 (September 17, 1996) (Senate passage of S.1090, as amended by substitution of H.R.3802).

2002 Amendment


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2007 Amendments

Note: These FOIA amendments were enacted as provisions of the OPEN Government Act of 2007, Pub. L. No. 110-175, § 6, 121 Stat. 2524, based on Senate bill S.2488. The “Findings” section that appears in the Public Law was not codified as part of the statutory text of the amended FOIA.

1. Senate Report:
   No. 110-59 accompanying S.849 (substantively identical bill) (Comm. on the Judiciary).

2. Congressional Records, daily ed.
   S15649-S15650 (December 14, 2007)  (Kyl Statement).
   S15701-15704 (December 14, 2007) (Text and Remarks: S.2488).
   S15701 (December 14, 2007) (Senate passage of S.2488).
   H16788-16790 (December 18, 2007) (Text of S.2488).
   H16790-16792 (December 18, 2007) (Remarks, Suspension of Rules, and House passage of S.2488).
   S15831-S15832 (December 18, 2007) (Leahy Statement).