

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. 1181

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## AN ACT

To ensure an open and deliberate process in Congress by providing that any future legislation to establish a new exemption to section 552 of title 5, United States Code (commonly referred to as the Freedom of Information Act) be stated explicitly within the text of the bill.

1        *Be it enacted by the Senate and House of Representa-*  
2        *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SPECIFIC CITATIONS IN EXEMPTIONS.**

2 Section 552(b) of title 5, United States Code, is  
3 amended by striking paragraph (3) and inserting the fol-  
4 lowing:

5 “(3) specifically exempted from disclosure by  
6 statute (other than section 552b of this title), pro-  
7 vided that such statute—

8 “(A) if enacted after July 1, 2005, specifi-  
9 cally cites to this section; and

10 “(B)(i) requires that the matters be with-  
11 held from the public in such a manner as to  
12 leave no discretion on the issue; or

13 “(ii) establishes particular criteria for  
14 withholding or refers to particular types of mat-  
15 ters to be withheld;”.

Passed the Senate June 24, 2005.

Attest:

*Secretary.*

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