

109TH CONGRESS
1ST SESSION

S. 1181

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.

IN THE SENATE OF THE UNITED STATES

JUNE 7, 2005

Mr. CORNYN (for himself, Mr. LEAHY, Mr. FEINGOLD, and Mr. ALEXANDER) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

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,*

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

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

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

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

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

9 “(ii) establishes particular criteria for
10 withholding or refers to particular types of mat-
11 ters to be withheld;”.