

S 1419

Free Flow of Information Act of 2005

Congress: 109 (2005–2007, Ended)

Chamber: Senate

Policy Area: Law

Introduced: Jul 18, 2005

Current Status: Sponsor introductory remarks on measure. (CR S13148)

Latest Action: Sponsor introductory remarks on measure. (CR S13148) (Nov 17, 2005)

Official Text: <https://www.congress.gov/bill/109th-congress/senate-bill/1419>

Sponsor

Name: Sen. Lugar, Richard G. [R-IN]

Party: Republican • State: IN • Chamber: Senate

Cosponsors (12 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Dodd, Christopher J. [D-CT]	D · CT		Jul 18, 2005
Sen. Jeffords, James M. [I-VT]	I · VT		Jul 18, 2005
Sen. Lautenberg, Frank R. [D-NJ]	D · NJ		Jul 18, 2005
Sen. Nelson, Bill [D-FL]	D · FL		Jul 18, 2005
Sen. Biden, Joseph R., Jr. [D-DE]	D · DE		Jul 20, 2005
Sen. Domenici, Pete V. [R-NM]	R · NM		Jul 20, 2005
Sen. Feingold, Russell D. [D-WI]	D · WI		Jul 20, 2005
Sen. Hagel, Chuck [R-NE]	R · NE		Jul 20, 2005
Sen. Kerry, John F. [D-MA]	D · MA		Jul 26, 2005
Sen. Graham, Lindsey [R-SC]	R · SC		Sep 29, 2005
Sen. Obama, Barack [D-IL]	D · IL		Oct 4, 2005
Sen. Thune, John [R-SD]	R · SD		Feb 1, 2006

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Hearings By (full committee)	Oct 19, 2005

Subjects & Policy Tags

Policy Area:

Law

## Related Bills

Bill	Relationship	Last Action
109 HR 581	Related bill	<b>Mar 14, 2006:</b> Sponsor introductory remarks on measure. (CR H877-878)
109 HR 3323	Identical bill	<b>Mar 14, 2006:</b> Sponsor introductory remarks on measure. (CR H877-878)
109 S 340	Related bill	<b>Feb 9, 2005:</b> Read twice and referred to the Committee on the Judiciary.

## Summary (as of Jul 18, 2005)

Free Flow of Information Act of 2005 - Prohibits a federal entity from compelling a "covered person" (i.e., a newspaper, television broadcast station, wire service, or other media outlet, and specified employees and contractors) to testify or produce any document unless a court determines that: (1) the party seeking to compel has unsuccessfully attempted to obtain such testimony or document from all other non-covered persons; (2) in a criminal matter, there are reasonable grounds to believe a crime has occurred and the testimony or document sought is essential to the investigation, prosecution, or defense of the crime; (3) in a non-criminal matter, the testimony or document is essential to a dispositive issue of substantial importance; and (4) in any matter in which testimony or a document could reveal the source's identity, disclosure is necessary to prevent imminent and actual harm to national security and such harm outweighs the public interest in protecting the free flow of information.

Requires the content of compelled testimony or documents to be limited and narrowly tailored. Exempts certain commercial or financial information.

Makes this Act applicable to testimony or documents that a third party or federal entity seeks from a communications service provider relating to business transactions with a covered person. Sets forth notice requirements. Permits a court to delay notice to a covered person upon determining that such notice would pose a substantial threat to the integrity of a criminal investigation.

## Actions Timeline

- **Nov 17, 2005:** Sponsor introductory remarks on measure. (CR S13148)
- **Oct 19, 2005:** Committee on the Judiciary. Hearings held.
- **Jul 18, 2005:** Introduced in Senate
- **Jul 18, 2005:** Read twice and referred to the Committee on the Judiciary.