

## HR 3323

Free Flow of Information Act of 2005

**Congress:** 109 (2005–2007, Ended)

**Chamber:** House

**Policy Area:** Law

**Introduced:** Jul 18, 2005

**Current Status:** Sponsor introductory remarks on measure. (CR H877-878)

**Latest Action:** Sponsor introductory remarks on measure. (CR H877-878) (Mar 14, 2006)

**Official Text:** <https://www.congress.gov/bill/109th-congress/house-bill/3323>

### Sponsor

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**Name:** Rep. Pence, Mike [R-IN-6]

**Party:** Republican • **State:** IN • **Chamber:** House

**Cosponsors** (71 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Boucher, Rick [D-VA-9]	D · VA		Jul 18, 2005
Rep. Blunt, Roy [R-MO-7]	R · MO		Jul 25, 2005
Rep. Brown, Sherrod [D-OH-13]	D · OH		Jul 25, 2005
Rep. Davis, Jim [D-FL-11]	D · FL		Jul 25, 2005
Rep. Emanuel, Rahm [D-IL-5]	D · IL		Jul 25, 2005
Rep. Holden, Tim [D-PA-17]	D · PA		Jul 25, 2005
Rep. Jackson-Lee, Sheila [D-TX-18]	D · TX		Jul 25, 2005
Rep. Jenkins, William L. [R-TN-1]	R · TN		Jul 25, 2005
Rep. Larsen, Rick [D-WA-2]	D · WA		Jul 25, 2005
Rep. McCarthy, Carolyn [D-NY-4]	D · NY		Jul 25, 2005
Rep. Meehan, Martin T. [D-MA-5]	D · MA		Jul 25, 2005
Rep. Moran, James P. [D-VA-8]	D · VA		Jul 25, 2005
Rep. Owens, Major R. [D-NY-11]	D · NY		Jul 25, 2005
Rep. Ryun, Jim [R-KS-2]	R · KS		Jul 25, 2005
Rep. Walden, Greg [R-OR-2]	R · OR		Jul 25, 2005
Rep. Wamp, Zach [R-TN-3]	R · TN		Jul 25, 2005
Rep. Ackerman, Gary L. [D-NY-5]	D · NY		Jul 26, 2005
Rep. Bishop, Timothy H. [D-NY-1]	D · NY		Jul 26, 2005
Rep. Blumenauer, Earl [D-OR-3]	D · OR		Jul 26, 2005
Rep. Bonner, Jo [R-AL-1]	R · AL		Jul 26, 2005
Rep. Butterfield, G. K. [D-NC-1]	D · NC		Jul 26, 2005
Rep. Crowley, Joseph [D-NY-7]	D · NY		Jul 26, 2005
Rep. Davis, Danny K. [D-IL-7]	D · IL		Jul 26, 2005
Rep. Eshoo, Anna G. [D-CA-14]	D · CA		Jul 26, 2005
Rep. Harman, Jane [D-CA-36]	D · CA		Jul 26, 2005
Rep. Hastings, Alcee L. [D-FL-23]	D · FL		Jul 26, 2005
Rep. Hinchey, Maurice D. [D-NY-22]	D · NY		Jul 26, 2005
Rep. Israel, Steve [D-NY-2]	D · NY		Jul 26, 2005
Rep. Johnson, Eddie Bernice [D-TX-30]	D · TX		Jul 26, 2005
Rep. Larson, John B. [D-CT-1]	D · CT		Jul 26, 2005
Rep. Maloney, Carolyn B. [D-NY-14]	D · NY		Jul 26, 2005
Rep. Murtha, John P. [D-PA-12]	D · PA		Jul 26, 2005
Rep. Pascrell, Bill, Jr. [D-NJ-8]	D · NJ		Jul 26, 2005
Rep. Poe, Ted [R-TX-2]	R · TX		Jul 26, 2005
Rep. Rothman, Steven R. [D-NJ-9]	D · NJ		Jul 26, 2005
Rep. Sánchez, Linda T. [D-CA-39]	D · CA		Jul 26, 2005
Rep. Shays, Christopher [R-CT-4]	R · CT		Jul 26, 2005
Rep. Tauscher, Ellen O. [D-CA-10]	D · CA		Jul 26, 2005
Rep. Wasserman Schultz, Debbie [D-FL-20]	D · FL		Jul 26, 2005
Rep. Watson, Diane E. [D-CA-33]	D · CA		Jul 26, 2005
Rep. Wolf, Frank R. [R-VA-10]	R · VA		Jul 26, 2005

Cosponsor	Party / State	Role	Date Joined
Rep. Woolsey, Lynn C. [D-CA-6]	D · CA		Jul 26, 2005
Rep. Beauprez, Bob [R-CO-7]	R · CO		Jul 28, 2005
Rep. Berkley, Shelley [D-NV-1]	D · NV		Jul 28, 2005
Rep. Lofgren, Zoe [D-CA-16]	D · CA		Jul 28, 2005
Rep. Pallone, Frank, Jr. [D-NJ-6]	D · NJ		Jul 28, 2005
Rep. Upton, Fred [R-MI-6]	R · MI		Jul 28, 2005
Rep. Boren, Dan [D-OK-2]	D · OK		Jul 29, 2005
Rep. DeGette, Diana [D-CO-1]	D · CO		Sep 7, 2005
Rep. Green, Gene [D-TX-29]	D · TX		Sep 7, 2005
Rep. Kennedy, Patrick J. [D-RI-1]	D · RI		Sep 7, 2005
Rep. Lewis, Ron [R-KY-2]	R · KY		Sep 7, 2005
Rep. Moore, Dennis [D-KS-3]	D · KS		Sep 7, 2005
Rep. Pryce, Deborah [R-OH-15]	R · OH		Sep 7, 2005
Rep. Schakowsky, Janice D. [D-IL-9]	D · IL		Sep 7, 2005
Rep. Holt, Rush [D-NJ-12]	D · NJ		Sep 15, 2005
Rep. Thompson, Mike [D-CA-1]	D · CA		Sep 15, 2005
Rep. Andrews, Robert E. [D-NJ-1]	D · NJ		Sep 26, 2005
Rep. Udall, Tom [D-NM-3]	D · NM		Sep 26, 2005
Resident Commissioner Fortuno, Luis G. [R-PR-At Large]	R · PR		Sep 26, 2005
Rep. Gonzalez, Charles A. [D-TX-20]	D · TX		Oct 6, 2005
Rep. Mack, Connie [R-FL-14]	R · FL		Oct 6, 2005
Rep. Ruppersberger, C. A. Dutch [D-MD-2]	D · MD		Oct 6, 2005
Rep. McNulty, Michael R. [D-NY-21]	D · NY		Dec 6, 2005
Rep. Ramstad, Jim [R-MN-3]	R · MN		Dec 6, 2005
Rep. Shaw, E. Clay, Jr. [R-FL-22]	R · FL		Dec 14, 2005
Rep. Herseth, Stephanie [D-SD-At Large]	D · SD		Apr 4, 2006
Rep. Kline, John [R-MN-2]	R · MN		May 9, 2006
Rep. Sweeney, John E. [R-NY-20]	R · NY		May 19, 2006
Rep. Simmons, Rob [R-CT-2]	R · CT		Jun 27, 2006
Rep. DeLauro, Rosa L. [D-CT-3]	D · CT		Jul 27, 2006

### Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Referred To	Jul 18, 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 S 1419	Identical bill	<b>Nov 17, 2005:</b> Sponsor introductory remarks on measure. (CR S13148)
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

- **Mar 14, 2006:** Sponsor introductory remarks on measure. (CR H877-878)
- **Jul 18, 2005:** Introduced in House
- **Jul 18, 2005:** Introduced in House
- **Jul 18, 2005:** Sponsor introductory remarks on measure. (CR H5969)
- **Jul 18, 2005:** Referred to the House Committee on the Judiciary.