To modify the exemption for trade secrets and commercial or financial information in the Freedom of Information Act, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. GRASSLEY (for himself, Mr. LEAHY, Mr. CORNYN, and Mrs. FEINSTEIN) introduced the following bill; which was read twice and referred to the Committee on ______________

A BILL

To modify the exemption for trade secrets and commercial or financial information in the Freedom of Information Act, and for other purposes.

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. SHORT TITLE.

4 This Act may be cited as the “Open and Responsive

5 Government Act of 2019”. 
SEC. 2. AMENDMENTS TO THE FREEDOM OF INFORMATION ACT.

Section 552 of title 5, United States Code (commonly known as the “Freedom of Information Act”) is amended—

(1) in subsection (b)(4), by inserting before the semicolon at the end the following: “, provided that the term ‘confidential’ means information that, if disclosed, would likely cause substantial harm to the competitive position of the person from whom the information was obtained”; and

(2) in subsection (d)—

(A) by striking “This section does not authorize withholding of information” and inserting “This section—

“(1) does not authorize the withholding of information”;

(B) in paragraph (1), as so designated, by striking “. This section is not authority to withhold information from Congress.” and inserting a semicolon; and

(C) by adding at the end the following:

“(2) does not authorize the withholding of a portion of an otherwise responsive record on the basis that the portion is non-responsive; and
“(3) is not authority to withhold information from Congress.”