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 2 **TITLE VII—ETHICAL STANDARDS**

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                  Subtitle F—Severability

Sec. 7501. Severability.

3                   **Subtitle A—Supreme Court Ethics**

4                   **SEC. 7001. CODE OF CONDUCT FOR FEDERAL JUDGES.**

5                   (a) IN GENERAL.—Chapter 57 of title 28, United  
 6 States Code, is amended by adding at the end the fol-  
 7 lowing:

8                   **“§ 964. Code of conduct**

9                   “Not later than one year after the date of the enact-  
 10 ment of this section, the Judicial Conference shall issue  
 11 a code of conduct, which applies to each justice and judge

1 of the United States, except that the code of conduct may  
 2 include provisions that are applicable only to certain cat-  
 3 egories of judges or justices.”.

4 (b) CLERICAL AMENDMENT.—The table of sections  
 5 for chapter 57 of title 28, United States Code, is amended  
 6 by adding after the item related to section 963 the fol-  
 7 lowing:

“964. Code of conduct.”.

8 **Subtitle B—Foreign Agents**  
 9 **Registration**

10 **SEC. 7101. ESTABLISHMENT OF FARA INVESTIGATION AND**  
 11 **ENFORCEMENT UNIT WITHIN DEPARTMENT**  
 12 **OF JUSTICE.**

13 Section 8 of the Foreign Agents Registration Act of  
 14 1938, as amended (22 U.S.C. 618) is amended by adding  
 15 at the end the following new subsection:

16 “(i) DEDICATED ENFORCEMENT UNIT.—

17 “(1) ESTABLISHMENT.—Not later than 180  
 18 days after the date of enactment of this subsection,  
 19 the Attorney General shall establish a unit within  
 20 the counterespionage section of the National Secu-  
 21 rity Division of the Department of Justice with re-  
 22 sponsibility for the enforcement of this Act.

23 “(2) POWERS.—The unit established under this  
 24 subsection is authorized to—

1           “(A) take appropriate legal action against  
2 individuals suspected of violating this Act; and

3           “(B) coordinate any such legal action with  
4 the United States Attorney for the relevant ju-  
5 risdiction.

6           “(3) CONSULTATION.—In operating the unit es-  
7 tablished under this subsection, the Attorney Gen-  
8 eral shall, as appropriate, consult with the Director  
9 of National Intelligence, the Secretary of Homeland  
10 Security, and the Secretary of State.

11           “(4) AUTHORIZATION OF APPROPRIATIONS.—  
12 There are authorized to be appropriated to carry out  
13 the activities of the unit established under this sub-  
14 section \$10,000,000 for fiscal year 2019 and each  
15 succeeding fiscal year.”.

16 **SEC. 7102. AUTHORITY TO IMPOSE CIVIL MONEY PEN-**  
17 **ALTIES.**

18           (a) ESTABLISHING AUTHORITY.—Section 8 of the  
19 Foreign Agents Registration Act of 1938, as amended (22  
20 U.S.C. 618) is amended by inserting after subsection (c)  
21 the following new subsection:

22           “(d) CIVIL MONEY PENALTIES.—

23           “(1) REGISTRATION STATEMENTS.—Whoever  
24 fails to file timely or complete a registration state-  
25 ment as provided under section 2(a) shall be subject

1 to a civil money penalty of not more than \$10,000  
2 per violation.

3 “(2) SUPPLEMENTS.—Whoever fails to file  
4 timely or complete supplements as provided under  
5 section 2(b) shall be subject to a civil money penalty  
6 of not more than \$1,000 per violation.

7 “(3) OTHER VIOLATIONS.—Whoever knowingly  
8 fails to—

9 “(A) remedy a defective filing within 60  
10 days after notice of such defect by the Attorney  
11 General; or

12 “(B) comply with any other provision of  
13 this Act,

14 shall upon proof of such knowing violation by a pre-  
15 ponderance of the evidence, be subject to a civil  
16 money penalty of not more than \$200,000, depend-  
17 ing on the extent and gravity of the violation.

18 “(4) NO FINES PAID BY FOREIGN PRIN-  
19 CIPALS.—A civil money penalty paid under para-  
20 graph (1) may not be paid, directly or indirectly, by  
21 a foreign principal.

22 “(5) USE OF FINES.—All civil money penalties  
23 collected under this subsection shall be used to de-  
24 fray the cost of the enforcement unit established  
25 under subsection (i).”.

1 (b) EFFECTIVE DATE.—The amendment made by  
2 subsection (a) shall take effect on the date of the enact-  
3 ment of this Act.

4 **SEC. 7103. DISCLOSURE OF TRANSACTIONS INVOLVING**  
5 **THINGS OF FINANCIAL VALUE CONFERRED**  
6 **ON OFFICEHOLDERS.**

7 (a) REQUIRING AGENTS TO DISCLOSE KNOWN  
8 TRANSACTIONS.—

9 (1) IN GENERAL.—Section 2(a) of the Foreign  
10 Agents Registration Act of 1938, as amended (22  
11 U.S.C. 612(a)) is amended—

12 (A) by redesignating paragraphs (10) and  
13 (11) as paragraphs (11) and (12); and

14 (B) by inserting after paragraph (9) the  
15 following new paragraph:

16 “(10) To the extent that the registrant has  
17 knowledge of any transaction which occurred in the  
18 preceding 60 days and in which the foreign principal  
19 for whom the registrant is acting as an agent con-  
20 ferred on a Federal or State officeholder any thing  
21 of financial value, including a gift, profit, salary, fa-  
22 vorable regulatory treatment, or any other direct or  
23 indirect economic or financial benefit, a detailed  
24 statement describing each such transaction.”.

1           (2) EFFECTIVE DATE.—The amendments made  
2           by paragraph (1) shall apply with respect to state-  
3           ments filed on or after the expiration of the 90-day  
4           period which begins on the date of the enactment of  
5           this Act.

6           (b) SUPPLEMENTAL DISCLOSURE FOR CURRENT  
7           REGISTRANTS.—Not later than the expiration of the 90-  
8           day period which begins on the date of the enactment of  
9           this Act, each registrant who (prior to the expiration of  
10          such period) filed a registration statement with the Attor-  
11          ney General under section 2(a) of the Foreign Agents Reg-  
12          istration Act of 1938, as amended (22 U.S.C. 612(a)) and  
13          who has knowledge of any transaction described in para-  
14          graph (10) of section 2(a) of such Act (as added by sub-  
15          section (a)(1)) which occurred at any time during which  
16          the registrant was an agent of the foreign principal in-  
17          volved, shall file with the Attorney General a supplement  
18          to such statement under oath, on a form prescribed by  
19          the Attorney General, containing a detailed statement de-  
20          scribing each such transaction.

21       **SEC. 7104. ENSURING ONLINE ACCESS TO REGISTRATION**  
22                               **STATEMENTS.**

23           (a) REQUIRING STATEMENTS FILED BY REG-  
24          ISTRANTS TO BE IN DIGITIZED FORMAT.—Section 2(g)  
25          of the Foreign Agents Registration Act of 1938, as

1 amended (22 U.S.C. 612(g)) is amended by striking “in  
2 electronic form” and inserting “in a digitized format  
3 which will enable the Attorney General to meet the re-  
4 quirements of section 6(d)(1) (relating to public access to  
5 an electronic database of statements and updates)”.

6 (b) REQUIREMENTS FOR ELECTRONIC DATABASE OF  
7 REGISTRATION STATEMENTS AND UPDATES.—Section  
8 6(d)(1) of such Act (22 U.S.C. 616(d)(1)) is amended—

9 (1) in the matter preceding subparagraph (A),  
10 by striking “to the extent technically practicable,”;  
11 and

12 (2) in subparagraph (A), by striking “includes  
13 the information” and inserting “includes in a  
14 digitized format the information”.

15 (c) EFFECTIVE DATE.—The amendments made by  
16 this section shall apply with respect to statements filed  
17 on or after the expiration of the 180-day period which be-  
18 gins on the date of the enactment of this Act.

## 19 **Subtitle C—Lobbying Disclosure** 20 **Reform**

### 21 **SEC. 7201. EXPANDING SCOPE OF INDIVIDUALS AND AC-** 22 **TIVITIES SUBJECT TO REQUIREMENTS OF** 23 **LOBBYING DISCLOSURE ACT OF 1995.**

24 (a) COVERAGE OF INDIVIDUALS PROVIDING COUN-  
25 SELING SERVICES.—

1           (1) TREATMENT OF COUNSELING SERVICES IN  
2 SUPPORT OF LOBBYING CONTACTS AS LOBBYING AC-  
3 TIVITY.—Section 3(7) of such Act (2 U.S.C.  
4 1602(7)) is amended—

5           (A) by striking “efforts” and inserting  
6 “any efforts”; and

7           (B) by striking “research and other back-  
8 ground work” and inserting the following:  
9 “counseling in support of such preparation and  
10 planning activities, research, and other back-  
11 ground work”.

12           (2) TREATMENT OF LOBBYING CONTACT MADE  
13 WITH SUPPORT OF COUNSELING SERVICES AS LOB-  
14 BYING CONTACT MADE BY INDIVIDUAL PROVIDING  
15 SERVICES.—Section 3(8) of such Act (2 U.S.C.  
16 1602(8)) is amended by adding at the end the fol-  
17 lowing new subparagraph:

18           “(C) TREATMENT OF PROVIDERS OF  
19 COUNSELING SERVICES.—Any individual, with  
20 authority to direct or substantially influence a  
21 lobbying contact or contacts made by another  
22 individual, and for financial or other compensa-  
23 tion provides counseling services in support of  
24 preparation and planning activities which are  
25 treated as lobbying activities under paragraph



1 (7) for that other individual’s lobbying contact  
2 or contacts and who has knowledge that the  
3 specific lobbying contact or contacts were made,  
4 shall be considered to have made the same lob-  
5 bying contact at the same time and in the same  
6 manner to the covered executive branch official  
7 or covered legislative branch official involved.”.

8 (b) REDUCTION OF PERCENTAGE EXEMPTION FOR  
9 DETERMINATION OF THRESHOLD OF LOBBYING CON-  
10 TACTS REQUIRED FOR INDIVIDUALS TO REGISTER AS  
11 LOBBYISTS.—Section 3(10) of the Lobbying Disclosure  
12 Act of 1995 (2 U.S.C. 1602(10)) is amended by striking  
13 “less than 20 percent” and inserting “less than 10 per-  
14 cent”.

15 (c) EFFECTIVE DATE.—The amendments made by  
16 this section shall apply with respect to lobbying contacts  
17 made on or after the date of the enactment of this Act.

18 **SEC. 7202. PROHIBITING RECEIPT OF COMPENSATION FOR**  
19 **LOBBYING ACTIVITIES ON BEHALF OF FOR-**  
20 **EIGN COUNTRIES VIOLATING HUMAN**  
21 **RIGHTS.**

22 (a) PROHIBITION.—The Lobbying Disclosure Act of  
23 1995 (2 U.S.C. 1601 et seq.) is amended by inserting  
24 after section 5 the following new section:

1 **“SEC. 5A. PROHIBITING RECEIPT OF COMPENSATION FOR**  
2 **LOBBYING ACTIVITIES ON BEHALF OF FOR-**  
3 **EIGN COUNTRIES VIOLATING HUMAN**  
4 **RIGHTS.**

5       “(a) PROHIBITION.—Notwithstanding any other pro-  
6 vision of this Act, no person may accept financial or other  
7 compensation for lobbying activity under this Act on be-  
8 half of a client who is a government which the President  
9 has determined is a government that engages in gross vio-  
10 lations of human rights.

11       “(b) CLARIFICATION OF TREATMENT OF DIPLO-  
12 MATIC OR CONSULAR OFFICERS.—Nothing in this section  
13 may be construed to affect any activity of a duly accred-  
14 ited diplomatic or consular officer of a foreign government  
15 who is so recognized by the Department of State, while  
16 said officer is engaged in activities which are recognized  
17 by the Department of State as being within the scope of  
18 the functions of such officer.”.

19       (b) EFFECTIVE DATE.—The amendments made by  
20 this section shall apply with respect to lobbying activity  
21 under the Lobbying Disclosure Act of 1995 which occurs  
22 pursuant to contracts entered into on or after the date  
23 of the enactment of this Act.

1 **SEC. 7203. REQUIRING LOBBYISTS TO DISCLOSE STATUS AS**  
2 **LOBBYISTS UPON MAKING ANY LOBBYING**  
3 **CONTACTS.**

4 (a) MANDATORY DISCLOSURE AT TIME OF CON-  
5 TACT.—Section 14 of the Lobbying Disclosure Act of 1995  
6 (2 U.S.C. 1609) is amended—

7 (1) by striking subsections (a) and (b) and in-  
8 serting the following:

9 “(a) REQUIRING IDENTIFICATION AT TIME OF LOB-  
10 BYING CONTACT.—Any person or entity that makes a lob-  
11 bying contact with a covered legislative branch official or  
12 a covered executive branch official shall, at the time of  
13 the lobbying contact—

14 “(1) indicate whether the person or entity is  
15 registered under this chapter and identify the client  
16 on whose behalf the lobbying contact is made; and

17 “(2) indicate whether such client is a foreign  
18 entity and identify any foreign entity required to be  
19 disclosed under section 4(b)(4) that has a direct in-  
20 terest in the outcome of the lobbying activity.”; and

21 (2) by redesignating subsection (c) as sub-  
22 section (b).

23 (b) EFFECTIVE DATE.—The amendment made by  
24 subsection (a) shall apply with respect to lobbying contacts  
25 made on or after the date of the enactment of this Act.

1 **Subtitle D—Recusal of Presidential**  
2 **Appointees**

3 **SEC. 7301. RECUSAL OF APPOINTEES.**

4 Section 208 of title 18, United States Code, is  
5 amended by adding at the end the following:

6 “(e)(1) Any officer or employee appointed by the  
7 President shall recuse himself or herself from any par-  
8 ticular matter involving specific parties in which a party  
9 to that matter is—

10 “(A) the President who appointed the offi-  
11 cer or employee, which shall include any entity  
12 in which the President has a substantial inter-  
13 est; or

14 “(B) the spouse of the President who ap-  
15 pointed the officer or employee, which shall in-  
16 clude any entity in which the spouse of the  
17 President has a substantial interest.

18 “(2)(A) Subject to subparagraph (B), if an offi-  
19 cer or employee is recused under paragraph (1), a  
20 career appointee in the agency of the officer or em-  
21 ployee shall perform the functions and duties of the  
22 officer or employee with respect to the matter.

23 “(B)(i) In this subparagraph, the term  
24 ‘Commission’ means a board, commission, or

1 other agency for which the authority of the  
2 agency is vested in more than 1 member.

3 “(ii) If the recusal of a member of a  
4 Commission from a matter under para-  
5 graph (1) would result in there not being  
6 a statutorily required quorum of members  
7 of the Commission available to participate  
8 in the matter, notwithstanding such stat-  
9 ute or any other provision of law, the  
10 members of the Commission not recused  
11 under paragraph (1) may—

12 “(I) consider the matter without  
13 regard to the quorum requirement  
14 under such statute;

15 “(II) delegate the authorities and  
16 responsibilities of the Commission  
17 with respect to the matter to a sub-  
18 committee of the Commission; or

19 “(III) designate an officer or em-  
20 ployee of the Commission who was not  
21 appointed by the President who ap-  
22 pointed the member of the Commis-  
23 sion recused from the matter to exer-  
24 cise the authorities and duties of the

1                   recused member with respect to the  
2                   matter.

3                   “(3) Any officer or employee who violates para-  
4                   graph (1) shall be subject to the penalties set forth  
5                   in section 216.

6                   “(4) For purposes of this section, the term  
7                   ‘particular matter’ shall have the meaning given the  
8                   term in section 207(i).”.

9                   **Subtitle E—Clearinghouse on**  
10                   **Lobbying Information**

11 **SEC. 7401. ESTABLISHMENT OF CLEARINGHOUSE.**

12                   (a) ESTABLISHMENT.—The Attorney General shall  
13 establish and operate within the Department of Justice  
14 a clearinghouse through which members of the public may  
15 obtain copies (including in electronic form) of registration  
16 statements filed under the Lobbying Disclosure Act of  
17 1995 (2 U.S.C. 1601 et seq.) and the Foreign Agents Reg-  
18 istration Act of 1938, as amended (22 U.S.C. 611 et seq.).

19                   (b) FORMAT.—The Attorney General shall ensure  
20 that the information in the clearinghouse established  
21 under this Act is maintained in a searchable and sortable  
22 format.

23                   (c) AGREEMENTS WITH CLERK OF HOUSE AND SEC-  
24 RETARY OF THE SENATE.—The Attorney General shall  
25 enter into such agreements with the Clerk of the House

1 of Representatives and the Secretary of the Senate as may  
 2 be necessary for the Attorney General to obtain registra-  
 3 tion statements filed with the Clerk and the Secretary  
 4 under the Lobbying Disclosure Act of 1995 for inclusion  
 5 in the clearinghouse.

## 6 **Subtitle F—Severability**

### 7 **SEC. 7501. SEVERABILITY.**

8 If any provision of this title or amendment made by  
 9 this title, or the application of a provision or amendment  
 10 to any person or circumstance, is held to be unconstitu-  
 11 tional, the remainder of this title and amendments made  
 12 by this title, and the application of the provisions and  
 13 amendment to any person or circumstance, shall not be  
 14 affected by the holding.

## 15 **TITLE VIII—ETHICS REFORMS** 16 **FOR THE PRESIDENT, VICE** 17 **PRESIDENT, AND FEDERAL** 18 **OFFICERS AND EMPLOYEES**

### Subtitle A—Executive Branch Conflict of Interest

- Sec. 8001. Short title.
- Sec. 8002. Restrictions on private sector payment for government service.
- Sec. 8003. Requirements relating to slowing the revolving door.
- Sec. 8004. Prohibition of procurement officers accepting employment from gov-  
 ernment contractors.
- Sec. 8005. Revolving door restrictions on employees moving into the private  
 sector.
- Sec. 8006. Guidance on unpaid employees.
- Sec. 8007. Limitation on use of Federal funds and contracting at businesses  
 owned by certain Government officers and employees.

### Subtitle B—Presidential Conflicts of Interest

- Sec. 8011. Short title.

- Sec. 8012. Divestiture of personal financial interests of the President and Vice President that pose a potential conflict of interest.
- Sec. 8013. Initial financial disclosure.
- Sec. 8014. Contracts by the President or Vice President.
- Sec. 8015. Legal Defense Funds.

Subtitle C—White House Ethics Transparency

- Sec. 8021. Short title.
- Sec. 8022. Procedure for waivers and authorizations relating to ethics requirements.

Subtitle D—Executive Branch Ethics Enforcement

- Sec. 8031. Short title.
- Sec. 8032. Reauthorization of the Office of Government Ethics.
- Sec. 8033. Tenure of the Director of the Office of Government Ethics.
- Sec. 8034. Duties of Director of the Office of Government Ethics.
- Sec. 8035. Agency Ethics Officials Training and Duties.
- Sec. 8036. Prohibition on use of funds for certain Federal employee travel in contravention of certain regulations.
- Sec. 8037. Reports on cost of presidential travel.
- Sec. 8038. Reports on Cost of Senior Executive Travel.

Subtitle E—Conflicts From Political Fundraising

- Sec. 8041. Short title.
- Sec. 8042. Disclosure of certain types of contributions.

Subtitle F—Transition Team Ethics

- Sec. 8051. Short title.
- Sec. 8052. Presidential transition ethics programs.

Subtitle G—Ethics Pledge For Senior Executive Branch Employees

- Sec. 8061. Short title.
- Sec. 8062. Ethics pledge requirement for senior executive branch employees.

Subtitle H—Travel on Private Aircraft by Senior Political Appointees

- Sec. 8071. Short title.
- Sec. 8072. Prohibition on use of funds for travel on private aircraft.

Subtitle I—Severability

- Sec. 8081. Severability.

1       **Subtitle A—Executive Branch**  
 2                   **Conflict of Interest**

3   **SEC. 8001. SHORT TITLE.**

4       This subtitle may be cited as the “Executive Branch  
 5   Conflict of Interest Act”.



1 **SEC. 8002. RESTRICTIONS ON PRIVATE SECTOR PAYMENT**  
2 **FOR GOVERNMENT SERVICE.**

3 Section 209 of title 18, United States Code, is  
4 amended—

5 (1) in subsection (a),

6 (A) by striking “any salary” and inserting  
7 “any salary (including a bonus)”; and

8 (B) by striking “as compensation for his  
9 services” and inserting “at any time, as com-  
10 pensation for serving”; and

11 (2) in subsection (b)—

12 (A) by inserting “(1)” after “(b)”; and

13 (B) by adding at the end the following:

14 “(2) For purposes of paragraph (1), a pension,  
15 retirement, group life, health or accident insurance,  
16 profit-sharing, stock bonus, or other employee wel-  
17 fare or benefit plan that makes payment of any por-  
18 tion of compensation contingent on accepting a posi-  
19 tion in the United States Government shall not be  
20 considered bona fide.”.

21 **SEC. 8003. REQUIREMENTS RELATING TO SLOWING THE RE-**  
22 **VOLVING DOOR.**

23 (a) IN GENERAL.—The Ethics in Government Act of  
24 1978 (5 U.S.C. App.) is amended by adding at the end  
25 the following:

1 **“TITLE VI—ENHANCED RE-**  
2 **QUIREMENTS FOR CERTAIN**  
3 **EMPLOYEES**

4 **“§ 601. Definitions**

5 “In this title:

6 “(1) COVERED AGENCY.—The term ‘covered  
7 agency’—

8 “(A) means an Executive agency, as de-  
9 fined in section 105 of title 5, United States  
10 Code, the Postal Service and the Postal Rate  
11 Commission, but does not include the Govern-  
12 ment Accountability Office or the Government  
13 of the District of Columbia; and

14 “(B) shall include the Executive Office of  
15 the President.

16 “(2) COVERED EMPLOYEE.—The term ‘covered  
17 employee’ means an officer or employee referred to  
18 in paragraph (2) of section 207(c) or paragraph (1)  
19 of section 207(d) of title 18, United States Code.

20 “(3) DIRECTOR.—The term ‘Director’ means  
21 the Director of the Office of Government Ethics.

22 “(4) EXECUTIVE BRANCH.—The term ‘execu-  
23 tive branch’ has the meaning given that term in sec-  
24 tion 109.

1           “(5) FORMER CLIENT.—The term ‘former cli-  
2           ent’—

3           “(A) means a person for whom a covered  
4           employee served personally as an agent, attor-  
5           ney, or consultant during the 2-year period end-  
6           ing on the date before the date on which the  
7           covered employee begins service in the Federal  
8           Government; and

9           “(B) does not include any agency or in-  
10          strumentality of the Federal Government.

11          “(6) FORMER EMPLOYER.—The term ‘former  
12          employer’—

13          “(A) means a person for whom a covered  
14          employee served as an employee, officer, direc-  
15          tor, trustee, agent, attorney, consultant, or con-  
16          tractor during the 2 year period ending on the  
17          date before the date on which the covered em-  
18          ployee begins service in the Federal Govern-  
19          ment; and

20          “(B) does not include—

21                  “(i) an entity in the Federal Govern-  
22                  ment, including an executive branch agen-  
23                  cy;

24                  “(ii) a State or local government;

25                  “(iii) the District of Columbia;

1                   “(iv) an Indian tribe, as defined in  
2                   section 4 of the Indian Self-Determination  
3                   and Education Assistance Act (25 U.S.C.  
4                   5304); or

5                   “(v) the government of a territory or  
6                   possession of the United States.

7                   “(7) PARTICULAR MATTER.—The term ‘par-  
8                   ticular matter’ has the meaning given that term in  
9                   section 207(i) of title 18, United States Code.

10 **“§ 602. Conflict of interest and eligibility standards**

11                   “(a) IN GENERAL.—A covered employee may not  
12                   participate personally and substantially in a particular  
13                   matter in which the covered employee knows or reasonably  
14                   should have known that a former employer or former cli-  
15                   ent of the covered employee has a financial interest.

16                   “(b) WAIVER.—

17                   “(1) IN GENERAL.—

18                   “(A) AGENCY HEADS.—With respect to the  
19                   head of a covered agency who is a covered em-  
20                   ployee, the Designated Agency Ethics Official  
21                   for the Executive Office of the President, in  
22                   consultation with the Director, may grant a  
23                   written waiver of the restrictions under sub-  
24                   section (a) before the head engages in the ac-  
25                   tion otherwise prohibited by such subsection if

1 the Designated Agency Ethics Official for the  
2 Executive Office of the President determines  
3 and certifies in writing that, in light of all the  
4 relevant circumstances, the interest of the Fed-  
5 eral Government in the head's participation  
6 outweighs the concern that a reasonable person  
7 may question the integrity of the agency's pro-  
8 grams or operations.

9 “(B) OTHER COVERED EMPLOYEES.—With  
10 respect to any covered employee not covered by  
11 subparagraph (A), the head of the covered  
12 agency employing the covered employee, in con-  
13 sultation with the Director, may grant a written  
14 waiver of the restrictions under subsection (a)  
15 before the covered employee engages in the ac-  
16 tion otherwise prohibited by such subsection if  
17 the head of the covered agency determines and  
18 certifies in writing that, in light of all the rel-  
19 evant circumstances, the interest of the Federal  
20 Government in the covered employee's partici-  
21 pation outweighs the concern that a reasonable  
22 person may question the integrity of the agen-  
23 cy's programs or operations.

1           “(2) PUBLICATION.—For any waiver granted  
2 under paragraph (1), the individual who granted the  
3 waiver shall—

4           “(A) provide a copy of the waiver to the  
5 Director not less than 48 hours after the waiver  
6 is granted; and

7           “(B) publish the waiver on the website of  
8 the applicable agency within 30 calendar days  
9 after granting such waiver.

10          “(3) REVIEW.—Upon receiving a written waiver  
11 under paragraph (1)(A), the Director shall—

12          “(A) review the waiver to determine wheth-  
13 er the Director has any objection to the  
14 issuance of the waiver; and

15          “(B) if the Director so objects—

16               “(i) provide reasons for the objection  
17 in writing to the head of the agency who  
18 granted the waiver not less than 15 cal-  
19 endar days after the waiver was granted;  
20 and

21               “(ii) publish the written objection on  
22 the website of the Office of Government  
23 Ethics not less than 30 calendar days after  
24 the waiver was granted.

1 **“§ 603. Penalties and injunctions**

2 “(a) CRIMINAL PENALTIES.—

3 “(1) IN GENERAL.—Any person who violates  
4 section 602 shall be fined under title 18, United  
5 States Code, imprisoned for not more than 1 year,  
6 or both.

7 “(2) WILLFUL VIOLATIONS.—Any person who  
8 willfully violates section 602 shall be fined under  
9 title 18, United States Code, imprisoned for not  
10 more than 5 years, or both.

11 “(b) CIVIL ENFORCEMENT.—

12 “(1) IN GENERAL.—The Attorney General may  
13 bring a civil action in an appropriate district court  
14 of the United States against any person who vio-  
15 lates, or whom the Attorney General has reason to  
16 believe is engaging in conduct that violates, section  
17 602.

18 “(2) CIVIL PENALTY.—

19 “(A) IN GENERAL.—If the court finds by  
20 a preponderance of the evidence that a person  
21 violated section 602, the court shall impose a  
22 civil penalty of not more than the greater of—

23 “(i) \$100,000 for each violation; or

24 “(ii) the amount of compensation the  
25 person received or was offered for the con-  
26 duct constituting the violation.

1           “(B) RULE OF CONSTRUCTION.—A civil  
2 penalty under this subsection may be in addi-  
3 tion to any other criminal or civil statutory,  
4 common law, or administrative remedy available  
5 to the United States or any other person.

6           “(3) INJUNCTIVE RELIEF.—

7           “(A) IN GENERAL.—In a civil action  
8 brought under paragraph (1) against a person,  
9 the Attorney General may petition the court for  
10 an order prohibiting the person from engaging  
11 in conduct that violates section 602.

12           “(B) STANDARD.—The court may issue an  
13 order under subparagraph (A) if the court finds  
14 by a preponderance of the evidence that the  
15 conduct of the person violates section 602.

16           “(C) RULE OF CONSTRUCTION.—The filing  
17 of a petition seeking injunctive relief under this  
18 paragraph shall not preclude any other remedy  
19 that is available by law to the United States or  
20 any other person.”.

21 **SEC. 8004. PROHIBITION OF PROCUREMENT OFFICERS AC-**  
22 **CEPTING EMPLOYMENT FROM GOVERNMENT**  
23 **CONTRACTORS.**

24           (a) EXPANSION OF PROHIBITION ON ACCEPTANCE  
25 BY FORMER OFFICIALS OF COMPENSATION FROM CON-



1 TRACTORS.—Section 2104 of title 41, United States Code,  
2 is amended—

3 (1) in subsection (a)—

4 (A) in the matter preceding paragraph  
5 (1)—

6 (i) by striking “or consultant” and in-  
7 serting “attorney, consultant, subcon-  
8 tractor, or lobbyist”; and

9 (ii) by striking “one year” and insert-  
10 ing “2 years”; and

11 (B) in paragraph (3), by striking “person-  
12 ally made for the Federal agency” and inserting  
13 “participated personally and substantially in”;  
14 and

15 (2) by striking subsection (b) and inserting the  
16 following:

17 “(b) PROHIBITION ON COMPENSATION FROM AFFILI-  
18 ATES AND SUBCONTRACTORS.—A former official respon-  
19 sible for a Government contract referred to in paragraph  
20 (1), (2), or (3) of subsection (a) may not accept compensa-  
21 tion for 2 years after awarding the contract from any divi-  
22 sion, affiliate, or subcontractor of the contractor.”.

23 (b) REQUIREMENT FOR PROCUREMENT OFFICERS TO  
24 DISCLOSE JOB OFFERS MADE ON BEHALF OF REL-  
25 ATIVES.—Section 2103(a) of title 41, United States Code,

1 is amended in the matter preceding paragraph (1) by in-  
 2 serting after “that official” the following: “, or for a rel-  
 3 ative (as defined in section 3110 of title 5) of that offi-  
 4 cial.”.

5 (c) REQUIREMENT ON AWARD OF GOVERNMENT  
 6 CONTRACTS TO FORMER EMPLOYERS.—

7 (1) IN GENERAL.—Chapter 21 of division B of  
 8 subtitle I of title 41, United States Code, is amend-  
 9 ed by adding at the end the following new section:

10 **“§ 2108. Prohibition on involvement by certain**  
 11 **former contractor employees in procure-**  
 12 **ments**

13 “An employee of the Federal Government may not  
 14 participate personally and substantially in any award of  
 15 a contract to, or the administration of a contract awarded  
 16 to, a contractor that is a former employer of the employee  
 17 during the 2-year period beginning on the date on which  
 18 the employee leaves the employment of the contractor.”.

19 (2) TECHNICAL AND CONFORMING AMEND-  
 20 MENT.—The table of sections for chapter 21 of title  
 21 41, United States Code, is amended by adding at  
 22 the end the following new item:

“2108. Prohibition on involvement by certain former contractor employees  
 in procurements.”.

23 (d) REGULATIONS.—The Director of the Office of  
 24 Government Ethics, in consultation with the Adminis-

1   trator of General Services, shall promulgate regulations to  
2   carry out and ensure the enforcement of chapter 21 of  
3   title 41, United States Code, as amended by this section.

4       (e) MONITORING AND COMPLIANCE.—The Adminis-  
5   trator of General Services, in consultation with designated  
6   agency ethics officials (as that term is defined in section  
7   109(3) of the Ethics in Government Act of 1978 (5 U.S.C.  
8   App.)), shall monitor compliance with such chapter 21 by  
9   individuals and agencies.

10 **SEC. 8005. REVOLVING DOOR RESTRICTIONS ON EMPLOY-**  
11 **EES MOVING INTO THE PRIVATE SECTOR.**

12       (a) IN GENERAL.—Subsection (c) of section 207 of  
13   title 18, United States Code, is amended—

14           (1) in the subsection heading, by striking  
15       “ONE-YEAR” and inserting “TWO-YEAR”;

16           (2) in paragraph (1)—

17               (A) by striking “1 year” in each instance  
18               and inserting “2 years”; and

19               (B) by inserting “, or conducts any lob-  
20               bying activity to facilitate any communication  
21               to or appearance before,” after “any commu-  
22               nication to or appearance before”; and

23           (3) in paragraph (2)(B), by striking “1-year”  
24       and inserting “2-year”.

1 (b) APPLICATION.—The amendments made by sub-  
2 section (a) shall apply to any individual covered by sub-  
3 section (c) of section 207 of title 18, United States Code,  
4 separating from the civil service on or after the date of  
5 enactment of this Act.

6 **SEC. 8006. GUIDANCE ON UNPAID EMPLOYEES.**

7 (a) IN GENERAL.—Not later than 120 days after the  
8 date of enactment of this Act, the Director of the Office  
9 of Government Ethics shall issue guidance on ethical  
10 standards applicable to unpaid employees of an agency.

11 (b) DEFINITIONS.—In this section—

12 (1) the term “agency” includes the Executive  
13 Office of the President and the White House; and

14 (2) the term “unpaid employee” includes any  
15 individual occupying a position at an agency and  
16 who is unpaid by operation of section 3110 of title  
17 5, United States Code, or any other provision of law,  
18 but does not include any employee who is unpaid  
19 due to a lapse in appropriations.

20 **SEC. 8007. LIMITATION ON USE OF FEDERAL FUNDS AND**  
21 **CONTRACTING AT BUSINESSES OWNED BY**  
22 **CERTAIN GOVERNMENT OFFICERS AND EM-**  
23 **PLOYEES.**

24 (a) LIMITATION ON FEDERAL FUNDS.—Beginning in  
25 fiscal year 2020 and in each fiscal year thereafter, no Fed-

1 eral funds may be obligated or expended for purposes of  
2 procuring goods or services at any business owned or con-  
3 trolled by a covered individual or any family member of  
4 such an individual, unless such obligation or expenditure  
5 of funds is necessary for the security of a covered indi-  
6 vidual or family member.

7 (b) PROHIBITION ON CONTRACTS.—No federal agen-  
8 cy may enter into a contract with a business owned or  
9 controlled by a covered individual or any family member  
10 of such an individual.

11 (c) DETERMINATION OF OWNERSHIP.—For purposes  
12 of this section, a business shall be deemed to be owned  
13 or controlled by a covered individual or any family member  
14 of such an individual if the covered individual or member  
15 of family (as the case may be)—

16 (1) is a member of the board of directors or  
17 similar governing body of the business; or

18 (2) directly or indirectly owns or controls 51  
19 percent or more of the voting shares of the business.

20 (d) DEFINITIONS.—In this section:

21 (1) COVERED INDIVIDUAL.—The term “covered  
22 individual” means—

23 (A) the President;

24 (B) the Vice President;

1           (C) the head of any Executive department  
2           (as that term is defined in section 101 of title  
3           5, United States Code); and

4           (D) any individual occupying a position  
5           designated by the President as a Cabinet-level  
6           position.

7           (2) FAMILY MEMBER.—The term “family mem-  
8           ber” means an individual with any of the following  
9           relationships to a covered individual:

10           (A) Spouse, and parents thereof.

11           (B) Sons and daughters, and spouses  
12           thereof.

13           (C) Parents, and spouses thereof.

14           (D) Brothers and sisters, and spouses  
15           thereof.

16           (E) Grandparents and grandchildren, and  
17           spouses thereof.

18           (F) Domestic partner and parents thereof,  
19           including domestic partners of any individual in  
20           paragraphs (2) through (5).

21           (3) FEDERAL AGENCY.—The term “federal  
22           agency” has the meaning given that term in section  
23           102 of title 40, United States Code.

1     **Subtitle B—Presidential Conflicts**  
2                                     **of Interest**

3     **SEC. 8011. SHORT TITLE.**

4             This subtitle may be cited as the “Presidential Con-  
5     flicts of Interest Act of 2019”.

6     **SEC. 8012. DIVESTITURE OF PERSONAL FINANCIAL INTER-**  
7                                     **ESTS OF THE PRESIDENT AND VICE PRESI-**  
8                                     **DENT THAT POSE A POTENTIAL CONFLICT OF**  
9                                     **INTEREST.**

10            (a) IN GENERAL.—The Ethics in Government Act of  
11     1978 (5 U.S.C. App.) is amended by adding after title  
12     VI (as added by section 8003) the following:

13     **“TITLE VII—DIVESTITURE OF FI-**  
14                                     **NANCIAL CONFLICTS OF IN-**  
15                                     **TERESTS OF THE PRESIDENT**  
16                                     **AND VICE PRESIDENT**

17     **“§ 701. Divestiture of financial interests posing a con-**  
18                                     **flict of interest**

19            “(a) APPLICABILITY TO THE PRESIDENT AND VICE-  
20     PRESIDENT.—The President and Vice-President shall,  
21     within 30 days of assuming office, divest of all financial  
22     interests that pose a conflict of interest because the Presi-  
23     dent or Vice President, the spouse, dependent child, or  
24     general partner of the President or Vice President, or any  
25     person or organization with whom the President or Vice

1 President is negotiating or has any arrangement con-  
2 cerning prospective employment, has a financial interest,  
3 by—

4 “(1) converting each such interest to cash or  
5 other investment that meets the criteria established  
6 by the Director of the Office of Government Ethics  
7 through regulation as being an interest so remote or  
8 inconsequential as not to pose a conflict; or

9 “(2) placing each such interest in a qualified  
10 blind trust as defined in section 102(f)(3) or a diver-  
11 sified trust under section 102(f)(4)(B).

12 “(b) DISCLOSURE EXEMPTION.—Subsection (a) shall  
13 not apply if the President or Vice President complies with  
14 section 102.”.

15 (b) ADDITIONAL DISCLOSURES.—Section 102(a) of  
16 the Ethics in Government Act of 1978 (5 U.S.C. App.)  
17 is amended by adding at the end the following:

18 “(9) With respect to any such report filed by  
19 the President or Vice President, for any corporation,  
20 company, firm, partnership, or other business enter-  
21 prise in which the President, Vice President, or the  
22 spouse or dependent child of the President or Vice  
23 President, has a significant financial interest—

24 “(A) the name of each other person who  
25 holds a significant financial interest in the firm,



1 partnership, association, corporation, or other  
2 entity;

3 “(B) the value, identity, and category of  
4 each liability in excess of \$10,000; and

5 “(C) a description of the nature and value  
6 of any assets with a value of \$10,000 or  
7 more.”.

8 (c) REGULATIONS.—Not later than 120 days after  
9 the date of enactment of this Act, the Director of the Of-  
10 fice of Government Ethics shall promulgate regulations to  
11 define the criteria required by section 701(a)(1) of the  
12 Ethics in Government Act of 1978 (as added subsection  
13 (a)) and the term “significant financial interest” for pur-  
14 poses of section 102(a)(9) of the Ethics in Government  
15 Act (as added by subsection (b)).

16 **SEC. 8013. INITIAL FINANCIAL DISCLOSURE.**

17 Subsection (a) of section 101 of the Ethics in Govern-  
18 ment Act of 1978 (5 U.S.C. App.) is amended by striking  
19 “position” and adding at the end the following: “position,  
20 with the exception of the President and Vice President,  
21 who must file a new report.”.

22 **SEC. 8014. CONTRACTS BY THE PRESIDENT OR VICE PRESI-**  
23 **DENT.**

24 (a) AMENDMENT.—Section 431 of title 18, United  
25 States Code, is amended—

1 (1) in the section heading, by inserting “**the**  
2 **President, Vice President, Cabinet Mem-**  
3 **ber, or a**” after “**Contracts by**”; and

4 (2) in the first undesignated paragraph, by in-  
5 sserting “the President, Vice President, or any Cabi-  
6 net member” after “Whoever, being”.

7 (b) TABLE OF SECTIONS AMENDMENT.—The table of  
8 sections for chapter 23 of title 18, United States Code,  
9 is amended by striking the item relating to section 431  
10 and inserting the following:

“431. Contracts by the President, Vice President, or a Member of Congress.”.

11 **SEC. 8015. LEGAL DEFENSE FUNDS.**

12 (a) DEFINITIONS.—In this section—

13 (1) the term “Director” means the Director of  
14 the Office of Government Ethics;

15 (2) the term “legal defense fund” means a  
16 trust—

17 (A) that has only one beneficiary;

18 (B) that is subject to a trust agreement  
19 creating an enforceable fiduciary duty on the  
20 part of the trustee to the beneficiary, pursuant  
21 to the applicable law of the jurisdiction in which  
22 the trust is established;

23 (C) that is subject to a trust agreement  
24 that provides for the mandatory public disclo-  
25 sure of all donations and disbursements;

1 (D) that is subject to a trust agreement  
2 that prohibits the use of its resources for any  
3 purpose other than—

4 (i) the administration of the trust;

5 (ii) the payment or reimbursement of  
6 legal fees or expenses incurred in investiga-  
7 tive, civil, criminal, or other legal pro-  
8 ceedings relating to or arising by virtue of  
9 service by the trust's beneficiary as an offi-  
10 cer or employee, as defined in this section,  
11 or as an employee, contractor, consultant  
12 or volunteer of the campaign of the Presi-  
13 dent or Vice President; or

14 (iii) the distribution of unused re-  
15 sources to a charity selected by the trustee  
16 that has not been selected or recommended  
17 by the beneficiary of the trust;

18 (E) that is subject to a trust agreement  
19 that prohibits the use of its resources for any  
20 other purpose or personal legal matters, includ-  
21 ing tax planning, personal injury litigation, pro-  
22 tection of property rights, divorces, or estate  
23 probate; and

24 (F) that is subject to a trust agreement  
25 that prohibits the acceptance of donations, ex-

1           cept in accordance with this section and the  
2           regulations of the Office of Government Ethics;

3           (3) the term “lobbying activity” has the mean-  
4           ing given that term in section 3 of the Lobbying  
5           Disclosure Act of 1995 (2 U.S.C. 1602);

6           (4) the term “officer or employee” means—

7                   (A) an officer (as that term is defined in  
8                   section 2104 of title 5, United States Code) or  
9                   employee (as that term is defined in section  
10                  2105 of such title) of the executive branch of  
11                  the Government;

12                   (B) the Vice President; and

13                   (C) the President; and

14           (5) the term “relative” has the meaning given  
15           that term in section 3110 of title 5, United States  
16           Code.

17           (b) **LEGAL DEFENSE FUNDS.**—An officer or em-  
18           ployee may not accept or use any gift or donation for the  
19           payment or reimbursement of legal fees or expenses in-  
20           curred in investigative, civil, criminal, or other legal pro-  
21           ceedings relating to or arising by virtue of the officer or  
22           employee’s service as an officer or employee, as defined  
23           in this section, or as an employee, contractor, consultant  
24           or volunteer of the campaign of the President or Vice

1 President except through a legal defense fund that is cer-  
2 tified by the Director of the Office of Government Ethics.

3 (c) LIMITS ON GIFTS AND DONATIONS.—Not later  
4 than 120 days after the date of the enactment of this Act,  
5 the Director shall promulgate regulations establishing lim-  
6 its with respect to gifts and donations described in sub-  
7 section (b), which shall, at a minimum—

8 (1) prohibit the receipt of any gift or donation  
9 described in subsection (b)—

10 (A) from a single contributor (other than  
11 a relative of the officer or employee) in a total  
12 amount of more than \$5,000 during any cal-  
13 endar year;

14 (B) from a registered lobbyist;

15 (C) from a foreign government or an agent  
16 of a foreign principal;

17 (D) from a State government or an agent  
18 of a State government;

19 (E) from any person seeking official action  
20 from, or seeking to do or doing business with,  
21 the agency employing the officer or employee;

22 (F) from any person conducting activities  
23 regulated by the agency employing the officer  
24 or employee;

1 (G) from any person whose interests may  
2 be substantially affected by the performance or  
3 nonperformance of the official duties of the offi-  
4 cer or employee;

5 (H) from an officer or employee of the ex-  
6 ecutive branch;

7 (I) from any organization a majority of  
8 whose members are described in (A)–(H); or

9 (J) require that a legal defense fund, in  
10 order to be certified by the Director only permit  
11 distributions to the officer or employee.

12 (d) WRITTEN NOTICE.—

13 (1) IN GENERAL.—An officer or employee who  
14 wishes to accept funds or have a representative ac-  
15 cept funds from a legal defense fund shall first en-  
16 sure that the proposed trustee of the legal defense  
17 fund submits to the Director the following informa-  
18 tion:

19 (A) The name and contact information for  
20 any proposed trustee of the legal defense fund.

21 (B) A copy of any proposed trust docu-  
22 ment for the legal defense fund.

23 (C) The nature of the legal proceeding (or  
24 proceedings), investigation or other matter

1           which give rise to the establishment of the legal  
2           defense fund.

3                   (D) An acknowledgment signed by the offi-  
4           cer or employee and the trustee indicating that  
5           they will be bound by the regulations and limi-  
6           tation under this section.

7           (2) APPROVAL.—An officer or employee may  
8           not accept any gift or donation to pay, or to reim-  
9           burse any person for, fees or expenses described in  
10          subsection (b) of this section except through a legal  
11          defense fund that has been certified in writing by  
12          the Director following that office’s receipt and ap-  
13          proval of the information submitted under para-  
14          graph (1) and approval of the structure of the fund.

15          (e) REPORTING.—

16                   (1) IN GENERAL.—An officer or employee who  
17          establishes a legal defense fund may not directly or  
18          indirectly accept distributions from a legal defense  
19          fund unless the fund has provided the Director a  
20          quarterly report for each quarter of every calendar  
21          year since the establishment of the legal defense  
22          fund that discloses, with respect to the quarter cov-  
23          ered by the report—

24                           (A) the source and amount of each con-  
25                           tribution to the legal defense fund; and

1 (B) the amount, recipient, and purpose of  
2 each expenditure from the legal defense fund,  
3 including all distributions from the trust for  
4 any purpose.

5 (2) PUBLIC AVAILABILITY.—The Director shall  
6 make publicly available online—

7 (A) each report submitted under para-  
8 graph (1) in a searchable, sortable, and  
9 downloadable form;

10 (B) each trust agreement and any amend-  
11 ment thereto;

12 (C) the written notice and acknowledgment  
13 required by subsection (d); and

14 (D) the Director’s written certification of  
15 the legal defense fund.

16 (f) RECUSAL.—An officer or employee, other than the  
17 President and the Vice President, who is the beneficiary  
18 of a legal defense fund may not participate personally and  
19 substantially in any particular matter in which the officer  
20 or employee knows a donor of any source of a gift or dona-  
21 tion to the legal defense fund established for the officer  
22 or employee has a financial interest, for a period of two  
23 years from the date of the most recent gift or donation  
24 to the legal defense fund.



1       **Subtitle C—White House Ethics**  
2                               **Transparency**

3       **SEC. 8021. SHORT TITLE.**

4               This subtitle may be cited as the “White House Eth-  
5 ics Transparency Act of 2019”.

6       **SEC. 8022. PROCEDURE FOR WAIVERS AND AUTHORIZA-**  
7                               **TIONS RELATING TO ETHICS REQUIREMENTS.**

8               (a) **IN GENERAL.**—Notwithstanding any other provi-  
9 sion of law, not later than 30 days after an officer or em-  
10 ployee issues or approves a waiver or authorization pursu-  
11 ant to section 3 of Executive Order No. 13770 (82 6 Fed.  
12 Reg. 9333), or any subsequent similar order, such officer  
13 or employee shall—

14                       (1) transmit a written copy of such waiver or  
15 authorization to the Director of the Office of Gov-  
16 ernment Ethics; and

17                       (2) make a written copy of such waiver or au-  
18 thorization available to the public on the website of  
19 the employing agency of the covered employee.

20               (b) **RETROACTIVE APPLICATION.**—In the case of a  
21 waiver or authorization described in subsection (a) issued  
22 during the period beginning on January 20, 2017, and  
23 ending on the date of enactment of this Act, the issuing  
24 officer or employee of such waiver or authorization shall  
25 comply with the requirements of paragraphs (1) and (2)

1 of such subsection not later than 30 days after the date  
2 of enactment of this Act.

3 (c) OFFICE OF GOVERNMENT ETHICS PUBLIC AVAIL-  
4 ABILITY.—Not later than 30 days after receiving a written  
5 copy of a waiver or authorization under subsection (a)(1),  
6 the Director of the Office of Government Ethics shall  
7 make such waiver or authorization available to the public  
8 on the website of the Office of Government Ethics.

9 (d) REPORT TO CONGRESS.—Not later than 45 days  
10 after the date of enactment of this Act, the Director of  
11 the Office of Government Ethics shall submit a report to  
12 Congress on the impact of the application of subsection  
13 (b), including the name of any individual who received a  
14 waiver or authorization described in subsection (a) and  
15 who, by operation of subsection (b), submitted the infor-  
16 mation required by such subsection.

17 (e) DEFINITION OF COVERED EMPLOYEE.—In this  
18 section, the term “covered employee”—

19 (1) means a non-career Presidential or Vice  
20 Presidential appointee, non-career appointee in the  
21 Senior Executive Service (or other SES-type sys-  
22 tem), or an appointee to a position that has been ex-  
23 cepted from the competitive service by reason of  
24 being of a confidential or policymaking character

1 (Schedule C and other positions excepted under com-  
2 parable criteria) in an executive agency; and

3 (2) does not include any individual appointed as  
4 a member of the Senior Foreign Service or solely as  
5 a uniformed service commissioned officer.

6 **Subtitle D—Executive Branch**  
7 **Ethics Enforcement**

8 **SEC. 8031. SHORT TITLE.**

9 This subtitle may be cited as the “Executive Branch  
10 Comprehensive Ethics Enforcement Act of 2019”.

11 **SEC. 8032. REAUTHORIZATION OF THE OFFICE OF GOVERN-**  
12 **MENT ETHICS.**

13 Section 405 of the Ethics in Government Act of 1978  
14 (5 U.S.C. App.) is amended by striking “fiscal year 2007”  
15 and inserting “fiscal years 2019 through 2023.”.

16 **SEC. 8033. TENURE OF THE DIRECTOR OF THE OFFICE OF**  
17 **GOVERNMENT ETHICS.**

18 Section 401(b) of the Ethics in Government Act of  
19 1978 (5 U.S.C. App.) is amended by striking the period  
20 at the end and inserting “, subject to removal only for  
21 inefficiency, neglect of duty, or malfeasance in office. The  
22 Director may continue to serve beyond the expiration of  
23 the term until a successor is appointed and has qualified,  
24 except that the Director may not continue to serve for

1 more than one year after the date on which the term would  
2 otherwise expire under this subsection.”.

3 **SEC. 8034. DUTIES OF DIRECTOR OF THE OFFICE OF GOV-**  
4 **ERNMENT ETHICS.**

5 (a) IN GENERAL.—Section 402(a) of the Ethics in  
6 Government Act of 1978 (5 U.S.C. App.) is amended in  
7 paragraph (1) by striking “, in consultation with the Of-  
8 fice of Personnel Management,”.

9 (b) RESPONSIBILITIES OF THE DIRECTOR.—Section  
10 402(b) of the Ethics in Government Act of 1978 (5 U.S.C.  
11 App.) is amended—

12 (1) in paragraph (1)—

13 (A) by striking “developing, in consultation  
14 with the Attorney General and the Office of  
15 Personnel Management, rules and regulations  
16 to be promulgated by the President or the Di-  
17 rector” and inserting “developing and promul-  
18 gating rules and regulations”; and

19 (B) by striking “title II” and inserting  
20 “title I”;

21 (2) by striking paragraph (2) and inserting the  
22 following:

23 “(2) providing mandatory education and train-  
24 ing programs for designated agency ethics officials,  
25 which may be delegated to each agency or the White

1 House Counsel as deemed appropriate by the Direc-  
2 tor;”;

3 (3) in paragraph (3), by striking “title II” and  
4 inserting “title I”;

5 (4) in paragraph (4), by striking “problems”  
6 and inserting “issues”;

7 (5) in paragraph (6)—

8 (A) by striking “issued by the President or  
9 the Director”; and

10 (B) by striking “problems” and inserting  
11 “issues”;

12 (6) in paragraph (7)—

13 (A) by striking “, when requested,”; and

14 (B) by striking “conflict of interest prob-  
15 lems” and inserting “conflicts of interest, as  
16 well as other ethics issues”;

17 (7) in paragraph (9)—

18 (A) by striking “ordering” and inserting  
19 “receiving allegations of violations of this Act or  
20 regulations of the Office of Government Ethics  
21 and, when necessary, investigating an allegation  
22 to determine whether a violation occurred, and  
23 ordering”; and

1 (B) by inserting before the semi-colon the  
2 following: “, and recommending appropriate  
3 disciplinary action”;

4 (8) in paragraph (12)—

5 (A) by striking “evaluating, with the as-  
6 sistance of” and inserting “promulgating, with  
7 input from”;

8 (B) by striking “the need for”;

9 (C) by striking “conflict of interest and  
10 ethical problems” and inserting “conflict of in-  
11 terest and ethics issues”;

12 (9) in paragraph (13)—

13 (A) by striking “with the Attorney Gen-  
14 eral” and inserting “with the Inspectors Gen-  
15 eral and the Attorney General”;

16 (B) by striking “violations of the conflict  
17 of interest laws” and inserting “conflict of in-  
18 terest issues and allegations of violations of eth-  
19 ics laws and regulations and this Act”; and

20 (C) by striking “, as required by section  
21 535 of title 28, United States Code”;

22 (10) in paragraph (14), by striking “and” at  
23 the end;

24 (11) in paragraph (15)—

1 (A) by striking “, in consultation with the  
2 Office of Personnel Management,”;

3 (B) by striking “title II” and inserting  
4 “title I”; and

5 (C) by striking the period at the end and  
6 inserting a semicolon; and

7 (12) by adding at the end the following:

8 “(16) directing and providing final approval,  
9 when determined appropriate by the Director, for  
10 designated agency ethics officials regarding the reso-  
11 lution of conflicts of interest as well as any other  
12 ethics issues under the purview of this Act in indi-  
13 vidual cases; and

14 “(17) reviewing and approving, when deter-  
15 mined appropriate by the Director, any recusals, ex-  
16 emptions, or waivers from the conflicts of interest  
17 and ethics laws, rules, and regulations and making  
18 approved recusals, exemptions, and waivers made  
19 publicly available by the relevant agency available in  
20 a central location on the official website of the Office  
21 of Government Ethics.”.

22 (c) WRITTEN PROCEDURES.—Paragraph (1) of sec-  
23 tion 402(d) of the Ethics in Government Act of 1978 (5  
24 U.S.C. App.) is amended—

1           (1) by striking “, by the exercise of any author-  
2           ity otherwise available to the Director under this  
3           title,”;

4           (2) by striking “the agency is”; and

5           (3) by inserting after “filed by” the following:  
6           “, or written documentation of recusals, waivers, or  
7           ethics authorizations relating to,”.

8           (d) CORRECTIVE ACTIONS.—Section 402(f) of the  
9           Ethics in Government Act of 1978 (5 U.S.C. App.) is  
10          amended—

11          (1) in paragraph (1)—

12                 (A) in clause (i) of subparagraph (A), by  
13                 striking “of such agency”; and

14                 (B) in subparagraph (B), by inserting at  
15                 the end “and determine that a violation of this  
16                 Act has occurred and issue appropriate admin-  
17                 istrative or legal remedies as prescribed in para-  
18                 graph (2)”;

19          (2) in paragraph (2)—

20                 (A) in subparagraph (A)—

21                         (i) in clause (ii)—

22                                 (I) in subclause (I)—

23   (aa) by inserting “to the  
24   President or the President’s des-  
25   ignee if the matter involves em-



1 employees of the Executive Office of  
2 the President or” after “may rec-  
3 ommend”;

4 (bb) by striking “and” at  
5 the end; and

6 (II) in subclause (II)—

7 (aa) by inserting “President  
8 or” after “determines that the”;  
9 and

10 (bb) by adding “and” at the  
11 end;

12 (ii) in subclause (II) of clause (iii)—

13 (I) by striking “notify, in writ-  
14 ing,” and inserting “advise the Presi-  
15 dent or order”;

16 (II) by inserting “to take appro-  
17 priate disciplinary action including  
18 reprimand, suspension, demotion, or  
19 dismissal against the officer or em-  
20 ployee (provided, however, that any  
21 order issued by the Director shall not  
22 affect an employee’s right to appeal a  
23 disciplinary action under applicable  
24 law, regulation, collective bargaining

1 agreement, or contractual provision)”  
2 after “employee’s agency”; and

3 (III) by striking “of the officer’s  
4 or employee’s noncompliance, except  
5 that, if the officer or employee in-  
6 volved is the agency head, the notifi-  
7 cation shall instead be submitted to  
8 the President and Congress and”; and  
9 (iii) by striking clause (iv);

10 (B) in subparagraph (B)(i)—

11 (i) by striking “subparagraph (A)(iii)  
12 or (iv)” and inserting “subparagraph (A)”;

13 (ii) by inserting “(I)” before “In  
14 order to”; and

15 (iii) by adding at the end the fol-  
16 lowing:

17 “(II)(aa) The Director may secure directly  
18 from any agency information necessary to en-  
19 able the Director to carry out this Act. Upon  
20 request of the Director, the head of such agency  
21 shall furnish that information to the Director.

22 “(bb) The Director may require by sub-  
23 poena the production of all information, docu-  
24 ments, reports, answers, records, accounts, pa-  
25 pers, and other data in any medium and docu-

1           mentary evidence necessary in the performance  
2           of the functions assigned by this Act, which  
3           subpoena, in the case of refusal to obey, shall  
4           be enforceable by order of any appropriate  
5           United States district court.”;

6           (C) in subparagraph (B)(ii)(I)—

7                 (i) by striking “Subject to clause (iv)  
8                 of this subparagraph, before” and insert-  
9                 ing “Before”; and

10                (ii) by striking “subparagraphs (A)  
11                (iii) or (iv)” and inserting “subparagraph  
12                (A)(iii)”;

13           (D) in subparagraph (B)(iii), by striking  
14           “Subject to clause (iv) of this subparagraph,  
15           before” and inserting “Before”; and

16           (E) in subparagraph (B)(iv)—

17                 (i) by striking “title 2” and inserting  
18                 “title I”; and

19                 (ii) by striking “section 206” and in-  
20                 serting “section 106”; and

21           (3) in paragraph (4), by striking “(iv),”.

22           (e) DEFINITIONS.—Section 402 of the Ethics in Gov-  
23           ernment Act of 1978 (5 U.S.C. App.) is amended by add-  
24           ing at the end the following:

25           “(g) For purposes of this title—



1           “(c)(1) All designated agency ethics officials and al-  
2 ternate designated agency ethics officials shall register  
3 with the Director as well as with the appointing authority  
4 of the official.

5           “(2) The Director shall provide ethics education and  
6 training to all designated and alternate designated agency  
7 ethics officials in a time and manner deemed appropriate  
8 by the Director.

9           “(3) Each designated agency ethics official and each  
10 alternate designated agency ethics official shall biannually  
11 attend ethics education and training, as provided by the  
12 Director under paragraph (2).

13           “(d) Each Designated Agency Ethics Official, includ-  
14 ing the Designated Agency Ethics Official for the Execu-  
15 tive Office of the President—

16                   “(1) shall provide to the Director, in writing, in  
17 a searchable, sortable, and downloadable format, all  
18 approvals, authorizations, certifications, compliance  
19 reviews, determinations, directed divestitures, public  
20 financial disclosure reports, notices of deficiency in  
21 compliance, records related to the approval or ac-  
22 ceptance of gifts, recusals, regulatory or statutory  
23 advisory opinions, waivers, including waivers under  
24 section 207 or 208 of title 18, United States Code,

1 and any other records designated by the Director,  
2 unless disclosure is prohibited by law;

3 “(2) shall, for all information described in para-  
4 graph (1) that is permitted to be disclosed to the  
5 public under law, make the information available to  
6 the public by publishing the information on the  
7 website of the Office of Government Ethics, pro-  
8 viding a link to download an electronic copy of the  
9 information, or providing printed paper copies of  
10 such information to the public; and

11 “(3) may charge a reasonable fee for the cost  
12 of providing paper copies of the information pursu-  
13 ant to paragraph (2).

14 “(e)(1) For all information that is provided by an  
15 agency to the Director under paragraph (1) of subsection  
16 (d), the Director shall make the information available to  
17 the public in a searchable, sortable, downloadable format  
18 by publishing the information on the website of the Office  
19 of Government Ethics or providing a link to download an  
20 electronic copy of the information.

21 “(2) The Director may, upon request, provide printed  
22 paper copies of the information published under para-  
23 graph (1) and charge a reasonable fee for the cost of print-  
24 ing such copies.”.

1 (b) REPEAL.—Section 408 of the Ethics in Govern-  
2 ment Act of 1978 (5 U.S.C. App.) is hereby repealed.

3 **SEC. 8036. PROHIBITION ON USE OF FUNDS FOR CERTAIN**  
4 **FEDERAL EMPLOYEE TRAVEL IN CON-**  
5 **TRAVENTION OF CERTAIN REGULATIONS.**

6 (a) IN GENERAL.—Beginning on the date of enact-  
7 ment of this Act, no Federal funds appropriated or other-  
8 wise made available in any fiscal year may be used for  
9 the travel expenses of any senior Federal official in con-  
10 travention of sections 301–10.260 through 301–10.266 of  
11 title 41, Code of Federal Regulations, or any successor  
12 regulation.

13 (b) QUARTERLY REPORT ON TRAVEL.—

14 (1) IN GENERAL.—Not later than 90 days after  
15 the date of enactment of this Act and every 90 days  
16 thereafter, the head of each Federal agency shall  
17 submit a report to the Committee on Oversight and  
18 Reform of the House of Representatives and the  
19 Committee on Homeland Security and Governmental  
20 Affairs of the Senate detailing travel on Government  
21 aircraft by any senior Federal official employed at  
22 the applicable agency.

23 (2) APPLICATION.—Any report required under  
24 paragraph (1) shall not include any classified travel,  
25 and nothing in this Act shall be construed to super-

1       sede, alter, or otherwise affect the application of sec-  
2       tion 101–37.408 of title 41, Code of Federal Regula-  
3       tions, or any successor regulation.

4       (c) TRAVEL REGULATION REPORT.—Not later than  
5       one year after enactment of this Act, the Director of the  
6       Office of Government Ethics shall submit a report to Con-  
7       gress detailing suggestions on strengthening Federal trav-  
8       el regulations. On the date such report is so submitted,  
9       the Director shall publish such report on the Office’s pub-  
10      lic website.

11      (d) DEFINITION OF SENIOR FEDERAL OFFICIAL.—  
12      In this Act, the term “senior Federal official” has the  
13      meaning given that term in section 101–37.100 of title  
14      41, Code of Federal Regulations, as in effect on the date  
15      of enactment of this Act, and includes any senior executive  
16      branch official (as that term is defined in such section).

17      **SEC. 8037. REPORTS ON COST OF PRESIDENTIAL TRAVEL.**

18      (a) REPORT REQUIRED.—Not later than 90 days  
19      after the date of the enactment of this Act, and every 90  
20      days thereafter, the Secretary of Defense, in consultation  
21      with the Secretary of the Air Force, shall submit to the  
22      Chairman and Ranking Member of the Committee on  
23      Armed Services of the House of Representatives a report  
24      detailing the direct and indirect costs to the Department  
25      of Defense in support of presidential travel. Each such re-



1 port shall include costs incurred for travel to a property  
2 owned or operated by the individual serving as President  
3 or an immediate family member of such individual.

4 (b) IMMEDIATE FAMILY MEMBER DEFINED.—In this  
5 section, the term “immediate family member” means the  
6 spouse of such individual, the adult or minor child of such  
7 individual, or the spouse of an adult child of such indi-  
8 vidual.

9 **SEC. 8038. REPORTS ON COST OF SENIOR EXECUTIVE TRAV-**  
10 **EL.**

11 (a) REPORTS ON SENIOR EXECUTIVE TRAVEL.—Not  
12 later than 90 days after the date of the enactment of this  
13 Act, and every 90 days thereafter, the Secretary of De-  
14 fense shall submit to the Chairman and Ranking Member  
15 of the Committee on Armed Services of the House of Rep-  
16 resentatives a report detailing the direct and indirect costs  
17 to the Department of Defense in support of travel by sen-  
18 ior executive officials on military aircraft. Each such re-  
19 port shall include whether spousal travel furnished by the  
20 Department was reimbursed to the Federal Government.

21 (b) EXCEPTION.—Required use travel, as outlined in  
22 Department of Defense Directive 4500.56, shall not be in-  
23 cluded in reports under subsection (a)

24 (c) SENIOR EXECUTIVE OFFICIAL DEFINED.—In  
25 this section, the term “senior executive official” has the

1 meaning given the term “senior Federal official” in sec-  
2 tion 101–37.100 of title 41, Code of Federal Regulations,  
3 as in effect on the date of enactment of this Act, and in-  
4 cludes any senior executive branch official (as that term  
5 is defined in such section).

## 6                   **Subtitle E—Conflicts From** 7                   **Political Fundraising**

### 8 **SEC. 8041. SHORT TITLE.**

9           This subtitle may be cited as the “Conflicts from Po-  
10 litical Fundraising Act of 2019”.

### 11 **SEC. 8042. DISCLOSURE OF CERTAIN TYPES OF CONTRIBU-** 12                   **TIONS.**

13           (a) DEFINITIONS.—Section 109 of the Ethics in Gov-  
14 ernment Act of 1978 (5 U.S.C. App.) is amended—

15                   (1) by redesignating paragraphs (2) through  
16                   (19) as paragraphs (5) through (22), respectively;  
17                   and

18                   (2) by inserting after paragraph (1) the fol-  
19                   lowing:

20                           “(2) ‘covered contribution’ means a payment,  
21                           advance, forbearance, rendering, or deposit of  
22                           money, or any thing of value—

23                                   “(A)(i) that—

24   “(I) is—

1           “(aa) made by or on behalf of a  
2 covered individual; or

3           “(bb) solicited in writing by or at  
4 the request of a covered individual;  
5 and

6           “(II) is made—

7           “(aa) to a political organization,  
8 as defined in section 527 of the Inter-  
9 nal Revenue Code of 1986; or

10           “(bb) to an organization—

11           “(AA) that is described in  
12 paragraph (4) or (6) of section  
13 501(c) of the Internal Revenue  
14 Code of 1986 and exempt from  
15 tax under section 501(a) of such  
16 Code; and

17           “(BB) that promotes or op-  
18 poses changes in Federal laws or  
19 regulations that are (or would  
20 be) administered by the agency in  
21 which the covered individual has  
22 been nominated for appointment  
23 to a covered position or is serving  
24 in a covered position; or

25           “(ii) that is—

1                   “(I) solicited in writing by or on be-  
2 half of a covered individual; and

3                   “(II) made—

4                   “ (aa) by an individual or entity  
5 the activities of which are subject to  
6 Federal laws or regulations that are  
7 (or would be) administered by the  
8 agency in which the covered individual  
9 has been nominated for appointment  
10 to a covered position or is serving in  
11 a covered position; and

12                   “(bb) to—

13                   “ (AA) a political organiza-  
14 tion, as defined in section 527 of  
15 the Internal Revenue Code of  
16 1986; or

17                   “ (BB) an organization that  
18 is described in paragraph (4) or  
19 (6) of section 501(c) of the Inter-  
20 nal Revenue Code of 1986 and  
21 exempt from tax under section  
22 501(a) of such Code; and

23                   “(B) that is made to an organization de-  
24 scribed in item (aa) or (bb) of clause (i)(II) or  
25 clause (ii)(II)(bb) of subparagraph (A) for

1           which the total amount of such payments, ad-  
2           vances, forbearances, renderings, or deposits of  
3           money, or any thing of value, during the cal-  
4           endar year in which it is made is not less than  
5           the contribution limitation in effect under sec-  
6           tion 315(a)(1)(A) of the Federal Election Cam-  
7           paign Act of 1971 (52 U.S.C. 30116(a)(1)(A))  
8           for elections occurring during such calendar  
9           year;

10           “(3) ‘covered individual’ means an individual  
11           who has been nominated or appointed to a covered  
12           position; and

13           “(4) ‘covered position’—

14           “(A) means—

15           “(i) a position described under sec-  
16           tions 5312 through 5316 of title 5, United  
17           States Code;

18           “(ii) a position placed in level IV or V  
19           of the Executive Schedule under section  
20           5317 of title 5, United States Code;

21           “(iii) a position as a limited term ap-  
22           pointee, limited emergency appointee, or  
23           noncareer appointee in the Senior Execu-  
24           tive Service, as defined under paragraphs

1 (5), (6), and (7), respectively, of section  
2 3132(a) of title 5, United States Code; and

3 “(iv) a position in the executive  
4 branch of the Government of a confidential  
5 or policy-determining character under  
6 schedule C of subpart C of part 213 of  
7 title 5 of the Code of Federal Regulations;  
8 and

9 “(B) does not include a position if the in-  
10 dividual serving in the position has been ex-  
11 cluded from the application of section  
12 101(f)(5);”.

13 (b) DISCLOSURE REQUIREMENTS.—The Ethics in  
14 Government Act of 1978 (5 U.S.C. App.) is amended—

15 (1) in section 101—

16 (A) in subsection (a)—

17 (i) by inserting “(1)” before “With-  
18 in”;

19 (ii) by striking “unless” and inserting  
20 “and, if the individual is assuming a cov-  
21 ered position, the information described in  
22 section 102(j), except that, subject to para-  
23 graph (2), the individual shall not be re-  
24 quired to file a report if”; and

1 (iii) by adding at the end the fol-  
2 lowing:

3 “(2) If an individual has left a position described in  
4 subsection (f) that is not a covered position and, within  
5 30 days, assumes a position that is a covered position, the  
6 individual shall, within 30 days of assuming the covered  
7 position, file a report containing the information described  
8 in section 102(j)(2)(A).”;

9 (B) in subsection (b)(1), in the first sen-  
10 tence, by inserting “and the information re-  
11 quired by section 102(j)” after “described in  
12 section 102(b)”;

13 (C) in subsection (d), by inserting “and, if  
14 the individual is serving in a covered position,  
15 the information required by section  
16 102(j)(2)(A)” after “described in section  
17 102(a)”;

18 (D) in subsection (e), by inserting “and, if  
19 the individual was serving in a covered position,  
20 the information required by section  
21 102(j)(2)(A)” after “described in section  
22 102(a)”;

23 (2) in section 102—

24 (A) in subsection (g), by striking “Political  
25 campaign funds” and inserting “Except as pro-

1           vided in subsection (j), political campaign  
2           funds”; and

3                   (B) by adding at the end the following:

4           “(j)(1) In this subsection—

5                   “(A) the term ‘applicable period’ means—

6                           “(i) with respect to a report filed pursuant  
7                           to subsection (a) or (b) of section 101, the year  
8                           of filing and the 4 calendar years preceding the  
9                           year of the filing; and

10                           “(ii) with respect to a report filed pursuant  
11                           to subsection (d) or (e) of section 101, the pre-  
12                           ceding calendar year; and

13                   “(B) the term ‘covered gift’ means a gift that—

14                           “(i) is made to a covered individual, the  
15                           spouse of a covered individual, or the dependent  
16                           child of a covered individual;

17                           “(ii) is made by an entity described in item  
18                           (aa) or (bb) of section 109(2)(A)(i)(II); and

19                           “(iii) would have been required to be re-  
20                           ported under subsection (a)(2) if the covered in-  
21                           dividual had been required to file a report  
22                           under section 101(d) with respect to the cal-  
23                           endar year during which the gift was made.

24           “(2)(A) A report filed pursuant to subsection (a), (b),  
25 (d), or (e) of section 101 by a covered individual shall in-



1 clude, for each covered contribution during the applicable  
2 period—

3 “(i) the date on which the covered contribution  
4 was made;

5 “(ii) if applicable, the date or dates on which  
6 the covered contribution was solicited;

7 “(iii) the value of the covered contribution;

8 “(iv) the name of the person making the cov-  
9 ered contribution; and

10 “(v) the name of the person receiving the cov-  
11 ered contribution.

12 “(B)(i) Subject to clause (ii), a covered contribution  
13 made by or on behalf of, or that was solicited in writing  
14 by or on behalf of, a covered individual shall constitute  
15 a conflict of interest, or an appearance thereof, with re-  
16 spect to the official duties of the covered individual.

17 “(ii) The Director of the Office of Government Ethics  
18 may exempt a covered contribution from the application  
19 of clause (i) if the Director determines the circumstances  
20 of the solicitation and making of the covered contribution  
21 do not present a risk of a conflict of interest and the ex-  
22 emption of the covered contribution would not affect ad-  
23 versely the integrity of the Government or the public’s con-  
24 fidence in the integrity of the Government.

1           “(3) A report filed pursuant to subsection (a) or (b)  
2 of section 101 by a covered individual shall include the  
3 information described in subsection (a)(2) with respect to  
4 each covered gift received during the applicable period.”.

5           (c) PROVISION OF REPORTS AND ETHICS AGREE-  
6 MENTS TO CONGRESS.—Section 105 of the Ethics in Gov-  
7 ernment Act of 1978 (5 U.S.C. App.) is amended by add-  
8 ing at the end the following:

9           “(e) Not later than 30 days after receiving a written  
10 request from the Chairman or Ranking Member of a com-  
11 mittee or subcommittee of either House of Congress, the  
12 Director of the Office of Government Ethics shall provide  
13 to the Chairman and Ranking Member each report filed  
14 under this title by the covered individual and any ethics  
15 agreement entered into between the agency and the cov-  
16 ered individual.”.

17           (d) RULES ON ETHICS AGREEMENTS.—The Director  
18 of the Office of Government Ethics shall promptly issue  
19 rules regarding how an agency in the executive branch  
20 shall address information required to be disclosed under  
21 the amendments made by this subtitle in drafting ethics  
22 agreements between the agency and individuals appointed  
23 to positions in the agency.

24           (e) TECHNICAL AND CONFORMING AMENDMENTS.—

1           (1) The Ethics in Government Act of 1978 (5  
2 U.S.C. App.) is amended—

3           (A) in section 101(f)—

4                 (i) in paragraph (9), by striking “sec-  
5 tion 109(12)” and inserting “section  
6 109(15)”;

7                 (ii) in paragraph (10), by striking  
8 “section 109(13)” and inserting “section  
9 109(16)”;

10                (iii) in paragraph (11), by striking  
11 “section 109(10)” and inserting “section  
12 109(13)”;

13                (iv) in paragraph (12), by striking  
14 “section 109(8)” and inserting “section  
15 109(11)”;

16           (B) in section 103(l)—

17                 (i) in paragraph (9), by striking “sec-  
18 tion 109(12)” and inserting “section  
19 109(15)”;

20                 (ii) in paragraph (10), by striking  
21 “section 109(13)” and inserting “section  
22 109(16)”;

23           (C) in section 105(b)(3)(A), by striking  
24 “section 109(8) or 109(10)” and inserting “sec-  
25 tion 109(11) or 109(13)”.

1           (2) Section 3(4)(D) of the Lobbying Disclosure  
2 Act of 1995 (2 U.S.C. 1602(4)(D)) is amended by  
3 striking “section 109(13)” and inserting “section  
4 109(16)”.

5           (3) Section 21A of the Securities Exchange Act  
6 of 1934 (15 U.S.C. 78u-1) is amended—

7           (A) in subsection (g)(2)(B)(ii), by striking  
8 “section 109(11) of the Ethics in Government  
9 Act of 1978 (5 U.S.C. App. 109(11))” and in-  
10 sserting “section 109 of the Ethics in Govern-  
11 ment Act of 1978 (5 U.S.C. App.)”; and

12           (B) in subsection (h)(2)—

13           (i) in subparagraph (B), by striking  
14 “section 109(8) of the Ethics in Govern-  
15 ment Act of 1978 (5 U.S.C. App. 109(8))”  
16 and inserting “section 109 of the Ethics in  
17 Government Act of 1978 (5 U.S.C. App.)”;  
18 and

19           (ii) in subparagraph (C), by striking  
20 “section 109(10) of the Ethics in Govern-  
21 ment Act of 1978 (5 U.S.C. App.  
22 109(10))” and inserting “section 109 of  
23 the Ethics in Government Act of 1978 (5  
24 U.S.C. App.)”.

1           (4) Section 499(j)(2) of the Public Health Serv-  
2           ice Act (42 U.S.C. 290b(j)(2)) is amended by strik-  
3           ing “section 109(16) of the Ethics in Government  
4           Act of 1978” and inserting “section 109 of the Eth-  
5           ics in Government Act of 1978 (5 U.S.C. App.)”.

## 6 **Subtitle F—Transition Team Ethics**

### 7 **SEC. 8051. SHORT TITLE.**

8           This subtitle may be cited as the “Transition Team  
9           Ethics Improvement Act”.

### 10 **SEC. 8052. PRESIDENTIAL TRANSITION ETHICS PROGRAMS.**

11           The Presidential Transition Act of 1963 (3 U.S.C.  
12           102 note) is amended—

13           (1) in section 3(f), by adding at the end the fol-  
14           lowing:

15           “(3) Not later than 10 days after submitting an ap-  
16           plication for a security clearance for any individual, and  
17           not later than 10 days after any such individual is granted  
18           a security clearance (including an interim clearance), each  
19           eligible candidate (as that term is described in subsection  
20           (h)(4)(A)) or the President-elect (as the case may be) shall  
21           submit a report containing the name of such individual  
22           to the Committee on Oversight and Reform of the House  
23           of Representatives and the Committee on Homeland Secu-  
24           rity and Governmental Affairs of the Senate.”;

25           (2) in section 4—

1 (A) in subsection (a)—

2 (i) in paragraph (3), by striking  
3 “and” at the end;

4 (ii) by redesignating paragraph (4) as  
5 paragraph (5); and

6 (iii) by inserting after paragraph (3)  
7 the following:

8 “(4) the term ‘nonpublic information’—

9 “(A) means information from the Federal  
10 Government that a transition team member ob-  
11 tains as part of the employment of such mem-  
12 ber that the member knows or reasonably  
13 should know has not been made available to the  
14 general public; and

15 “(B) includes information that has not  
16 been released to the public that a transition  
17 team member knows or reasonably should  
18 know—

19 “(i) is exempt from disclosure under  
20 section 552 of title 5, United States Code,  
21 or otherwise protected from disclosure by  
22 law; and

23 “(ii) is not authorized by the appro-  
24 priate agency or official to be released to  
25 the public; and”;

1 (B) in subsection (g)—

2 (i) in paragraph (1), by striking “No-  
3 vember” and inserting “October”; and

4 (ii) by adding at the end the fol-  
5 lowing:

6 “(3) ETHICS PLAN.—

7 “(A) IN GENERAL.—Each memorandum of  
8 understanding under paragraph (1) shall in-  
9 clude an agreement that the eligible candidate  
10 will implement and enforce an ethics plan to  
11 guide the conduct of the transition beginning on  
12 the date on which the eligible candidate be-  
13 comes the President-elect.

14 “(B) CONTENTS.—The ethics plan shall  
15 include, at a minimum—

16 “(i) a description of the ethics re-  
17 quirements that will apply to all transition  
18 team members, including specific require-  
19 ments for transition team members who  
20 will have access to nonpublic or classified  
21 information;

22 “(ii) a description of how the transi-  
23 tion team will—

24 “(I) address the role on the tran-  
25 sition team of—

1           “(aa) registered lobbyists  
2 under the Lobbying Disclosure  
3 Act of 1995 (2 U.S.C. 1601 et  
4 seq.) and individuals who were  
5 formerly registered lobbyists  
6 under that Act;

7           “(bb) persons registered  
8 under the Foreign Agents Reg-  
9 istration Act, as amended (22  
10 U.S.C. 611 et seq.), foreign na-  
11 tionals, and other foreign agents;  
12 and

13           “(cc) transition team mem-  
14 bers with sources of income or  
15 clients that are not disclosed to  
16 the public;

17           “(II) prohibit a transition team  
18 member with personal financial con-  
19 flicts of interest as described in sec-  
20 tion 208 of title 18, United States  
21 Code, from working on particular  
22 matters involving specific parties that  
23 affect the interests of such member;  
24 and



1                   “(III) address how the covered  
2                   eligible candidate will address their  
3                   own personal financial conflicts of in-  
4                   terest during a Presidential term if  
5                   the covered eligible candidate becomes  
6                   the President-elect;

7                   “(iii) a Code of Ethical Conduct, to  
8                   which each transition team member will  
9                   sign and be subject to, that reflects the  
10                  content of the ethics plans under this para-  
11                  graph and at a minimum requires each  
12                  transition team member to—

13                  “(I) seek authorization from  
14                  transition team leaders or their des-  
15                  ignees before seeking, on behalf of the  
16                  transition, access to any nonpublic in-  
17                  formation;

18                  “(II) keep confidential any non-  
19                  public information provided in the  
20                  course of the duties of the member  
21                  with the transition and exclusively use  
22                  such information for the purposes of  
23                  the transition; and

24                  “(III) not use any nonpublic in-  
25                  formation provided in the course of

1 transition duties, in any manner, for  
2 personal or private gain for the mem-  
3 ber or any other party at any time  
4 during or after the transition; and

5 “(iv) a description of how the transi-  
6 tion team will enforce the Code of Ethical  
7 Conduct, including the names of the tran-  
8 sition team members responsible for en-  
9 forcement, oversight, and compliance.

10 “(C) PUBLICLY AVAILABLE.—The transi-  
11 tion team shall make the ethics plan described  
12 in this paragraph publicly available on the  
13 website of the General Services Administration  
14 the earlier of—

15 “(i) the day on which the memo-  
16 randum of understanding is completed; or

17 “(ii) October 1.”; and

18 (3) in section 6(b)—

19 (A) in paragraph (1)—

20 (i) in subparagraph (A), by striking  
21 “and” at the end;

22 (ii) in subparagraph (B), by striking  
23 the period at the end and inserting a semi-  
24 colon; and

1 (iii) by adding at the end the fol-  
2 lowing:

3 “(C) a list of all positions each transition team  
4 member has held outside the Federal Government  
5 for the previous 12-month period, including paid and  
6 unpaid positions;

7 “(D) sources of compensation for each transi-  
8 tion team member exceeding \$5,000 a year for the  
9 previous 12-month period;

10 “(E) a description of the role of each transition  
11 team member, including a list of any policy issues  
12 that the member expects to work on, and a list of  
13 agencies the member expects to interact with, while  
14 serving on the transition team;

15 “(F) a list of any issues from which each tran-  
16 sition team member will be recused while serving as  
17 a member of the transition team pursuant to the  
18 transition team ethics plan outlined in section  
19 4(g)(3); and

20 “(G) an affirmation that no transition team  
21 member has a financial conflict of interest that pre-  
22 cludes the member from working on the matters de-  
23 scribed in subparagraph (E).”;

24 (B) in paragraph (2), by inserting “not  
25 later than 2 business days” after “public”; and

1 (C) by adding at the end the following:

2 “(3) The head of a Federal department or agency,  
3 or their designee, shall not permit access to the Federal  
4 department or agency, or employees of such department  
5 or agency, that would not be provided to a member of the  
6 public for any transition team member who does not make  
7 the disclosures listed under paragraph (1).”.

8 **Subtitle G—Ethics Pledge For Sen-**  
9 **ior Executive Branch Employees**

10 **SEC. 8061. SHORT TITLE.**

11 This subtitle may be cited as the “Ethics in Public  
12 Service Act”.

13 **SEC. 8062. ETHICS PLEDGE REQUIREMENT FOR SENIOR EX-**  
14 **ECUTIVE BRANCH EMPLOYEES.**

15 The Ethics in Government Act of 1978 (5 U.S.C.  
16 App. 101 et seq.) is amended by inserting after title I the  
17 following new title:

18 **“TITLE II—ETHICS PLEDGE**

19 **“SEC. 201. DEFINITIONS.**

20 “For the purposes of this title, the following defini-  
21 tions apply:

22 “(1) The term ‘executive agency’ has the mean-  
23 ing given that term in section 105 of title 5, United  
24 States Code, and includes the Executive Office of  
25 the President, the United States Postal Service, and

1 Postal Regulatory Commission, but does not include  
2 the Government Accountability Office.

3 “(2) The term ‘appointee’ means any noncareer  
4 Presidential or Vice-Presidential appointee, non-  
5 career appointee in the Senior Executive Service (or  
6 other SES-type system), or appointee to a position  
7 that has been excepted from the competitive service  
8 by reason of being of a confidential or policymaking  
9 character (Schedule C and other positions excepted  
10 under comparable criteria) in an executive agency,  
11 but does not include any individual appointed as a  
12 member of the Senior Foreign Service or solely as  
13 a uniformed service commissioned officer.

14 “(3) The term ‘gift’—

15 “(A) has the meaning given that term in  
16 section 2635.203(b) of title 5, Code of Federal  
17 Regulations (or any successor regulation); and

18 “(B) does not include those items excluded  
19 by sections 2635.204(b), (c), (e)(1), (e)(3), (j),  
20 (k), and (l) of such title 5.

21 “(4) The term ‘covered executive branch offi-  
22 cial’ and ‘lobbyist’ have the meanings given those  
23 terms in section 3 of the Lobbying Disclosure Act of  
24 1995 (2 U.S.C. 1602).

1           “(5) The term ‘registered lobbyist or lobbying  
2 organization’ means a lobbyist or an organization fil-  
3 ing a registration pursuant to section 4(a) of the  
4 Lobbying Disclosure Act of 1995 (2 U.S.C.  
5 1603(a)), and in the case of an organization filing  
6 such a registration, ‘registered lobbyist’ includes  
7 each of the lobbyists identified therein.

8           “(6) The term ‘lobby’ and ‘lobbied’ mean to act  
9 or have acted as a registered lobbyist.

10          “(7) The term ‘former employer’—

11           “(A) means a person or entity for whom  
12 an appointee served as an employee, officer, di-  
13 rector, trustee, partner, agent, attorney, con-  
14 sultant, or contractor during the 2-year period  
15 ending on the date before the date on which the  
16 covered employee begins service in the Federal  
17 Government; and

18           “(B) does not include—

19           “(i) an agency or instrumentality of  
20 the Federal Government;

21           “(ii) a State or local government;

22           “(iii) the District of Columbia;

23           “(iv) an Indian tribe, as defined in  
24 section 4 of the Indian Self-Determination

1 and Education Assistance Act (25 U.S.C.  
2 5304); or

3 “(v) the government of a territory or  
4 possession of the United States.

5 “(8) The term ‘former client’ means a person  
6 or entity for whom an appointee served personally as  
7 agent, attorney, or consultant during the 2-year pe-  
8 riod ending on the date before the date on which the  
9 covered employee begins service in the Federal Gov-  
10 ernment, but does not include an agency or instru-  
11 mentality of the Federal Government;

12 “(9) The term ‘directly and substantially re-  
13 lated to my former employer or former clients’  
14 means matters in which the appointee’s former em-  
15 ployer or a former client is a party or represents a  
16 party.

17 “(10) The term ‘participate’ means to partici-  
18 pate personally and substantially.

19 “(11) The term ‘post-employment restrictions’  
20 includes the provisions and exceptions in section  
21 207(c) of title 18, United States Code, and the im-  
22 plementing regulations.

23 “(12) The term ‘Government official’ means  
24 any employee of the executive branch.

1           “(13) The term ‘Administration’ means all  
2 terms of office of the incumbent President serving at  
3 the time of the appointment of an appointee covered  
4 by this title.

5           “(14) The term ‘pledge’ means the ethics  
6 pledge set forth in section 202 of this title.

7           “(15) All references to provisions of law and  
8 regulations shall refer to such provisions as in effect  
9 on the date of enactment of this title.

10 **“SEC. 202. ETHICS PLEDGE.**

11           “Each appointee in every executive agency appointed  
12 on or after the date of enactment of this section shall be  
13 required to sign an ethics pledge upon appointment. The  
14 pledge shall be signed and dated within 30 days of taking  
15 office and shall include, at a minimum, the following ele-  
16 ments:

17           ““As a condition, and in consideration, of my employ-  
18 ment in the United States Government in a position in-  
19 vested with the public trust, I commit myself to the fol-  
20 lowing obligations, which I understand are binding on me  
21 and are enforceable under law:

22           “(1) Lobbyist Gift Ban.—I will not accept  
23 gifts from registered lobbyists or lobbying organiza-  
24 tions for the duration of my service as an appointee.



1           “(2) Revolving Door Ban; Entering Govern-  
2           ment.—

3           “(A) All Appointees Entering Govern-  
4           ment.—I will not, for a period of 2 years from  
5           the date of my appointment, participate in any  
6           particular matter involving specific party or  
7           parties that is directly and substantially related  
8           to my former employer or former clients, in-  
9           cluding regulations and contracts.

10           “(B) Lobbyists Entering Government.—If  
11           I was a registered lobbyist within the 2 years  
12           before the date of my appointment, in addition  
13           to abiding by the limitations of subparagraph  
14           (A), I will not for a period of 2 years after the  
15           date of my appointment:

16           “(i) participate in any particular  
17           matter on which I lobbied within the 2  
18           years before the date of my appointment;

19           “(ii) participate in the specific issue  
20           area in which that particular matter falls;  
21           or

22           “(iii) seek or accept employment with  
23           any executive agency that I lobbied within  
24           the 2 years before the date of my appoint-  
25           ment.

1           “(3) Revolving Door Ban; Appointees Leaving  
2 Government.—

3           “(A) All Appointees Leaving Govern-  
4 ment.—If, upon my departure from the Govern-  
5 ment, I am covered by the post-employment re-  
6 strictions on communicating with employees of  
7 my former executive agency set forth in section  
8 207(c) of title 18, United States Code, I agree  
9 that I will abide by those restrictions for a pe-  
10 riod of 2 years following the end of my appoint-  
11 ment.

12           “(B) Appointees Leaving Government to  
13 Lobby.—In addition to abiding by the limita-  
14 tions of subparagraph (A), I also agree, upon  
15 leaving Government service, not to lobby any  
16 covered executive branch official or noncareer  
17 Senior Executive Service appointee for the re-  
18 mainder of the Administration.

19           “(4) Employment Qualification Commit-  
20 ment.—I agree that any hiring or other employment  
21 decisions I make will be based on the candidate’s  
22 qualifications, competence, and experience.

23           “(5) Assent to Enforcement.—I acknowledge  
24 that title II of the Ethics in Government Act of  
25 1978, which I have read before signing this docu-

1       ment, defines certain of the terms applicable to the  
2       foregoing obligations and sets forth the methods for  
3       enforcing them. I expressly accept the provisions of  
4       that title as a part of this agreement and as binding  
5       on me. I understand that the terms of this pledge  
6       are in addition to any statutory or other legal re-  
7       strictions applicable to me by virtue of Federal Gov-  
8       ernment service.’”.

9       **“SEC. 203. WAIVER.**

10       “(a) The President or the President’s designee may  
11       grant to any current or former appointee a written waiver  
12       of any restrictions contained in the pledge signed by such  
13       appointee if, and to the extent that, the President or the  
14       President’s designee certifies (in writing) that, in light of  
15       all the relevant circumstances, the interest of the Federal  
16       Government in the employee’s participation outweighs the  
17       concern that a reasonable person may question the integ-  
18       rity of the agency’s programs or operations.

19       “(b) Any waiver under this section shall take effect  
20       when the certification is signed by the President or the  
21       President’s designee.

22       “(c) For purposes of subsection (a)(2), the public in-  
23       terest shall include exigent circumstances relating to na-  
24       tional security or to the economy. De minimis contact with

1 an executive agency shall be cause for a waiver of the re-  
2 strictions contained in paragraph (2)(B) of the pledge.

3 “(d) For any waiver granted under this section, the  
4 individual who granted the waiver shall—

5 “(1) provide a copy of the waiver to the Direc-  
6 tor not less than 48 hours after the waiver is grant-  
7 ed; and

8 “(2) publish the waiver on the website of the  
9 applicable agency within 30 calendar days after  
10 granting such waiver.

11 “(e) Upon receiving a written waiver under sub-  
12 section (d), the Director shall—

13 “(1) review the waiver to determine whether the  
14 Director has any objection to the issuance of the  
15 waiver; and

16 “(2) if the Director so objects—

17 “(A) provide reasons for the objection in  
18 writing to the head of the agency who granted  
19 the waiver not less than 15 calendar days after  
20 the waiver was granted; and

21 “(B) publish the written objection on the  
22 website of the Office of Government Ethics not  
23 less than 30 calendar days after the waiver was  
24 granted.

1 **“SEC. 204. ADMINISTRATION.**

2       “(a) The head of each executive agency shall, in con-  
3 sultation with the Director of the Office of Government  
4 Ethics, establish such rules or procedures (conforming as  
5 nearly as practicable to the agency’s general ethics rules  
6 and procedures, including those relating to designated  
7 agency ethics officers) as are necessary or appropriate to  
8 ensure—

9               “(1) that every appointee in the agency signs  
10 the pledge upon assuming the appointed office or  
11 otherwise becoming an appointee;

12               “(2) that compliance with paragraph (2)(B) of  
13 the pledge is addressed in a written ethics agree-  
14 ment with each appointee to whom it applies;

15               “(3) that spousal employment issues and other  
16 conflicts not expressly addressed by the pledge are  
17 addressed in ethics agreements with appointees or,  
18 where no such agreements are required, through eth-  
19 ics counseling; and

20               “(4) compliance with this title within the agen-  
21 cy.

22       “(b) With respect to the Executive Office of the  
23 President, the duties set forth in subsection (a) shall be  
24 the responsibility of the Counsel to the President.

25       “(c) The Director of the Office of Government Ethics  
26 shall—

1           “(1) ensure that the pledge and a copy of this  
2 title are made available for use by agencies in ful-  
3 filling their duties under subsection (a);

4           “(2) in consultation with the Attorney General  
5 or the Counsel to the President, when appropriate,  
6 assist designated agency ethics officers in providing  
7 advice to current or former appointees regarding the  
8 application of the pledge;

9           “(3) adopt such rules or procedures as are nec-  
10 essary or appropriate—

11           “(A) to carry out the responsibilities as-  
12 signed by this subsection;

13           “(B) to apply the lobbyist gift ban set  
14 forth in paragraph 1 of the pledge to all execu-  
15 tive branch employees;

16           “(C) to authorize limited exceptions to the  
17 lobbyist gift ban for circumstances that do not  
18 implicate the purposes of the ban;

19           “(D) to make clear that no person shall  
20 have violated the lobbyist gift ban if the person  
21 properly disposes of a gift;

22           “(E) to ensure that existing rules and pro-  
23 cedures for Government employees engaged in  
24 negotiations for future employment with private  
25 businesses that are affected by their official ac-

1           tions do not affect the integrity of the Govern-  
2           ment’s programs and operations; and

3                   “(F) to ensure, in consultation with the  
4           Director of the Office of Personnel Manage-  
5           ment, that the requirement set forth in para-  
6           graph (4) of the pledge is honored by every em-  
7           ployee of the executive branch;

8                   “(4) in consultation with the Director of the  
9           Office of Management and Budget, report to the  
10          President, the Committee on Oversight and Reform  
11          of the House of Representatives, and the Committee  
12          on Homeland Security and Governmental Affairs of  
13          the Senate on whether full compliance is being  
14          achieved with existing laws and regulations gov-  
15          erning executive branch procurement lobbying disclo-  
16          sure and on steps the executive branch can take to  
17          expand to the fullest extent practicable disclosure of  
18          such executive branch procurement lobbying and of  
19          lobbying for presidential pardons, and to include in  
20          the report both immediate action the executive  
21          branch can take and, if necessary, recommendations  
22          for legislation; and

23                   “(5) provide an annual public report on the ad-  
24          ministration of the pledge and this title.

1 “(d) All pledges signed by appointees, and all waiver  
2 certifications with respect thereto, shall be filed with the  
3 head of the appointee’s agency for permanent retention  
4 in the appointee’s official personnel folder or equivalent  
5 folder.”.

6 **Subtitle H—Travel on Private Air-**  
7 **craft by Senior Political Ap-**  
8 **pointees**

9 **SEC. 8071. SHORT TITLE.**

10 This subtitle may be cited as the “Stop Waste And  
11 Misuse by Presidential Flyers Landing Yet Evading Rules  
12 and Standards” or the “SWAMP FLYERS”.

13 **SEC. 8072. PROHIBITION ON USE OF FUNDS FOR TRAVEL**  
14 **ON PRIVATE AIRCRAFT.**

15 (a) **IN GENERAL.**—Beginning on the date of enact-  
16 ment of this subtitle, no Federal funds appropriated or  
17 otherwise made available in any fiscal year may be used  
18 to pay the travel expenses of any senior political appointee  
19 for travel on official business on a non-commercial, pri-  
20 vate, or chartered flight.

21 (b) **EXCEPTIONS.**—The limitation in subsection (a)  
22 shall not apply—

23 (1) if no commercial flight was available for the  
24 travel in question, consistent with subsection (c); or



1           (2) to any travel on aircraft owned or leased by  
2 the Government.

3           (c) CERTIFICATION.—

4           (1) IN GENERAL.—Any senior political ap-  
5 pointee who travels on a non-commercial, private, or  
6 chartered flight under the exception provided in sub-  
7 section (b)(1) shall, not later than 30 days after the  
8 date of such travel, submit a written statement to  
9 Congress certifying that no commercial flight was  
10 available.

11           (2) PENALTY.—Any statement submitted under  
12 paragraph (1) shall be considered a statement for  
13 purposes of applying section 1001 of title 18, United  
14 States Code.

15           (d) DEFINITION OF SENIOR POLITICAL AP-  
16 POUNTEE.—In this subtitle, the term “senior political ap-  
17 pointee” means any individual occupying—

18           (1) a position listed under the Executive Sched-  
19 ule (subchapter II of chapter 53 of title 5, United  
20 States Code);

21           (2) a Senior Executive Service position that is  
22 not a career appointee as defined under section  
23 3132(a)(4) of such title; or

1           (3) a position of a confidential or policy-deter-  
 2           mining character under schedule C of subpart C of  
 3           part 213 of title 5, Code of Federal Regulations.

## 4                           **Subtitle I—Severability**

### 5   **SEC. 8081. SEVERABILITY.**

6           If any provision of this title or any amendment made  
 7           by this title, or any application of such provision or  
 8           amendment to any person or circumstance, is held to be  
 9           unconstitutional, the remainder of the provisions of this  
 10          title and the amendments made by this title, and the appli-  
 11          cation of the provision or amendment to any other person  
 12          or circumstance, shall not be affected.

## 13                       **TITLE IX—CONGRESSIONAL** 14                       **ETHICS REFORM**

Subtitle A—Requiring Members of Congress to Reimburse Treasury for  
 Amounts Paid as Settlements and Awards Under Congressional Account-  
 ability Act of 1995

Sec. 9001. Requiring Members of Congress to reimburse Treasury for amounts  
 paid as settlements and awards under Congressional Account-  
 ability Act of 1995 in all cases of employment discrimination  
 acts by Members.

Subtitle B—Conflicts of Interests

Sec. 9101. Prohibiting Members of House of Representatives from serving on  
 boards of for-profit entities.

Sec. 9102. Conflict of interest rules for Members of Congress and congressional  
 staff.

Sec. 9103. Exercise of rulemaking powers.

Subtitle C—Campaign Finance and Lobbying Disclosure

Sec. 9201. Short title.

Sec. 9202. Requiring disclosure in certain reports filed with Federal Election  
 Commission of persons who are registered lobbyists.

Sec. 9203. Effective date.

Subtitle D—Access to Congressionally Mandated Reports

- Sec. 9301. Short title.  
 Sec. 9302. Definitions.  
 Sec. 9303. Establishment of online portal for congressionally mandated reports.  
 Sec. 9304. Federal agency responsibilities.  
 Sec. 9305. Removing and altering reports.  
 Sec. 9306. Relationship to the Freedom of Information Act.  
 Sec. 9307. Implementation.

Subtitle E—Reports on Outside Compensation Earned by Congressional Employees

- Sec. 9401. Reports on outside compensation earned by Congressional employees.

Subtitle F—Severability

- Sec. 9501. Severability.

1 **Subtitle A—Requiring Members of**  
 2 **Congress to Reimburse Treas-**  
 3 **ury for Amounts Paid as Settle-**  
 4 **ments and Awards Under Con-**  
 5 **gressional Accountability Act of**  
 6 **1995**

7 **SEC. 9001. REQUIRING MEMBERS OF CONGRESS TO REIM-**  
 8 **BURSE TREASURY FOR AMOUNTS PAID AS**  
 9 **SETTLEMENTS AND AWARDS UNDER CON-**  
 10 **GRESSIONAL ACCOUNTABILITY ACT OF 1995**  
 11 **IN ALL CASES OF EMPLOYMENT DISCRIMINA-**  
 12 **TION ACTS BY MEMBERS.**

13 (a) REQUIRING REIMBURSEMENT.—Clause (i) of sec-  
 14 tion 415(d)(1)(C) of the Congressional Accountability Act  
 15 of 1995 (2 U.S.C. 1415(d)(1)(C)), as amended by section  
 16 111(a) of the Congressional Accountability Act of 1995  
 17 Reform Act, is amended to read as follows:

1                   “(i) a violation of section 201(a) or  
2                   section 206(a); or”.

3           (b) CONFORMING AMENDMENT RELATING TO NOTI-  
4 FICATION OF POSSIBILITY OF REIMBURSEMENT.—Clause  
5 (i) of section 402(b)(2)(B) of the Congressional Account-  
6 ability Act of 1995 (2 U.S.C. 1402(b)(2)(B)), as amended  
7 by section 102(a) of the Congressional Accountability Act  
8 of 1995 Reform Act, is amended to read as follows:

9                   “(i) a violation of section 201(a) or  
10                  section 206(a); or”.

11          (c) EFFECTIVE DATE.—The amendments made by  
12 this section shall take effect as if included in the enact-  
13 ment of the Congressional Accountability Act of 1995 Re-  
14 form Act.

## 15       **Subtitle B—Conflicts of Interests**

### 16       **SEC. 9101. PROHIBITING MEMBERS OF HOUSE OF REP-** 17                               **RESENTATIVES FROM SERVING ON BOARDS** 18                               **OF FOR-PROFIT ENTITIES.**

19          Rule XXIII of the Rules of the House of Representa-  
20 tives is amended—

21               (1) by redesignating clause 19 as clause 20;

22               and

23               (2) by inserting after clause 18 the following  
24               new clause:

1       “9. A Member, Delegate, or Resident Commissioner  
2 may not serve on the board of directors of any for-profit  
3 entity.”.

4 **SEC. 9102. CONFLICT OF INTEREST RULES FOR MEMBERS**  
5 **OF CONGRESS AND CONGRESSIONAL STAFF.**

6       No Member, officer, or employee of a committee or  
7 Member of either House of Congress may knowingly use  
8 his or her official position to introduce or aid the progress  
9 or passage of legislation, a principal purpose of which is  
10 to further only his or her pecuniary interest, only the pecu-  
11 niary interest of his or her immediate family, or only the  
12 pecuniary interest of a limited class of persons or enter-  
13 prises, when he or she, or his or her immediate family,  
14 or enterprises controlled by them, are members of the af-  
15 fected class.

16 **SEC. 9103. EXERCISE OF RULEMAKING POWERS.**

17       The provisions of this subtitle are enacted by the  
18 Congress—

19           (1) as an exercise of the rulemaking power of  
20 the House of Representatives and the Senate, re-  
21 spectively, and as such they shall be considered as  
22 part of the rules of each House, respectively, or of  
23 that House to which they specifically apply, and  
24 such rules shall supersede other rules only to the ex-  
25 tent that they are inconsistent therewith; and

1           (2) with full recognition of the constitutional  
2 right of either House to change such rules (so far  
3 as relating to such House) at any time, in the same  
4 manner, and to the same extent as in the case of  
5 any other rule of such House.

6       **Subtitle C—Campaign Finance and**  
7                       **Lobbying Disclosure**

8       **SEC. 9201. SHORT TITLE.**

9           This subtitle may be cited as the “Connecting Lobby-  
10 ists and Electeds for Accountability and Reform Act” or  
11 the “CLEAR Act”.

12       **SEC. 9202. REQUIRING DISCLOSURE IN CERTAIN REPORTS**  
13                       **FILED WITH FEDERAL ELECTION COMMIS-**  
14                       **SION OF PERSONS WHO ARE REGISTERED**  
15                       **LOBBYISTS.**

16           (a) REPORTS FILED BY POLITICAL COMMITTEES.—  
17 Section 304(b) of the Federal Election Campaign Act of  
18 1971 (52 U.S.C. 30104(b)) is amended—

19           (1) by striking “and” at the end of paragraph  
20 (7);

21           (2) by striking the period at the end of para-  
22 graph (8) and inserting “; and”; and

23           (3) by adding at the end the following new  
24 paragraph:

1           “(9) if any person identified in subparagraph  
2           (A), (E), (F), or (G) of paragraph (3) is a registered  
3           lobbyist under the Lobbying Disclosure Act of 1995,  
4           a separate statement that such person is a reg-  
5           istered lobbyist under such Act.”.

6           (b) REPORTS FILED BY PERSONS MAKING INDE-  
7           PENDENT EXPENDITURES.—Section 304(c)(2) of such  
8           Act (52 U.S.C. 30104(c)(2)) is amended—

9           (1) by striking “and” at the end of subpara-  
10          graph (B);

11          (2) by striking the period at the end of sub-  
12          paragraph (C) and inserting “; and”; and

13          (3) by adding at the end the following new sub-  
14          paragraph:

15               “(D) if the person filing the statement, or a  
16               person whose identification is required to be dis-  
17               closed under subparagraph (C), is a registered lob-  
18               byist under the Lobbying Disclosure Act of 1995, a  
19               separate statement that such person is a registered  
20               lobbyist under such Act.”.

21          (c) REPORTS FILED BY PERSONS MAKING DIS-  
22          BURSEMENTS FOR ELECTIONEERING COMMUNICA-  
23          TIONS.—Section 304(f)(2) of such Act (52 U.S.C.  
24          30104(f)(2)) is amended by adding at the end the fol-  
25          lowing new subparagraph:

1           “(G) If the person making the disburse-  
2           ment, or a contributor described in subpara-  
3           graph (E) or (F), is a registered lobbyist under  
4           the Lobbying Disclosure Act of 1995, a sepa-  
5           rate statement that such person or contributor  
6           is a registered lobbyist under such Act.”.

7           (d) REQUIRING COMMISSION TO ESTABLISH LINK TO  
8 WEBSITES OF CLERK OF HOUSE AND SECRETARY OF  
9 SENATE.—Section 304 of such Act (52 U.S.C. 30104),  
10 as amended by section 4308(a), is amended by adding at  
11 the end the following new subsection:

12           “(k) REQUIRING INFORMATION ON REGISTERED  
13 LOBBYISTS TO BE LINKED TO WEBSITES OF CLERK OF  
14 HOUSE AND SECRETARY OF SENATE.—

15           “(1) LINKS TO WEBSITES.—The Commission  
16           shall ensure that the Commission’s public database  
17           containing information described in paragraph (2) is  
18           linked electronically to the websites maintained by  
19           the Secretary of the Senate and the Clerk of the  
20           House of Representatives containing information  
21           filed pursuant to the Lobbying Disclosure Act of  
22           1995.

23           “(2) INFORMATION DESCRIBED.—The informa-  
24           tion described in this paragraph is each of the fol-  
25           lowing:



1           “(A) Information disclosed under para-  
2 graph (9) of subsection (b).

3           “(B) Information disclosed under subpara-  
4 graph (D) of subsection (c)(2).

5           “(C) Information disclosed under subpara-  
6 graph (G) of subsection (f)(2).”.

7 **SEC. 9203. EFFECTIVE DATE.**

8           The amendments made by this subtitle shall apply  
9 with respect to reports required to be filed under the Fed-  
10 eral Election Campaign Act of 1971 on or after the expira-  
11 tion of the 90-day period which begins on the date of the  
12 enactment of this Act.

13                           **Subtitle D—Access to**  
14 **Congressionally Mandated Reports**

15 **SEC. 9301. SHORT TITLE.**

16           This subtitle may be cited as the “Access to Congres-  
17 sionally Mandated Reports Act”.

18 **SEC. 9302. DEFINITIONS.**

19           In this subtitle:

20                   (1) CONGRESSIONALLY MANDATED REPORT.—

21           The term “congressionally mandated report”—

22                   (A) means a report that is required to be  
23 submitted to either House of Congress or any  
24 committee of Congress, or subcommittee there-  
25 of, by a statute, resolution, or conference report

1           that accompanies legislation enacted into law;  
2           and

3           (B) does not include a report required  
4           under part B of subtitle II of title 36, United  
5           States Code.

6           (2) DIRECTOR.—The term “Director” means  
7           the Director of the Government Publishing Office.

8           (3) FEDERAL AGENCY.—The term “Federal  
9           agency” has the meaning given that term under sec-  
10          tion 102 of title 40, United States Code, but does  
11          not include the Government Accountability Office.

12          (4) OPEN FORMAT.—The term “open format”  
13          means a file format for storing digital data based on  
14          an underlying open standard that—

15                 (A) is not encumbered by any restrictions  
16                 that would impede reuse; and

17                 (B) is based on an underlying open data  
18                 standard that is maintained by a standards or-  
19                 ganization.

20          (5) REPORTS ONLINE PORTAL.—The term “re-  
21          ports online portal” means the online portal estab-  
22          lished under section (3)(a).

1 **SEC. 9303. ESTABLISHMENT OF ONLINE PORTAL FOR CON-**  
2 **GRESSIONALLY MANDATED REPORTS.**

3 (a) REQUIREMENT TO ESTABLISH ONLINE POR-  
4 TAL.—

5 (1) IN GENERAL.—Not later than 1 year after  
6 the date of enactment of this Act, the Director shall  
7 establish and maintain an online portal accessible by  
8 the public that allows the public to obtain electronic  
9 copies of all congressionally mandated reports in one  
10 place. The Director may publish other reports on the  
11 online portal.

12 (2) EXISTING FUNCTIONALITY.—To the extent  
13 possible, the Director shall meet the requirements  
14 under paragraph (1) by using existing online portals  
15 and functionality under the authority of the Direc-  
16 tor.

17 (3) CONSULTATION.—In carrying out this sub-  
18 title, the Director shall consult with the Clerk of the  
19 House of Representatives, the Secretary of the Sen-  
20 ate, and the Librarian of Congress regarding the re-  
21 quirements for and maintenance of congressionally  
22 mandated reports on the reports online portal.

23 (b) CONTENT AND FUNCTION.—The Director shall  
24 ensure that the reports online portal includes the fol-  
25 lowing:

1           (1) Subject to subsection (c), with respect to  
2 each congressionally mandated report, each of the  
3 following:

4           (A) A citation to the statute, conference  
5 report, or resolution requiring the report.

6           (B) An electronic copy of the report, in-  
7 cluding any transmittal letter associated with  
8 the report, in an open format that is platform  
9 independent and that is available to the public  
10 without restrictions, including restrictions that  
11 would impede the re-use of the information in  
12 the report.

13           (C) The ability to retrieve a report, to the  
14 extent practicable, through searches based on  
15 each, and any combination, of the following:

16           (i) The title of the report.

17           (ii) The reporting Federal agency.

18           (iii) The date of publication.

19           (iv) Each congressional committee re-  
20 ceiving the report, if applicable.

21           (v) The statute, resolution, or con-  
22 ference report requiring the report.

23           (vi) Subject tags.

1 (vii) A unique alphanumeric identifier  
2 for the report that is consistent across re-  
3 port editions.

4 (viii) The serial number, Super-  
5 intendent of Documents number, or other  
6 identification number for the report, if ap-  
7 plicable.

8 (ix) Key words.

9 (x) Full text search.

10 (xi) Any other relevant information  
11 specified by the Director.

12 (D) The date on which the report was re-  
13 quired to be submitted, and on which the report  
14 was submitted, to the reports online portal.

15 (E) Access to the report not later than 30  
16 calendar days after its submission to Congress.

17 (F) To the extent practicable, a permanent  
18 means of accessing the report electronically.

19 (2) A means for bulk download of all congres-  
20 sionally mandated reports.

21 (3) A means for downloading individual reports  
22 as the result of a search.

23 (4) An electronic means for the head of each  
24 Federal agency to submit to the reports online por-

1 tal each congressionally mandated report of the  
2 agency, as required by section 4.

3 (5) In tabular form, a list of all congressionally  
4 mandated reports that can be searched, sorted, and  
5 downloaded by—

6 (A) reports submitted within the required  
7 time;

8 (B) reports submitted after the date on  
9 which such reports were required to be sub-  
10 mitted; and

11 (C) reports not submitted.

12 (c) NONCOMPLIANCE BY FEDERAL AGENCIES.—

13 (1) REPORTS NOT SUBMITTED.—If a Federal  
14 agency does not submit a congressionally mandated  
15 report to the Director, the Director shall to the ex-  
16 tent practicable—

17 (A) include on the reports online portal—

18 (i) the information required under  
19 clauses (i), (ii), (iv), and (v) of subsection  
20 (b)(1)(C); and

21 (ii) the date on which the report was  
22 required to be submitted; and

23 (B) include the congressionally mandated  
24 report on the list described in subsection  
25 (b)(5)(C).

1           (2) REPORTS NOT IN OPEN FORMAT.—If a Fed-  
2           eral agency submits a congressionally mandated re-  
3           port that is not in an open format, the Director shall  
4           include the congressionally mandated report in an-  
5           other format on the reports online portal.

6           (d) FREE ACCESS.—The Director may not charge a  
7           fee, require registration, or impose any other limitation  
8           in exchange for access to the reports online portal.

9           (e) UPGRADE CAPABILITY.—The reports online por-  
10          tal shall be enhanced and updated as necessary to carry  
11          out the purposes of this subtitle.

12       **SEC. 9304. FEDERAL AGENCY RESPONSIBILITIES.**

13          (a) SUBMISSION OF ELECTRONIC COPIES OF RE-  
14          PORTS.—Concurrently with the submission to Congress of  
15          each congressionally mandated report, the head of the  
16          Federal agency submitting the congressionally mandated  
17          report shall submit to the Director the information re-  
18          quired under subparagraphs (A) through (D) of section  
19          3(b)(1) with respect to the congressionally mandated re-  
20          port. Nothing in this subtitle shall relieve a Federal agen-  
21          cy of any other requirement to publish the congressionally  
22          mandated report on the online portal of the Federal agen-  
23          cy or otherwise submit the congressionally mandated re-  
24          port to Congress or specific committees of Congress, or  
25          subcommittees thereof.

1 (b) GUIDANCE.—Not later than 240 days after the  
2 date of enactment of this Act, the Director of the Office  
3 of Management and Budget, in consultation with the Di-  
4 rector, shall issue guidance to agencies on the implementa-  
5 tion of this Act.

6 (c) STRUCTURE OF SUBMITTED REPORT DATA.—  
7 The head of each Federal agency shall ensure that each  
8 congressionally mandated report submitted to the Director  
9 complies with the open format criteria established by the  
10 Director in the guidance issued under subsection (b).

11 (d) POINT OF CONTACT.—The head of each Federal  
12 agency shall designate a point of contact for congression-  
13 ally mandated report.

14 (e) LIST OF REPORTS.—As soon as practicable each  
15 calendar year (but not later than April 1), and on a rolling  
16 basis during the year if feasible, the Librarian of Congress  
17 shall submit to the Director a list of congressionally man-  
18 dated reports from the previous calendar year, in consulta-  
19 tion with the Clerk of the House of Representatives, which  
20 shall—

21 (1) be provided in an open format;

22 (2) include the information required under  
23 clauses (i), (ii), (iv), (v) of section 3(b)(1)(C) for  
24 each report;

25 (3) include the frequency of the report;





1 submitted for publication to the reports online portal  
2 for the purpose of identifying and redacting such in-  
3 formation or records.

4 (b) REDACTION OF INFORMATION.—The head of a  
5 Federal agency may redact information required to be dis-  
6 closed under this Act if the information would be properly  
7 withheld from disclosure under section 552 of title 5,  
8 United States Code, and shall—

9 (1) redact information required to be disclosed  
10 under this subtitle if disclosure of such information  
11 is prohibited by law;

12 (2) redact information being withheld under  
13 this subsection prior to submitting the information  
14 to the Director;

15 (3) redact only such information properly with-  
16 held under this subsection from the submission of  
17 information or from any congressionally mandated  
18 report submitted under this subtitle;

19 (4) identify where any such redaction is made  
20 in the submission or report; and

21 (5) identify the exemption under which each  
22 such redaction is made.

23 **SEC. 9307. IMPLEMENTATION.**

24 Except as provided in section 9304(b), this subtitle  
25 shall be implemented not later than 1 year after the date

1 of enactment of this Act and shall apply with respect to  
2 congressionally mandated reports submitted to Congress  
3 on or after the date that is 1 year after such date of enact-  
4 ment.

5 **Subtitle E—Reports on Outside**  
6 **Compensation Earned by Con-**  
7 **gressional Employees**

8 **SEC. 9401. REPORTS ON OUTSIDE COMPENSATION EARNED**  
9 **BY CONGRESSIONAL EMPLOYEES.**

10 (a) REPORTS.—The supervisor of an individual who  
11 performs services for any Member, committee, or other of-  
12 fice of the Senate or House of Representatives for a period  
13 in excess of four weeks and who receives compensation  
14 therefor from any source other than the Federal Govern-  
15 ment shall submit a report identifying the identity of the  
16 source, amount, and rate of such compensation to—

17 (1) the Select Committee on Ethics of the Sen-  
18 ate, in the case of an individual who performs serv-  
19 ices for a Member, committee, or other office of the  
20 Senate; or

21 (2) the Committee on Ethics of the House of  
22 Representatives, in the case of an individual who  
23 performs services for a Member (including a Dele-  
24 gate or Resident Commissioner to the Congress),  
25 committee, or other office of the House.

1 (b) TIMING.—The supervisor shall submit the report  
2 required under subsection (a) with respect to an indi-  
3 vidual—

4 (1) when such individual first begins per-  
5 forming services described in such subparagraph;

6 (2) at the close of each calendar quarter during  
7 which such individual is performing such services;  
8 and

9 (3) when such individual ceases to perform such  
10 services.

## 11 **Subtitle F—Severability**

### 12 **SEC. 9501. SEVERABILITY.**

13 If any provision of this title or amendment made by  
14 this title, or the application of a provision or amendment  
15 to any person or circumstance, is held to be unconstitu-  
16 tional, the remainder of this title and amendments made  
17 by this title, and the application of the provisions and  
18 amendment to any person or circumstance, shall not be  
19 affected by the holding.

## 20 **TITLE X—PRESIDENTIAL AND** 21 **VICE PRESIDENTIAL TAX** 22 **TRANSPARENCY**

Sec. 10001. Presidential and Vice Presidential tax transparency.

1 **SEC. 10001. PRESIDENTIAL AND VICE PRESIDENTIAL TAX**  
2 **TRANSPARENCY.**

3 (a) DEFINITIONS.—In this section—

4 (1) The term “covered candidate” means a can-  
5 didate of a major party in a general election for the  
6 office of President or Vice President.

7 (2) The term “major party” has the meaning  
8 given the term in section 9002 of the Internal Rev-  
9 enue Code of 1986.

10 (3) The term “income tax return” means, with  
11 respect to an individual, any return (as such term is  
12 defined in section 6103(b)(1) of the Internal Rev-  
13 enue Code of 1986, except that such term shall not  
14 include declarations of estimated tax) of—

15 (A) such individual, other than information  
16 returns issued to persons other than such indi-  
17 vidual; or

18 (B) of any corporation, partnership, or  
19 trust in which such individual holds, directly or  
20 indirectly, a significant interest as the sole or  
21 principal owner or the sole or principal bene-  
22 ficial owner (as such terms are defined in regu-  
23 lations prescribed by the Secretary of the  
24 Treasury or his delegate).

25 (4) The term “Secretary” means the Secretary  
26 of the Treasury or the delegate of the Secretary.

1 (b) DISCLOSURE.—

2 (1) IN GENERAL.—

3 (A) CANDIDATES FOR PRESIDENT AND  
4 VICE PRESIDENT.—Not later than the date that  
5 is 15 days after the date on which an individual  
6 becomes a covered candidate, the individual  
7 shall submit to the Federal Election Commis-  
8 sion a copy of the individual's income tax re-  
9 turns for the 10 most recent taxable years for  
10 which a return has been filed with the Internal  
11 Revenue Service.

12 (B) PRESIDENT AND VICE PRESIDENT.—

13 With respect to an individual who is the Presi-  
14 dent or Vice President, not later than the due  
15 date for the return of tax for each taxable year,  
16 such individual shall submit to the Federal  
17 Election Commission a copy of the individual's  
18 income tax returns for the taxable year and for  
19 the 9 preceding taxable years.

20 (C) TRANSITION RULE FOR SITTING PRESI-  
21 DENTS AND VICE PRESIDENTS.—Not later than

22 the date that is 30 days after the date of enact-  
23 ment of this section, an individual who is the  
24 President or Vice President on such date of en-  
25 actment shall submit to the Federal Election

1           Commission a copy of the income tax returns  
2           for the 10 most recent taxable years for which  
3           a return has been filed with the Internal Rev-  
4           enue Service.

5           (2) FAILURE TO DISCLOSE.—If any require-  
6           ment under paragraph (1) to submit an income tax  
7           return is not met, the chairman of the Federal Elec-  
8           tion Commission shall submit to the Secretary a  
9           written request that the Secretary provide the Fed-  
10          eral Election Commission with the income tax re-  
11          turn.

12          (3) PUBLICLY AVAILABLE.—The chairman of  
13          the Federal Election Commission shall make publicly  
14          available each income tax return submitted under  
15          paragraph (1) in the same manner as a return pro-  
16          vided under section 6103(l)(23) of the Internal Rev-  
17          enue Code of 1986 (as added by this section).

18          (4) TREATMENT AS A REPORT UNDER THE  
19          FEDERAL ELECTION CAMPAIGN ACT OF 1971.—For  
20          purposes of the Federal Election Campaign Act of  
21          1971, any income tax return submitted under para-  
22          graph (1) or provided under section 6103(l)(23) of  
23          the Internal Revenue Code of 1986 (as added by  
24          this section) shall, after redaction under paragraph  
25          (3) or subparagraph (B)(ii) of such section, be treat-

1 ed as a report filed under the Federal Election Cam-  
2 paign Act of 1971.

3 (c) DISCLOSURE OF RETURNS OF PRESIDENTS AND  
4 VICE PRESIDENTS AND CERTAIN CANDIDATES FOR  
5 PRESIDENT AND VICE PRESIDENT.—

6 (1) IN GENERAL.—Section 6103(l) of the Inter-  
7 nal Revenue Code of 1986 is amended by adding at  
8 the end the following new paragraph:

9 “(23) DISCLOSURE OF RETURN INFORMATION  
10 OF PRESIDENTS AND VICE PRESIDENTS AND CER-  
11 TAIN CANDIDATES FOR PRESIDENT AND VICE PRESI-  
12 DENT.—

13 “(A) IN GENERAL.—Upon written request  
14 by the chairman of the Federal Election Com-  
15 mission under section 10001(b)(2) of the For  
16 the People Act of 2019, not later than the date  
17 that is 15 days after the date of such request,  
18 the Secretary shall provide copies of any return  
19 which is so requested to officers and employees  
20 of the Federal Election Commission whose offi-  
21 cial duties include disclosure or redaction of  
22 such return under this paragraph.

23 “(B) DISCLOSURE TO THE PUBLIC.—

24 “(i) IN GENERAL.—The chairman of  
25 the Federal Election Commission shall



1 make publicly available any return which is  
2 provided under subparagraph (A).

3 “(ii) REDACTION OF CERTAIN INFOR-  
4 MATION.—Before making publicly available  
5 under clause (i) any return, the chairman  
6 of the Federal Election Commission shall  
7 redact such information as the Federal  
8 Election Commission and the Secretary  
9 jointly determine is necessary for pro-  
10 tecting against identity theft, such as so-  
11 cial security numbers.”.

12 (2) CONFORMING AMENDMENTS.—Section  
13 6103(p)(4) of such Code is amended—

14 (A) in the matter preceding subparagraph  
15 (A) by striking “or (22)” and inserting “(22),  
16 or (23)”; and

17 (B) in subparagraph (F)(ii) by striking “or  
18 (22)” and inserting “(22), or (23)”.



**Calendar No. 39**

116<sup>TH</sup> CONGRESS  
1<sup>ST</sup> Session

**H. R. 1**

**AN ACT**

To expand Americans' access to the ballot box, reduce the influence of big money in politics, and strengthen ethics rules for public servants, and for other purposes.

MARCH 14, 2019

Read the second time and placed on the calendar