

116TH CONGRESS  
1ST SESSION

# H. R. 5150

To amend the Ethics in Government Act of 1978, the Rules of the House of Representatives, the Lobbying Disclosure Act of 1995, the Legislative Reorganization Act of 1946, the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009, the Internal Revenue Code of 1986, the Foreign Agents Registration Act of 1938, the Financial Stability Act of 2010, and the Federal Funding Accountability and Transparency Act of 2006 to improve access to information in the legislative and executive branches of the Government, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 18, 2019

Mr. QUIGLEY introduced the following bill; which was referred to the Committee on Oversight and Reform, and in addition to the Committees on Rules, House Administration, the Judiciary, Ethics, Financial Services, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend the Ethics in Government Act of 1978, the Rules of the House of Representatives, the Lobbying Disclosure Act of 1995, the Legislative Reorganization Act of 1946, the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009, the Internal Revenue Code of 1986, the Foreign Agents Registration Act of 1938, the Financial Stability Act of 2010, and the Federal Funding Accountability and Transparency Act of 2006 to improve access to information in the legislative and execu-

utive branches of the Government, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
 2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Transparency in Gov-  
 5 ernment Act of 2019”.

6 **SEC. 2. TABLE OF CONTENTS.**

7 The table of contents of this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

**TITLE I—IMPROVING ACCESS TO INFORMATION ABOUT  
MEMBERS OF CONGRESS AND CONGRESSIONAL OFFICES**

Sec. 101. Greater disclosure and electronic filing of personal financial information.

Sec. 102. Greater disclosure of travel reports.

Sec. 103. Greater disclosure of gift reports.

Sec. 104. Greater disclosure of earmarks.

Sec. 105. GAO study and report on effects of written requests by Members of Congress for funding of projects.

**TITLE II—ENHANCING PUBLIC ACCESS TO THE WORK OF  
CONGRESSIONAL COMMITTEES, LEGISLATION, AND VOTES**

**Subtitle A—Access to Legislation, Votes, and Related Information**

Sec. 201. Increased transparency of committee work.

Sec. 202. Increased transparency of recorded votes.

Sec. 203. Electronic format.

Sec. 204. Congressional Data Task Force.

Sec. 205. Use of data standards by congressional support offices.

Sec. 206. Inclusion of digital version of funding tables in reports accompanying appropriations bills.

Sec. 207. Select Committee on the Modernization of Congress.

Sec. 208. Expanded information in House staff directory.

Sec. 209. Publication of United States Capitol Police arrest information.

**Subtitle B—Access to Congressionally Mandated Reports**

Sec. 211. Short title.

Sec. 212. Definitions.

Sec. 213. Establishment of online portal for congressionally mandated reports.

Sec. 214. Federal agency responsibilities.

Sec. 215. Changing or removing reports.

- Sec. 216. Relationship to the Freedom of Information Act.
- Sec. 217. Implementation.
- Sec. 218. Determination of budgetary effects.

TITLE III—EXPANDING ACCESS TO CONGRESSIONAL RESEARCH  
SERVICE REPORTS ON LIBRARY OF CONGRESS WEBSITE

- Sec. 301. Inclusion of reports from archive.
- Sec. 302. Availability of reports in structured format.
- Sec. 303. Report on making other materials available.
- Sec. 304. Effective date.

TITLE IV—LOBBYING DISCLOSURE

- Sec. 401. Short title.
- Sec. 402. Modifications to enforcement.
- Sec. 403. Definition of lobbyist.
- Sec. 404. Expedited online registration of lobbyists; expansion of registrants.
- Sec. 405. Disclosure of political contributions.
- Sec. 406. Identification numbers for lobbyists.
- Sec. 407. Ethics training for lobbyists.
- Sec. 408. Estimates based on tax reporting system.
- Sec. 409. Effective date.

TITLE V—TRANSPARENCY IN FEDERAL CONTRACTING

- Sec. 501. Improving application programming interface and website data elements.
- Sec. 502. Improving data quality.
- Sec. 503. Requirements relating to reporting of award data.
- Sec. 504. Recipient performance transparency.
- Sec. 505. Improvement of Federal Awardee Performance and Integrity Information System Database.
- Sec. 506. Federal contractor compliance.
- Sec. 507. Improving access to information disclosed on lobbying activities.
- Sec. 508. Inclusion of narratives on USAspending.gov.

TITLE VI—EXECUTIVE BRANCH TRANSPARENCY

Subtitle A—Public Availability of Information

- Sec. 601. Requirement for disclosure of Federal sponsorship of all Federal advertising or other communications.
- Sec. 602. Improving access to influential executive branch official's visitor access records.
- Sec. 603. Public availability of budget justifications and appropriation requests.
- Sec. 604. Improving rulemaking disclosure for the Office of Information and Regulatory Affairs.
- Sec. 605. Improving registration information from agents of foreign principals.
- Sec. 606. Agency defined.
- Sec. 607. Government-wide entity identifier.
- Sec. 608. Grants transparency requirements.

Subtitle B—Publication of Opinions of Office of Legal Counsel

- Sec. 611. Short title.
- Sec. 612. Schedule of publication for final OLC opinions.
- Sec. 613. Exceptions and limitation on public availability of final OLC opinions.

- Sec. 614. Method of publication.
- Sec. 615. Index of opinions.
- Sec. 616. Private right of action.
- Sec. 617. Severability.
- Sec. 618. Definitions.

#### Subtitle C—Contempt of Congress Procedures and Enforcement

- Sec. 621. Availability of civil action to enforce House of Representatives subpoenas.
- Sec. 622. Alternate procedures for enforcement of criminal contempt of Congress.
- Sec. 623. Increase in penalty for contempt of Congress.
- Sec. 624. Authority of United States Capitol Police to enforce citations.
- Sec. 625. Collection of penalties imposed by the House of Representatives on persons cited for contempt of House.
- Sec. 626. No effect of expiration of Congress on pending actions.

#### TITLE VII—STRENGTHENING THE FREEDOM OF INFORMATION ACT

- Sec. 701. Agency defined.
- Sec. 702. Digital access to completed responses to the Freedom of Information Act.
- Sec. 703. FOIAonline for agencies.
- Sec. 704. Freedom of Information Act amendments.

#### TITLE VIII—IMPROVING TRANSPARENCY WITHIN THE JUDICIAL SYSTEM

- Sec. 801. Televising Supreme Court proceedings.
- Sec. 802. Audio recording of Supreme Court proceedings.
- Sec. 803. Availability on the internet of financial disclosure reports of judicial officers.
- Sec. 804. GAO audit of PACER.
- Sec. 805. Electronic court records reform.

#### TITLE IX—ENFORCEMENT

- Sec. 901. Audits by the Government Accountability Office.

#### TITLE X—MISCELLANEOUS

- Sec. 1001. Transfer of certain records to Archivist of United States.
- Sec. 1002. Data standards.

1 **TITLE I—IMPROVING ACCESS TO**  
2 **INFORMATION ABOUT MEM-**  
3 **BERS OF CONGRESS AND**  
4 **CONGRESSIONAL OFFICES**

5 **SEC. 101. GREATER DISCLOSURE AND ELECTRONIC FILING**  
6 **OF PERSONAL FINANCIAL INFORMATION.**

7 (a) **ADDITIONAL FINANCIAL DISCLOSURE REQUIRE-**  
8 **MENTS.**—(1) Section 102(a)(1)(B) of the Ethics in Gov-  
9 ernment Act of 1978 (5 U.S.C. App. 102(a)(1)(B)) is  
10 amended in clause (iv) by striking “\$15,000” and insert-  
11 ing “\$25,000” and by striking clauses (v) through (ix) and  
12 inserting the following new clauses:

13 “(v) greater than \$25,000 but not  
14 more than \$100,000, rounded to the near-  
15 est \$10,000,

16 “(vi) greater than \$100,000 but not  
17 more than \$1,000,000, rounded to the  
18 nearest \$100,000, or

19 “(vii) greater than \$1,000,000, round-  
20 ed to the nearest \$1,000,000.”.

21 (2) Section 102(d)(1) of such Act (5 U.S.C. App.  
22 102(d)(1)) is amended by striking “(3), (4), (5), and (8)”  
23 and inserting “(5) and (8)”.

24 (3) Section 102(d) of such Act (5 U.S.C. App.  
25 102(d)) is amended by redesignating paragraph (2) as

1 paragraph (3) and by inserting after paragraph (1) the  
2 following new paragraph:

3 “(3) The categories for reporting the amount or value  
4 of the items covered in paragraphs (3) or (4) of subsection  
5 (a) are as follows:

6 “(A) Not more than \$15,000.

7 “(B) Greater than \$15,000 but not more than  
8 \$25,000.

9 “(C) Greater than \$25,000 but not more than  
10 \$100,000, rounded to the nearest \$10,000.

11 “(D) Greater than \$100,000 but not more than  
12 \$1,000,000, rounded to the nearest \$100,000.

13 “(E) Greater than \$1,000,000, rounded to the  
14 nearest \$1,000,000.”.

15 (b) MORE FREQUENT DISCLOSURE OF FINANCIAL  
16 TRANSACTIONS INVOLVING LARGE SUMS OF MONEY.—

17 (1) Section 101 of such Act (5 U.S.C. App. 101) is amend-  
18 ed by adding at the end the following new subsection:

19 “(j) In addition to any other report required to be  
20 filed by a Member of Congress or officer or employee of  
21 the Congress, each such individual is required to file a  
22 quarterly report on April 30, July 30, October 30, and  
23 January 30 of each year covering the preceding calendar  
24 quarter if that individual (or the spouse or any dependent  
25 child of that individual) purchased, sold, or exchanged any

1 property described in subsection (a)(5) valued at not less  
2 than \$250,000 during that calendar quarter. For any such  
3 transaction of not less than \$250,000, such report shall  
4 contain all of the information required under subsection  
5 (a)(5).”.

6 (2)(A) Clause 1 of rule XXVI of the Rules of the  
7 House of Representatives is amended by inserting “(a)”  
8 after “1.” and by adding at the end the following new  
9 paragraphs:

10 “(b) If any report is filed with the Clerk for a  
11 calendar quarter pursuant to section 101(i) of the  
12 Ethics in Government Act of 1978, the Clerk shall  
13 compile all such reports sent to the Clerk by Mem-  
14 bers and have them printed as a House document,  
15 which shall be made available to the public, as soon  
16 as practicable.

17 “(c) Each individual required to file a report  
18 with the Clerk under title I under the Ethics in Gov-  
19 ernment Act of 1978 shall file and maintain such re-  
20 port in electronic form.”.

21 (B) Comparable language to be added by the Senate.

22 (c) AVAILABILITY ON THE INTERNET OF REPORTS  
23 FILED UNDER THIS TITLE WITH THE CLERK OF THE  
24 HOUSE OR THE SECRETARY OF THE SENATE.—Section  
25 103 of the Ethics in Government Act of 1978 (5 U.S.C.

1 App. 103) is amended by adding at the end the following  
2 new subsection:

3 “(m) The Clerk of the House of Representatives and  
4 the Secretary of the Senate shall each make available any  
5 report filed with them under this title (whether the report  
6 is filed in paper or electronic form) within 48 hours of  
7 the applicable submission deadline on the website of the  
8 Clerk or the Secretary, as applicable, in a searchable, sort-  
9 able, downloadable, machine-readable format.”.

10 (d) EFFECTIVE DATE.—The amendments made by  
11 this section shall apply to reports filed for calendar years  
12 or calendar quarters beginning after the date of enactment  
13 of this Act.

14 **SEC. 102. GREATER DISCLOSURE OF TRAVEL REPORTS.**

15 (a) FOREIGN TRAVEL.—Clause 8(b)(3) of rule X of  
16 the Rules of the House of Representatives is amended by  
17 adding at the end the following new sentence: “Within 48  
18 hours after any such report is filed with the chair of a  
19 committee, the chair shall post the report on the Internet  
20 site of the committee in a searchable, sortable,  
21 downloadable, machine-readable format.”.

22 (b) EFFECTIVE DATE.—The amendment made by  
23 subsection (a) shall apply to travel commencing after the  
24 date of enactment of this Act.

1 **SEC. 103. GREATER DISCLOSURE OF GIFT REPORTS.**

2 (a) REQUIRING CLERK OF THE HOUSE TO POST RE-  
3 PORTS ON INTERNET NOT LATER THAN 48 HOURS  
4 AFTER RECEIPT.—(1) Clause 5(b)(5) of rule XXV of the  
5 Rules of the House of Representatives is amended—

6 (A) by striking “shall make available” and  
7 inserting “shall post on the public Internet site  
8 of the Clerk and otherwise make available”; and

9 (B) by striking “as possible” and inserting  
10 the following: “as possible, but in no event later  
11 than 48 hours,”.

12 (2) Comparable language to be added by the Senate.

13 (b) EFFECTIVE DATE.—The amendment made by  
14 subsection (a) shall apply with respect to reports filed on  
15 or after the date of the adoption of this resolution.

16 **SEC. 104. GREATER DISCLOSURE OF EARMARKS.**

17 (a) ELECTRONIC DISCLOSURE BY MEMBERS.—(1)  
18 Rule XXIII of the Rules of the House of Representatives  
19 is amended by redesignating clause 18 as clause 19 and  
20 by inserting after clause 17 the following:

21 “18. A Member, Delegate, or Resident Commissioner  
22 who requests a congressional earmark, a limited tax ben-  
23 efit, or a limited tariff benefit shall, within 24 hours after  
24 making such request—

25 “(1) post on his or her public website for the  
26 remainder of the Congress the following—

1           “(A) the name and address of the intended  
2 recipient;

3           “(B) whether the intended recipient is a  
4 for-profit or not-for-profit entity;

5           “(C) the requested amount (only in the  
6 case of congressional earmarks); and

7           “(D) an explanation of the request, includ-  
8 ing the purpose, and why it is a valuable use  
9 of taxpayer funds;

10          “(2) electronically submit to the committee of  
11 subject-matter jurisdiction the webpage address  
12 where such information is posted;

13          “(3) identify each request as having been sub-  
14 mitted to the committee of subject-matter jurisdic-  
15 tion; and

16          “(4) display on the homepage of such website a  
17 hypertext link that contains the words ‘Earmarks’,  
18 ‘Appropriations Requests’, ‘Limited Tax Benefits’,  
19 or ‘Limited Tariff Benefits’ and that directs to such  
20 webpage address, and maintain that link for at least  
21 30 calendar days after the last such request is made  
22 during the Congress.”.

23          (2) The last sentence of clause 16 of rule XXIII of  
24 the Rules of the House of Representatives is amended by

1 striking “and clause 17” and inserting “, clause 17, and  
2 clause 18”.

3 (b) ELECTRONIC DISCLOSURE BY COMMITTEES.—  
4 Rule XI of the Rules of the House of Representatives is  
5 amended by adding at the end the following new clause:

6 **“Earmark disclosure websites**

7 “(s)(1) Any committee that accepts any request of  
8 a Member, Delegate, or Resident Commissioner for a con-  
9 gressional earmark, a limited tax benefit, or a limited tar-  
10 iff benefit shall maintain a public website with an earmark  
11 disclosure webpage that contains the following for each  
12 such request—

13 “(A) the bill name;

14 “(B) the name, State, and district of that indi-  
15 vidual;

16 “(C) the name and address of the intended re-  
17 cipient;

18 “(D) whether the intended recipient is a for-  
19 profit or not-for-profit entity;

20 “(E) the requested amount (only in the case of  
21 congressional earmarks);

22 “(F) a brief description; and

23 “(G) the applicable department or agency of the  
24 Government, and the account or program (if pro-  
25 vided to the committee in the request);

1 and is in a downloadable format that is searchable and  
2 sortable by such characteristics.

3 “(2) Any written statement received by a committee  
4 under clause 17(a) of rule XXIII shall be posted on the  
5 earmark disclosure webpage of the committee.

6 “(3) The earmark disclosure webpage of a committee  
7 shall list the names of any Member, Delegate, and Resi-  
8 dent Commissioner who requests a congressional earmark,  
9 a limited tax benefit, or a limited tariff benefit and link  
10 directly to their webpage addresses referred to in clause  
11 18(2) of rule XXIII.

12 “(4) The earmark disclosure webpage of a committee  
13 shall post the information required under subparagraphs  
14 (1) through (3) within one week of receipt, and shall main-  
15 tain that information on that webpage for the remainder  
16 of the Congress.

17 “(5) For purposes of this paragraph, the terms ‘con-  
18 gressional earmark’, ‘limited tax benefit’, and ‘limited tar-  
19 iff benefit’ shall have the meaning given them in clause  
20 9 of rule XXI.”

21 (c) POINT OF ORDER.—Clause 9 of rule XXI of the  
22 Rules of the House of Representatives is amended by re-  
23 designating paragraphs (e), (f), and (g) as paragraphs (f),  
24 (g), and (h), respectively, and by inserting after paragraph  
25 (d) the following:

1       “(e) It shall not be in order to consider any bill or  
2 joint resolution, or an amendment thereto or conference  
3 report thereon, that carries a congressional earmark, lim-  
4 ited tax benefit, or limited tariff benefit for which a Mem-  
5 ber, Delegate, or Resident Commissioner failed to comply  
6 with any applicable requirement of clause 18 of rule  
7 XXIII.”.

8       (d) EFFECTIVE DATE.—The amendments made by  
9 this section shall apply to requests for congressional ear-  
10 marks, limited tax benefits, and limited tariff benefits  
11 made after the date this resolution is agreed to.

12       (e) CENTRALIZED DATABASE FOR EARMARKS, LIM-  
13 ITED TAX BENEFITS, AND LIMITED TARIFF BENEFITS.—

14 (1) The Clerk of the House of Representatives, the Sec-  
15 retary of the Senate, and the chairs of the Committee on  
16 Appropriations of the House of Representatives and the  
17 Senate shall collaborate to create one centralized database  
18 where all requests for earmark, limited tax benefits, and  
19 limited tariff benefits are available on the internet in a  
20 searchable, sortable, downloadable format to the public.  
21 The data available to the public for each earmark should  
22 include—

23               (A) an identification of the bill into which the  
24 earmark is to be inserted;

1 (B) the name, State, and district of the Mem-  
2 ber of Congress requesting the earmark;

3 (C) the name and address of the intended re-  
4 cipient;

5 (D) whether the intended recipient is a for-prof-  
6 it or not-for-profit entity;

7 (E) the requested amount (only in the case of  
8 congressional earmarks);

9 (F) a brief description of the earmark; and

10 (G) the applicable department or agency of the  
11 Government, and the account or program (if pro-  
12 vided to the committee in the request).

13 (2) The centralized database for earmarks referred  
14 to in paragraph (1) shall be implemented within six  
15 months after the date of enactment of this Act.

16 **SEC. 105. GAO STUDY AND REPORT ON EFFECTS OF WRIT-**  
17 **TEN REQUESTS BY MEMBERS OF CONGRESS**  
18 **FOR FUNDING OF PROJECTS.**

19 (a) STUDY.—The Comptroller General of the United  
20 States shall conduct a study of the effect of written re-  
21 quests to carry out and provide funding for projects and  
22 activities which are submitted to offices of the executive  
23 branch by Members of Congress on the decisions made  
24 by such offices regarding the funding of those projects and  
25 activities.

1 (b) REPORT.—Not later than 1 year after the date  
2 of the enactment of this Act, the Comptroller General shall  
3 submit to Congress a report on the study conducted under  
4 subsection (a).

5 **TITLE II—ENHANCING PUBLIC**  
6 **ACCESS TO THE WORK OF**  
7 **CONGRESSIONAL COMMIT-**  
8 **TEES, LEGISLATION, AND**  
9 **VOTES**

10 **Subtitle A—Access to Legislation,**  
11 **Votes, and Related Information**

12 **SEC. 201. INCREASED TRANSPARENCY OF COMMITTEE**  
13 **WORK.**

14 (a) IN THE HOUSE OF REPRESENTATIVES.—Clause  
15 1 of rule XI of the Rules of the House of Representatives  
16 is amended by adding at the end the following new para-  
17 graph:

18 “(e)(1) Each committee shall post on its Internet  
19 website the public hearings and markup schedules of the  
20 committee and each of its subcommittees at the same time  
21 that information is made available to members of the com-  
22 mittee.

23 “(2) For each hearing and markup for which infor-  
24 mation is posted under subparagraph (1), the committee  
25 shall post on its Internet website within 45 days the fol-

1 lowing: the topic, related legislation, testimony of wit-  
2 nesses, opening statements of the chair and ranking mi-  
3 nority member, transcripts, and audio and video record-  
4 ings.

5       “(3) Within 24 hours after a committee or sub-  
6 committee orders any bill or resolution to be reported, the  
7 committee or subcommittee, as applicable, shall post on  
8 its Internet website all amendments that were agreed to,  
9 except for technical and conforming changes authorized by  
10 the committee or subcommittee, as well as all votes taken  
11 on the bill or resolution and on any amendment offered  
12 to the bill or resolution.”.

13       (b) IN THE SENATE.—Comparable language to be  
14 added by the Senate.

15 **SEC. 202. INCREASED TRANSPARENCY OF RECORDED**  
16 **VOTES.**

17       (a) ADDITIONAL DUTIES OF THE CLERK OF THE  
18 HOUSE AND THE SECRETARY OF THE SENATE.—The  
19 Clerk of the House of Representatives and the Secretary  
20 of the Senate shall post on the public internet site of the  
21 Office of the Clerk or of the Secretary, respectively, a  
22 record, organized by the name of each Member or Senator,  
23 in a structured data format, of the recorded votes of that  
24 Member or Senator, including the roll, date, issue, ques-  
25 tion, result, and title or description of the vote, and any

1 cost estimate of the Congressional Budget Office related  
2 to the vote.

3 (b) WEB LINK.—Each Member shall provide a link  
4 to the Clerk of the House of Representatives of a list of  
5 recorded votes from that Member’s website, and each Sen-  
6 ator shall provide a link to the Secretary of the Senate  
7 of a list of recorded votes from that Senator’s website.

8 (c) DEFINITION.—As used in this section, the term  
9 “Member” means a Representative in Congress, a delegate  
10 to Congress, or the Resident Commissioner from Puerto  
11 Rico.

12 (d) EFFECTIVE DATE.—This section shall apply to  
13 recorded votes occurring after the date of enactment of  
14 this Act.

15 **SEC. 203. ELECTRONIC FORMAT.**

16 (a) IN GENERAL.—Chapter 2 of title 1 of the United  
17 States Code is amended by inserting after section 107 the  
18 following new section:

19 **“§ 107a. Electronic format**

20 “To the extent practicable, all bills, resolutions, or-  
21 ders, and votes shall be created, exchanged, and published  
22 in searchable electronic formats, consistent with data  
23 standards recommended by such advisory bodies as Con-  
24 gress may establish.”.

1 (b) CONFORMING AMENDMENT.—The table of sec-  
2 tions at the beginning of chapter 2 of title 1 of the United  
3 States Code is amended by adding after the item relating  
4 to section 107 the following new item:

“107a. Electronic format.”.

5 **SEC. 204. CONGRESSIONAL DATA TASK FORCE.**

6 (a) ESTABLISHMENT.—The Clerk of the House and  
7 the Secretary of the Senate shall establish an advisory  
8 Congressional Data Task Force to recommend data stand-  
9 ards for the creation, exchange, and publication of con-  
10 gressional information.

11 (b) COMPOSITION.—The Congressional Data Task  
12 Force shall be composed of staff representatives of the  
13 Clerk of the House, the Secretary of the Senate, the Li-  
14 brary of Congress, the Congressional Research Service,  
15 the Government Printing Office, the Center for Legislative  
16 Archives, such other congressional offices and agencies  
17 may be necessary, and representatives of the public.

18 (c) DATA STANDARDS.—All data standards rec-  
19 ommended by the Congressional Data Task Force shall  
20 be nonproprietary and machine-readable.

21 (d) SCOPE.—The Congressional Data Task Force  
22 shall recommend data standards for congressional infor-  
23 mation, including all bills, amendments, Acts, reports,  
24 committee hearing/meeting notices, the United States  
25 Code, and other legislative documents and records.

1 **SEC. 205. USE OF DATA STANDARDS BY CONGRESSIONAL**  
2 **SUPPORT OFFICES.**

3 All congressional support offices shall, to the extent  
4 practicable, use the data standards recommended by the  
5 Congressional Data Task Force for the congressional in-  
6 formation that they create, exchange, and/or publish.

7 **SEC. 206. INCLUSION OF DIGITAL VERSION OF FUNDING**  
8 **TABLES IN REPORTS ACCOMPANYING APPRO-**  
9 **PRIATIONS BILLS.**

10 (a) INCLUSION.—The Clerk of the House of Rep-  
11 resentatives and the Secretary of the Senate shall ensure  
12 that each report accompanying any appropriations bill re-  
13 ported by the Committees on Appropriations of the House  
14 or Senate (as the case may be) includes a formatted  
15 spreadsheet showing the amounts made available by the  
16 bill, in a tabular, digital format that shows separate en-  
17 tries for each fiscal year covered by the bill.

18 (b) EFFECTIVE DATE.—Subsection (a) shall apply  
19 with respect to any appropriations bill making funds avail-  
20 able for fiscal year 2021 or any succeeding fiscal year.

21 **SEC. 207. SELECT COMMITTEE ON THE MODERNIZATION OF**  
22 **CONGRESS.**

23 (a) ESTABLISHMENT.—There is hereby established in  
24 the House of Representatives a Select Committee on the  
25 Modernization of Congress (hereinafter in this section re-  
26 ferred to as the “Select Committee”).

1 (b) COMPOSITION.—

2 (1) The Select Committee shall be composed of  
3 12 Members, Delegates, or the Resident Commis-  
4 sioner appointed by the Speaker.

5 (2) The Speaker shall appoint members of the  
6 Select Committee as follows:

7 (A) At least 2 members from among Mem-  
8 bers, Delegates, or the Resident Commissioner  
9 serving in their first term.

10 (B) At least 2 members from the Com-  
11 mittee on Rules.

12 (C) At least 2 members from the Com-  
13 mittee on House Administration.

14 (3) Of the members of the Select Committee  
15 appointed pursuant to paragraph (1), 6 shall be ap-  
16 pointed on the recommendation of the minority lead-  
17 er, including 1 member each as described in sub-  
18 paragraphs (A) through (C) of paragraph (2).

19 (4) The Speaker shall designate one member of  
20 the Select Committee as chair, and, upon rec-  
21 ommendation of the minority leader, shall designate  
22 one member of the Select Committee as vice chair.

23 (5) A vacancy in the membership of the Select  
24 Committee shall be filled in the same manner as the  
25 original appointment.

1 (c) JURISDICTION; FUNCTIONS.—

2 (1) LEGISLATIVE JURISDICTION.—The Select  
3 Committee shall not have legislative jurisdiction and  
4 shall have no authority to take legislative action on  
5 any bill or resolution.

6 (2) INVESTIGATIVE JURISDICTION.—The sole  
7 authority of the Select Committee shall be to inves-  
8 tigate, study, make findings, hold public hearings,  
9 and develop recommendations on modernizing Con-  
10 gress, including recommendations on—

11 (A) rules to promote a more modern and  
12 efficient Congress;

13 (B) procedures, including the schedule and  
14 calendar;

15 (C) policies to develop the next generation  
16 of leaders;

17 (D) staff recruitment, diversity, retention,  
18 and compensation and benefits;

19 (E) administrative efficiencies, including  
20 purchasing, travel, outside services, and shared  
21 administrative staff;

22 (F) technology and innovation; and

23 (G) the work of the House Commission on  
24 Congressional Mailing Standards.

25 (d) PROCEDURES.—

1           (1) Except as specified in paragraph (2), the  
2       Select Committee shall have the authorities and re-  
3       sponsibilities of, and shall be subject to the same  
4       limitations and restrictions as, a standing committee  
5       of the House, and shall be deemed a committee of  
6       the House for all purposes of law or rule.

7           (2)(A) Rules X and XI of the Rules of the  
8       House of Representatives shall apply to the Select  
9       Committee where not inconsistent with this section.

10          (B) Service on the Select Committee shall not  
11       count against the limitations in clause 5(b)(2) of  
12       rule X of the Rules of the House of Representatives.

13          (C) Clause 2(m)(1)(B) of rule XI and clause  
14       2(m)(3) of rule XI of the Rules of the House of  
15       Representatives shall not apply to the Select Com-  
16       mittee, but the Select Committee may recommend  
17       subpoenas and depositions and submit such rec-  
18       ommendations to the relevant standing committee.

19          (D) Clause 2(d) of rule X of the Rules of the  
20       House of Representatives shall not apply to the Se-  
21       lect Committee.

22       (e) FUNDING.—To enable the Select Committee to  
23       carry out the purposes of this section—

24           (1) the Select Committee may use the services  
25       of staff of the House; and

1           (2) the Select Committee shall be eligible for in-  
2           terim funding pursuant to clause 7 of rule X of the  
3           Rules of the House of Representatives.

4           (f) REPORTS.—

5           (1) REPORTS ON FINDINGS AND RECOMMENDA-  
6           TIONS.—The Select Committee may report to the  
7           House or any committee from time to time the re-  
8           sults of its investigations and studies, together with  
9           such detailed findings and policy recommendations  
10          as it may deem advisable. The Select Committee  
11          may only submit any such report if the report re-  
12          ceives the votes of not fewer than  $\frac{2}{3}$  of its members.

13          (2) PUBLICATION.—The Select Committee shall  
14          ensure that each report prepared in accordance with  
15          paragraph (1) shall, upon completion, be made avail-  
16          able to the general public in widely accessible for-  
17          mats not later than 30 calendar days following the  
18          date the report is made available to the House or a  
19          committee, as applicable.

20 **SEC. 208. EXPANDED INFORMATION IN HOUSE STAFF DI-**  
21 **RECTORY.**

22          Not later than 90 days after the date of the enact-  
23          ment of this Act, the Clerk of the House of Representa-  
24          tives shall submit a report to the Committees on Appro-  
25          priations and House Administration of the House of Rep-

1 representatives on the feasibility of expanding the information  
 2 included in the directory of employees of the House to in-  
 3 clude information on the position held and the areas of  
 4 responsibility assigned to each employee.

5 **SEC. 209. PUBLICATION OF UNITED STATES CAPITOL PO-**  
 6 **LICE ARREST INFORMATION.**

7 (a) PUBLICATION OF INFORMATION.—The Chief of  
 8 the United States Capitol Police shall publish on the offi-  
 9 cial public website of the Capitol Police information on ar-  
 10 rests made by the Capitol Police, and shall ensure that  
 11 such information is published in a structured data format.

12 (b) EFFECTIVE DATE.—This section shall apply with  
 13 respect to arrests made by the United States Capitol Po-  
 14 lice on or after January 1, 2019.

15 **Subtitle B—Access to**  
 16 **Congressionally Mandated Reports**

17 **SEC. 211. SHORT TITLE.**

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

20 **SEC. 212. DEFINITIONS.**

21 In this subtitle:

22 (1) CONGRESSIONALLY MANDATED REPORT.—

23 The term “congressionally mandated report”—

24 (A) means a report that is required by  
 25 statute to be submitted to either House of Con-

1           gress or any committee of Congress or sub-  
2           committee thereof; 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 213(a).

1 **SEC. 213. 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 requiring the  
5 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 or  
20 subcommittee receiving the report, if appli-  
21 cable.

22           (v) The statute 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) To the extent practicable, a permanent  
16 means of accessing the report electronically.

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

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

21 (4) An electronic means for the head of each  
22 Federal agency to submit to the reports online por-  
23 tal each congressionally mandated report of the  
24 agency, as required by section 214.

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

4           (A) reports submitted within the required  
5 time;

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

9           (C) reports not submitted.

10       (c) NONCOMPLIANCE BY FEDERAL AGENCIES.—

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

15           (A) include on the reports online portal—

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

19           (ii) the date on which the report was  
20 required to be submitted; and

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

24           (2) REPORTS NOT IN OPEN FORMAT.—If a Fed-  
25 eral agency submits a congressionally mandated re-

1 port that is not in an open format, the Director shall  
2 include the congressionally mandated report in an-  
3 other format on the reports online portal.

4 (d) DEADLINE.—The Director shall ensure that in-  
5 formation required to be published on the online portal  
6 under this subtitle with respect to a congressionally man-  
7 dated report or information required under subsection (c)  
8 is published—

9 (1) not later than 30 calendar days after the in-  
10 formation is received from the Federal agency in-  
11 volved; or

12 (2) in the case of information required under  
13 subsection (c), not later than 30 calendar days after  
14 the deadline under this subtitle for the Federal  
15 agency involved to submit information with respect  
16 to the congressionally mandated report involved.

17 (e) EXCEPTION FOR CERTAIN REPORTS.—

18 (1) EXCEPTION DESCRIBED.—A congressionally  
19 mandated report which is required by statute to be  
20 submitted to a committee of Congress or a sub-  
21 committee thereof, including any transmittal letter  
22 associated with the report, shall not be submitted to  
23 or published on the reports online portal if the chair  
24 of a committee or subcommittee to which the report  
25 is submitted notifies the Director in writing that the

1 report is to be withheld from submission and publi-  
2 cation under this subtitle.

3 (2) NOTICE ON PORTAL.—If a report is with-  
4 held from submission to or publication on the re-  
5 ports online portal under paragraph (1), the Direc-  
6 tor shall post on the portal—

7 (A) a statement that the report is withheld  
8 at the request of a committee or subcommittee  
9 involved; and

10 (B) the written notification specified in  
11 paragraph (1).

12 (f) FREE ACCESS.—The Director may not charge a  
13 fee, require registration, or impose any other limitation  
14 in exchange for access to the reports online portal.

15 (g) UPGRADE CAPABILITY.—The reports online por-  
16 tal shall be enhanced and updated as necessary to carry  
17 out the purposes of this subtitle.

18 **SEC. 214. FEDERAL AGENCY RESPONSIBILITIES.**

19 (a) SUBMISSION OF ELECTRONIC COPIES OF RE-  
20 PORTS.—Not earlier than 30 calendar days or later than  
21 45 calendar days after the date on which a congressionally  
22 mandated report is submitted to either House of Congress  
23 or to any committee of Congress or subcommittee thereof,  
24 the head of the Federal agency submitting the congress-  
25 sionally mandated report shall submit to the Director the

1 information required under subparagraphs (A) through  
2 (D) of section 213(b)(1) with respect to the congression-  
3 ally mandated report. Nothing in this subtitle shall relieve  
4 a Federal agency of any other requirement to publish the  
5 congressionally mandated report on the online portal of  
6 the Federal agency or otherwise submit the congression-  
7 ally mandated report to Congress or specific committees  
8 of Congress, or subcommittees thereof.

9 (b) GUIDANCE.—Not later than 240 calendar days  
10 after the date of enactment of this Act, the Director of  
11 the Office of Management and Budget, in consultation  
12 with the Director, shall issue guidance to agencies on the  
13 implementation of this subtitle.

14 (c) STRUCTURE OF SUBMITTED REPORT DATA.—  
15 The head of each Federal agency shall ensure that each  
16 congressionally mandated report submitted to the Director  
17 complies with the open format criteria established by the  
18 Director in the guidance issued under subsection (b).

19 (d) POINT OF CONTACT.—The head of each Federal  
20 agency shall designate a point of contact for congression-  
21 ally mandated reports.

22 **SEC. 215. CHANGING OR REMOVING REPORTS.**

23 (a) LIMITATION ON AUTHORITY TO CHANGE OR RE-  
24 MOVE REPORTS.—Except as provided in subsection (b),  
25 the head of the Federal agency concerned may change or

1 remove a congressionally mandated report submitted to be  
2 published on the reports online portal only if—

3           (1) the head of the Federal agency consults  
4 with each committee of Congress or subcommittee  
5 thereof to which the report is required to be sub-  
6 mitted (or, in the case of a report which is not re-  
7 quired to be submitted to a particular committee of  
8 Congress or subcommittee thereof, to each com-  
9 mittee with jurisdiction over the agency, as deter-  
10 mined by the head of the agency in consultation with  
11 the Speaker of the House of Representatives and the  
12 President pro tempore of the Senate) prior to chang-  
13 ing or removing the report; and

14           (2) a joint resolution is enacted to authorize the  
15 change in or removal of the report.

16       (b) EXCEPTIONS.—Notwithstanding subsection (a),  
17 the head of the Federal agency concerned—

18           (1) may make technical changes to a report  
19 submitted to or published on the online portal; and

20           (2) may remove a report from the online portal  
21 if the report was submitted to or published on the  
22 online portal in error.

1 **SEC. 216. RELATIONSHIP TO THE FREEDOM OF INFORMA-**  
2 **TION ACT.**

3 (a) IN GENERAL.—Nothing in this subtitle shall be  
4 construed to—

5 (1) require the disclosure of information,  
6 records, or reports that are exempt from public dis-  
7 closure under section 552 of title 5, United States  
8 Code; or

9 (2) impose any affirmative duty on the Director  
10 to review congressionally mandated reports sub-  
11 mitted for publication to the reports online portal  
12 for the purpose of identifying and redacting such in-  
13 formation or records.

14 (b) REDACTION OF INFORMATION.—The head of a  
15 Federal agency may redact information required to be dis-  
16 closed under this subtitle if the information would be prop-  
17 erly withheld from disclosure under section 552 of title  
18 5, United States Code, and shall—

19 (1) redact information required to be disclosed  
20 under this subtitle if disclosure of such information  
21 is prohibited by law;

22 (2) redact information being withheld under  
23 this subsection prior to submitting the information  
24 to the Director;

25 (3) redact only such information properly with-  
26 held under this subsection from the submission of

1 information or from any congressionally mandated  
2 report submitted under this Act;

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

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

7 **SEC. 217. IMPLEMENTATION.**

8 (a) **REPORTS SUBMITTED TO CONGRESS.—**

9 (1) **IN GENERAL.—**This subtitle shall apply  
10 with respect to any congressionally mandated report  
11 which—

12 (A) is required by statute to be submitted  
13 to the House of Representatives or Senate at  
14 any time before, on, or after the date of the en-  
15 actment of this Act; or

16 (B) is included by the Clerk of the House  
17 of Representatives or the Secretary of the Sen-  
18 ate (as the case may be) on the list of reports  
19 received by the House of Representatives or  
20 Senate (as the case may be) at any time before  
21 the date of the enactment of this Act.

22 (2) **TRANSITION RULE FOR PREVIOUSLY SUB-**  
23 **MITTED REPORTS.—**The Director shall ensure that  
24 any congressionally mandated report described in  
25 paragraph (1) which was required to be submitted to

1 Congress by a statute enacted before the date of the  
2 enactment of this Act is published on the online por-  
3 tal under this subtitle not later than 1 year after the  
4 date of the enactment of this Act.

5 (b) REPORTS SUBMITTED TO COMMITTEES.—In the  
6 case of congressionally mandated reports which are re-  
7 quired by statute to be submitted to a committee of Con-  
8 gress or a subcommittee thereof, this subtitle shall apply  
9 with respect to—

10 (1) any such report which is first required to be  
11 submitted by a statute which is enacted on or after  
12 the date of the enactment of this Act; and

13 (2) to the maximum extent practical, any con-  
14 gressionally mandated report which was required to  
15 be submitted by a statute enacted before the date of  
16 enactment of this Act unless—

17 (A) the chair of the committee, or sub-  
18 committee thereof, to which the report was re-  
19 quired to be submitted notifies the Director in  
20 writing that the report is to be withheld from  
21 publication; and

22 (B) the Director publishes the notification  
23 on the online portal.

1 **SEC. 218. DETERMINATION OF BUDGETARY EFFECTS.**

2 The budgetary effects of this subtitle, for the purpose  
3 of complying with the Statutory Pay-As-You-Go Act of  
4 2010, shall be determined by reference to the latest state-  
5 ment titled “Budgetary Effects of PAYGO Legislation”  
6 for this subtitle, submitted for printing in the Congres-  
7 sional Record by the Chairman of the House Budget Com-  
8 mittee, provided that such statement has been submitted  
9 prior to the vote on passage.

10 **TITLE III—EXPANDING ACCESS**  
11 **TO CONGRESSIONAL RE-**  
12 **SEARCH SERVICE REPORTS**  
13 **ON LIBRARY OF CONGRESS**  
14 **WEBSITE**

15 **SEC. 301. INCLUSION OF REPORTS FROM ARCHIVE.**

16 Section 154(a)(2) of Legislative Branch Appropria-  
17 tions Act, 2018 (2 U.S.C. 166a(a)(2)) is amended—

18 (1) by redesignating subparagraph (B) as sub-  
19 paragraph (C); and

20 (2) by inserting after subparagraph (A) the fol-  
21 lowing new subparagraph:

22 “(B) INCLUSION OF ARCHIVED MATE-  
23 RIAL.—The term ‘CRS Report’ includes any re-  
24 port or product described in subparagraph (A)  
25 which is produced prior to the effective date of



# TITLE IV—LOBBYING DISCLOSURE

## 3 SEC. 401. SHORT TITLE.

4 This title may be cited as the “Lobbyist Disclosure  
5 Enhancement Act”.

## 6 SEC. 402. MODIFICATIONS TO ENFORCEMENT.

7 (a) LOBBYING DISCLOSURE ACT TASK FORCE.—

8 (1) ESTABLISHMENT.—The Attorney General  
9 shall establish the Lobbying Disclosure Act Enforce-  
10 ment Task Force (in this subsection referred to as  
11 the “Task Force”).

12 (2) FUNCTIONS.—The Task Force—

13 (A) shall have primary responsibility for  
14 investigating and prosecuting each case referred  
15 to the Attorney General under section 6(a)(8)  
16 of the Lobbying Disclosure Act of 1995 (2  
17 U.S.C. 1605(a)(8));

18 (B) shall collect and disseminate informa-  
19 tion with respect to the enforcement of the Lob-  
20 bying Disclosure Act of 1995 (2 U.S.C. 1601 et  
21 seq.);

22 (C) shall audit, at a minimum on an an-  
23 nual basis, and as frequently as deemed nec-  
24 essary by the Task Force, the extent of compli-  
25 ance or noncompliance with the requirements of

1 the Lobbying Disclosure Act of 1995 by lobby-  
2 ists, lobbying firms, and registrants under that  
3 Act through a random sampling of lobbying  
4 registrations and reports filed under that Act  
5 during each calendar year; and

6 (D) shall establish, publicize, and operate a  
7 toll-free telephone number to serve as a hotline  
8 for members of the public to report noncompli-  
9 ance with lobbyist disclosure requirements  
10 under the Lobbying Disclosure Act of 1995,  
11 and shall develop a mechanism to allow mem-  
12 bers of the public to report such noncompliance  
13 online.

14 (b) REFERRAL OF CASES TO THE ATTORNEY GEN-  
15 ERAL.—Section 6(a) of the Lobbying Disclosure Act of  
16 1995 (2 U.S.C. 1605(a)) is amended—

17 (1) in paragraph (8), by striking “United  
18 States Attorney for the District of Columbia” and  
19 inserting “Attorney General”; and

20 (2) in paragraph (11), by striking “United  
21 States Attorney for the District of Columbia” and  
22 inserting “Attorney General”.

23 (c) RECOMMENDATIONS FOR IMPROVED ENFORCE-  
24 MENT.—The Attorney General may make recommenda-  
25 tions to Congress with respect to—



1 business day occurring after such 10th day if  
2 such 10th day does not occur on a business  
3 day,”; and

4 (C) by inserting “online” after “shall reg-  
5 ister”; and

6 (2) in paragraph (2)—

7 (A) by striking “Any organization” and in-  
8 serting the following:

9 “(A) IN GENERAL.—Subject to subpara-  
10 graph (B), any organization”; and

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

12 “(B) THRESHOLD FOR CERTAIN ORGANI-  
13 ZATIONS.—In the case of an organization whose  
14 employees who are lobbyists engage in lobbying  
15 activities only on behalf of the organization, the  
16 organization is required to register under this  
17 subsection only if the lobbying activities of each  
18 such employee includes or is expected to include  
19 more than one lobbying contact.”.

20 **SEC. 405. DISCLOSURE OF POLITICAL CONTRIBUTIONS.**

21 Section 5(d)(1) of the Lobbying Disclosure Act of  
22 1995 (2 U.S.C. 1604(d)(1)) is amended—

23 (1) in the matter preceding subparagraph (A),  
24 by striking “30 days after” and all that follows  
25 through “30th day is not” and inserting “20 days

1 after the end of the quarterly period beginning on  
2 the first day of January, April, July, and October of  
3 each year, or on the first business day after such  
4 20th day if such 20th day is not”; and

5 (2) by striking “semiannual period” each place  
6 it appears and inserting “quarterly period”.

7 **SEC. 406. IDENTIFICATION NUMBERS FOR LOBBYISTS.**

8 (a) **REQUIRING ASSIGNMENT OF UNIQUE IDENTI-**  
9 **FICATION NUMBER.**—Section 6(a)(3) of the Lobbying  
10 Disclosure Act of 1995 (2 U.S.C. 1605(a)(3)) is amend-  
11 ed—

12 (1) by striking “and” at the end of subpara-  
13 graph (A);

14 (2) by adding “and” after the semicolon the  
15 end of subparagraph (B); and

16 (3) by adding after subparagraph (B) the fol-  
17 lowing:

18 “(C) a system that assigns a unique identi-  
19 fication number for each lobbyist for whom a  
20 registration or report is filed under this Act;”.

21 (b) **REPORT ON IMPLEMENTATION.**—Not later than  
22 60 days after the date of the enactment of this Act, the  
23 Clerk of the House of Representatives and the Secretary  
24 of the Senate shall submit a report to Congress on the  
25 progress made by the Clerk and the Secretary in imple-

1 menting the amendment made by subsection (a), and shall  
2 include in the report an analysis of the progress made in  
3 including the unique identification number assigned to a  
4 lobbyist in the statements and reports filed under the Lob-  
5 bying Disclosure Act of 1995 in a structured data format.

6 **SEC. 407. ETHICS TRAINING FOR LOBBYISTS.**

7 (a) **REQUIRED ETHICS TRAINING.**—Any individual  
8 who is a lobbyist registered or required to register under  
9 section 4 of the Lobbying Disclosure Act of 1995 (2  
10 U.S.C. 1603) shall—

11 (1) complete ethics training described in sub-  
12 section (b)—

13 (A) not later than 6 months after the indi-  
14 vidual is first employed or retained for services  
15 that include one or more lobbying contacts; and

16 (B) at least once in each 5-year period  
17 during which the individual is registered or re-  
18 quired to register under section 4; and

19 (2) submit to the Clerk of the House of Rep-  
20 resentatives and the Secretary of the Senate certifi-  
21 cation of the training completed under paragraph  
22 (1).

23 (b) **QUALIFIED TRAINING.**—The Ethics Committee  
24 of the House of Representatives and the Select Committee  
25 on Ethics of the Senate shall jointly—

1           (1) determine the curriculum and certification  
2 requirements for the ethics training for individuals  
3 described in subsection (a);

4           (2) approve those educational institutions, pro-  
5 fessional associations, or other persons who are  
6 qualified to provide such ethics training;

7           (3) determine the maximum fee that may be  
8 charged for the ethics training; and

9           (4) provide oversight of the ethics training pro-  
10 gram established under this section in order to de-  
11 termine the quality of instruction in, and the admin-  
12 istration of, the training program.

13       (c) RESPONSIBILITIES OF CLERK AND SEC-  
14 RETARY.—The Clerk of the House of Representatives and  
15 the Secretary of the Senate shall—

16           (1) collect and review for completion and accu-  
17 racy the certifications of ethics training submitted  
18 under subsection (a)(2); and

19           (2) post on the websites of the Clerk and the  
20 Secretary, with respect to each individual required to  
21 complete ethics training under this section—

22               (A) whether the individual has complied  
23 with such requirement; and

24               (B) the certifications submitted by the in-  
25 dividual under subsection (a)(2).

1 **SEC. 408. ESTIMATES BASED ON TAX REPORTING SYSTEM.**

2 Section 15 of the Lobbying Disclosure Act of 1995  
3 (2 U.S.C. 1610) is repealed.

4 **SEC. 409. EFFECTIVE DATE.**

5 (a) SECTION 402.—Section 402 and the amendments  
6 made by that section take effect upon the expiration of  
7 the 90-day period beginning on the date of the enactment  
8 of this Act.

9 (b) SECTIONS 403, 404, AND 405.—The amendments  
10 made by sections 403, 404, and 405 shall take effect on  
11 the first day of the first quarterly period described in sec-  
12 tion 5(a) of the Lobbying Disclosure Act of 1995 (2  
13 U.S.C. 1604(a)) that begins after the end of the 90-day  
14 period beginning on the date of the enactment of this Act.

15 (c) SECTION 406.—The amendments made by section  
16 406 shall apply to any registration or report that is filed  
17 under section 4 or 5 of the Lobbying Disclosure Act of  
18 1995—

19 (1) on or after the 90th day after the date of  
20 the enactment of this Act; or

21 (2) before such 90th day, if such registration or  
22 report is, as of such 90th day, being retained under  
23 section 6(a)(5) of the Lobbying Disclosure Act of  
24 1995 (2 U.S.C. 1605(a)(5)).

25 (d) SECTION 407.—

1           (1) IN GENERAL.—Section 407 shall take effect  
2 upon the expiration of the 1-year period beginning  
3 on the date of the enactment of this Act.

4           (2) CURRENT LOBBYISTS.—In the case of indi-  
5 viduals who are registered under section 4 of the  
6 Lobbying Disclosure Act of 1995 (2 U.S.C. 1603) as  
7 of the effective date under paragraph (1), the ethics  
8 training required under section 407(a)(1) shall be  
9 completed not later than the end of the 6-month pe-  
10 riod beginning on the effective date under paragraph  
11 (1) of this subsection, in lieu of the date specified  
12 in section 407(a)(1).

## 13           **TITLE V—TRANSPARENCY IN** 14           **FEDERAL CONTRACTING**

### 15           **SEC. 501. IMPROVING APPLICATION PROGRAMMING INTER-** 16           **FACE AND WEBSITE DATA ELEMENTS.**

17           (a) IN GENERAL.—Section 2 of the Federal Funding  
18 Accountability and Transparency Act of 2006 (Public Law  
19 109–282; 31 U.S.C. 6101 note) is amended—

20           (1) in subsection (a)—

21           (A) in paragraph (4)(A)(ii), by striking  
22 “and delivery orders” and inserting “lease  
23 agreements and assignments, and delivery or-  
24 ders”;

25           (B) in paragraph (7)—

1 (i) in subparagraph (B), by striking  
2 “paragraph (2)(A)(i)” and inserting “para-  
3 graph (5)(A)(i)”;

4 (ii) in subparagraph (C)—

5 (I) by striking “paragraph  
6 (2)(A)(ii)” and inserting “paragraph  
7 (5)(A)(ii)”; and

8 (II) by striking “and” after the  
9 semicolon;

10 (iii) in subparagraph (D), by striking  
11 the period at the end and inserting “;  
12 and”; and

13 (iv) by adding at the end the following  
14 new subparagraph:

15 “(E) programmatically search and access  
16 all data in a serialized machine-readable format  
17 (such as XML) via a web-services application  
18 programming interface.”;

19 (C) by redesignating paragraphs (1)  
20 through (8) as paragraphs (2) through (9), re-  
21 spectively; and

22 (D) by inserting before paragraph (2) the  
23 following new paragraph:

24 “(1) CONGRESSIONALLY DIRECTED SPENDING  
25 ITEM.—The term ‘congressionally directed spending

1 item’ means a provision or report language included  
2 primarily at the request of a Member of Congress  
3 providing, authorizing, or recommending a specific  
4 amount of discretionary budget authority, credit au-  
5 thority, or other spending authority for a contract,  
6 loan, loan guarantee, grant, loan authority, or other  
7 expenditure with or to an entity, or targeted to a  
8 specific State, locality, or congressional district,  
9 other than through a statutory or administrative for-  
10 mula-driven or competitive award process.”;

11 (2) in subsection (b)(1)—

12 (A) in subparagraph (F), by striking the  
13 period at the end and inserting a semicolon;

14 (B) by redesignating subparagraph (G) as  
15 subparagraph (J); and

16 (C) by inserting after subparagraph (F)  
17 the following new subparagraphs:

18 “(G) to the extent possible, the Federal  
19 agency, including the bureau, office, or subdivi-  
20 sion, that authorized the Federal award;

21 “(H) after January 1, 2020, for each con-  
22 tract, subcontract, purchase order, task order,  
23 lease agreement and assignment, and delivery  
24 order—

1           “(i) information about the extent of  
2 competition in awarding the contract, in-  
3 cluding the number of bids or proposals  
4 determined to be responsive during the  
5 competitive process, and if the award was  
6 not competitive, the legal authority and  
7 specific rationale for awarding the contract  
8 without full and open competition;

9           “(ii) the full amount awarded under  
10 the contract or, in the case of lease agree-  
11 ments or assignments, the amount paid to  
12 the Government, and the full amount of  
13 any options to expand or extend under the  
14 contract;

15           “(iii) the amount of the profit incen-  
16 tive, such as award fees;

17           “(iv) the type of contract, such as  
18 fixed price, cost plus pricing, labor hour  
19 contracts, and time and materials con-  
20 tracts;

21           “(v) a permanent link to the original  
22 solicitation or notice and the solicitation  
23 ID;

24           “(vi) an indication if the contract is  
25 the result of legislative mandates, set-

1 asides, preference program requirements,  
2 or other criteria, and whether the contract  
3 is multi-year, consolidated, or performance-  
4 based; and

5 “(vii) an indication if the contract is  
6 a congressionally directed spending item;

7 “(I) after January 1, 2020, for all grants,  
8 subgrants, loans, awards, cooperative agree-  
9 ments, and other forms of financial assistance,  
10 an indication if the funding is a congressionally  
11 directed spending item; and”;

12 (3) in subsection (c)(5)—

13 (A) by striking “subsection (a)(2)(A)(i)”  
14 and inserting “subsection (a)(5)(A)(i)”; and

15 (B) by striking “subsection (a)(2)(A)(ii)”  
16 and inserting “subsection (a)(5)(A)(ii)”.

17 (b) EFFECTIVE DATE.—Except as otherwise pro-  
18 vided, the amendments made by subsection (a) shall be  
19 implemented not later than 6 months after the date of  
20 the enactment of this Act.

21 **SEC. 502. IMPROVING DATA QUALITY.**

22 The Federal Funding Accountability and Trans-  
23 parency Act of 2006 (Public Law 109–282; 31 U.S.C.  
24 6101 note) is amended by adding at the end the following  
25 new section:

1 **“SEC. 9. IMPROVING DATA QUALITY.**

2       “(a) INSPECTOR GENERAL DATA AUDIT.—Each In-  
3 spector General shall annually audit for the previous fiscal  
4 year the data used on the website established under sec-  
5 tion 2 for the relevant Federal agency of the Inspector  
6 General, in compliance with generally accepted Govern-  
7 ment auditing standards, and submit a report on such  
8 audit to the Director of the Office of Management and  
9 Budget that includes at least the following:

10               “(1) A review of data used for the website to  
11 verify accuracy of the data and assess the process  
12 used for improving data quality.

13               “(2) A review of a statistically representative  
14 sample of Federal awards to determine whether the  
15 Federal agency of the Inspector General has appro-  
16 priate measures in place to review data submissions  
17 under this Act for accuracy and completeness.

18               “(3) An identification of and report on new  
19 standards that the Inspector General recommends  
20 for implementation by the Federal agency of the In-  
21 spector General to improve data quality.

22       “(b) OMB REPORT.—Not later than April 1 of each  
23 year, the Director of the Office of Management and Budg-  
24 et shall make each report submitted under subsection (a)  
25 for the previous fiscal year available to the public, includ-  
26 ing a review of the findings of the audit and recommenda-

1 tions to improve data quality, through the website estab-  
2 lished under section 2.”.

3 **SEC. 503. REQUIREMENTS RELATING TO REPORTING OF**  
4 **AWARD DATA.**

5 (a) REVISION OF GUIDANCE.—The Director of the  
6 Office of Management and Budget shall revise the Office’s  
7 guidance to Federal agencies on reporting Federal awards  
8 to clarify—

9 (1) the requirement for award titles to describe  
10 the award’s purpose; and

11 (2) requirements for validating and docu-  
12 menting agency award data submitted by Federal  
13 agencies.

14 (b) INCLUSION OF CITY INFORMATION.—The Direc-  
15 tor of the Office of Management and Budget shall include  
16 information on the city in which work is performed in the  
17 Office’s public reporting of the completeness of agency  
18 data submissions.

19 (c) DEFINITIONS.—In this section, the terms “Fed-  
20 eral agency” and “Federal award” have the meanings  
21 given those terms in section 2(a) of the Federal Funding  
22 Accountability and Transparency Act of 2006 (Public Law  
23 109–282; 31 U.S.C. 6101 note).

1 **SEC. 504. RECIPIENT PERFORMANCE TRANSPARENCY.**

2 (a) IN GENERAL.—The Federal Funding Account-  
3 ability and Transparency Act of 2006 (Public Law 109–  
4 282; 31 U.S.C. 6101 note), as amended by the preceding  
5 provisions of this Act, is further amended by adding at  
6 the end the following new section:

7 **“SEC. 10. RECIPIENT PERFORMANCE TRANSPARENCY AND**  
8 **PAST PERFORMANCE.**

9 “The Director of the Office of Management and  
10 Budget shall ensure that the unique identifier required in  
11 section 2(b)(1)(E), which is used to link information about  
12 an entity receiving an award on the website established  
13 under such section, is also used to link information about  
14 such entity on the Federal Awardee Performance Integrity  
15 Information System.”.

16 (b) EFFECTIVE DATE.—The amendment made by  
17 subsection (a) shall be implemented not later than June  
18 30, 2020.

19 **SEC. 505. IMPROVEMENT OF FEDERAL AWARDEE PER-**  
20 **FORMANCE AND INTEGRITY INFORMATION**  
21 **SYSTEM DATABASE.**

22 Section 872(c) of the Duncan Hunter National De-  
23 fense Authorization Act for Fiscal Year 2009 (Public Law  
24 110–417; 122 Stat. 4556) is amended—

1           (1) in the matter preceding paragraph (1), by  
2 striking “5-year period” and inserting “10-year pe-  
3 riod”; and

4           (2) in paragraph (1), by adding at the end the  
5 following new subparagraphs:

6           “(E) In an administrative proceeding, any  
7 administrative judgment that does not contain  
8 an explicit finding or acknowledgment of fault.

9           “(F) In a civil proceeding, any settlement  
10 that does not contain an explicit finding or ac-  
11 knowledgment of fault.”.

12 **SEC. 506. FEDERAL CONTRACTOR COMPLIANCE.**

13           (a) PERIODIC INSPECTION OR REVIEW OF CONTRACT  
14 FILES.—Section 2313(e)(2) of title 41, United States  
15 Code, is amended by adding at the end the following new  
16 subparagraph:

17           “(C) PERIODIC INSPECTION OR REVIEW.—  
18 The Inspector General of each Federal agency  
19 shall periodically—

20           “(i) conduct an inspection or review of  
21 each contract file described in subpara-  
22 graph (B) to determine if the agency is  
23 providing appropriate consideration of the  
24 information included in the database estab-  
25 lished under subsection (a); and

1           “(ii) submit a report containing the  
2           results of the inspection or review con-  
3           ducted under clause (i) to the Committee  
4           on Homeland Security and Governmental  
5           Affairs of the Senate and the Committee  
6           on Oversight and Reform of the House of  
7           Representatives.”.

8           (b) SELF-REPORTING REQUIREMENT.—Subsection  
9 (f) of section 2313 of such title is amended to read as  
10 follows:

11           “(f) SELF-REPORTING REQUIREMENT.—

12                   “(1) CONTRACTS IN EXCESS OF SIMPLIFIED AC-  
13           QUISITION THRESHOLD.—No funds appropriated or  
14           otherwise made available by any Act may be used for  
15           any Federal contract for the procurement of prop-  
16           erty or services in excess of the simplified acquisition  
17           threshold unless the contractor has first made the  
18           certifications set forth in section 52.209–5 of the  
19           Federal Acquisition Regulation.

20                   “(2) CONTRACTS IN EXCESS OF \$500,000.—No  
21           funds appropriated or otherwise made available by  
22           any Act may be used for any Federal contract for  
23           the procurement of property or services in excess of  
24           \$500,000 unless the contractor—

1           “(A) certifies that the contractor has sub-  
2           mitted to the Administrator of General Services  
3           the information required under subsection (c)  
4           and that such information is current as of the  
5           date of such certification; or

6           “(B) certifies that the contractor has cu-  
7           mulative active Federal contracts and grants  
8           with a total value of less than \$10,000,000.”.

9           (c) ANNUAL REPORT.—The Comptroller General of  
10          the United States shall annually submit a report to the  
11          appropriate congressional committees describing the ex-  
12          tent to which suspended or debarred contractors on the  
13          Excluded Parties List System—

14                 (1) are identified as having received Federal  
15          contracts on USAspending.gov; or

16                 (2) were granted waivers from Federal agencies  
17          from suspension or debarment for purposes of enter-  
18          ing into Federal contracts.

19          **SEC. 507. IMPROVING ACCESS TO INFORMATION DIS-**  
20                                 **CLOSED ON LOBBYING ACTIVITIES.**

21                 (a) INFORMATION FILED WITH THE ADMINISTRATOR  
22          OF GENERAL SERVICES.—Section 1352(b) of title 31,  
23          United States Code, is amended—

1 (1) in paragraph (1), by striking “file with that  
2 agency” and inserting “file electronically with the  
3 Administrator of General Services”; and

4 (2) by adding at the end the following new  
5 paragraph:

6 “(7) DATABASE REQUIRED.—The Adminis-  
7 trator of General Services shall establish and main-  
8 tain an online database that—

9 “(A) is available to each agency and the  
10 public;

11 “(B) contains information disclosed pursu-  
12 ant to this subsection; and

13 “(C) is searchable, sortable, machine-read-  
14 able, and downloadable.”.

15 (b) DEADLINE FOR DATABASE.—Not later than 180  
16 days after the date of the enactment of this Act, the Ad-  
17 ministrator of General Services shall establish the data-  
18 base required by paragraph (7) of section 1352(b) of title  
19 31, United States Code, as added by subsection (a).

20 **SEC. 508. INCLUSION OF NARRATIVES ON**  
21 **USASPENDING.GOV.**

22 (a) IN GENERAL.—Not later than 90 days after the  
23 date of the enactment of this Act, the Director of the Of-  
24 fice of Management and Budget shall allow any agency,

1 in reporting an award to USAspending.gov (or a successor  
2 website), to upload a narrative for such award.

3 (b) DEFINITIONS.—In this section, the terms “agen-  
4 cy” and “award” have the meanings given those terms on  
5 USAspending.gov (or a successor website).

6 **TITLE VI—EXECUTIVE BRANCH**  
7 **TRANSPARENCY**  
8 **Subtitle A—Public Availability of**  
9 **Information**

10 **SEC. 601. REQUIREMENT FOR DISCLOSURE OF FEDERAL**  
11 **SPONSORSHIP OF ALL FEDERAL ADVER-**  
12 **TISING OR OTHER COMMUNICATIONS.**

13 (a) REQUIREMENT.—Except as provided for in sub-  
14 section (b), each advertisement or other communication  
15 paid for by an agency, either directly or through a contract  
16 awarded by the agency, shall include a prominent notice  
17 informing the target audience that the advertisement or  
18 other communication is paid for by that agency.

19 (b) EXCEPTIONS.—The requirement in subsection (a)  
20 shall not apply to an advertisement or other communica-  
21 tion—

22 (1) that is 200 characters or less; or

23 (2) that is distributed through a short message  
24 service.

1 (c) ADVERTISEMENT OR OTHER COMMUNICATIONS  
2 DEFINED.—In this section, the term “advertisement or  
3 other communication” includes—

4 (1) an advertisement disseminated in any form,  
5 including print or by any electronic means; and

6 (2) a communication by an individual in any  
7 form, including speech, print, or by any electronic  
8 means.

9 **SEC. 602. IMPROVING ACCESS TO INFLUENTIAL EXECUTIVE**  
10 **BRANCH OFFICIAL’S VISITOR ACCESS**  
11 **RECORDS.**

12 (a) DISCLOSURE OF WHITE HOUSE VISITOR ACCESS  
13 RECORDS.—Not later than 30 days after the date of the  
14 enactment of this Act, and monthly thereafter, the Presi-  
15 dent shall disclose to the public all White House visitor  
16 access records for the previous month that are redacted  
17 in accordance with subsection (c).

18 (b) DISCLOSURE OF AGENCY VISITOR ACCESS  
19 RECORDS.—Not later than 30 days after the date of the  
20 enactment of this Act, and monthly thereafter, the head  
21 of each agency shall disclose to the public all visitor access  
22 records for the previous month for such agency head that  
23 are redacted in accordance with subsection (c).

24 (c) INFORMATION NOT DISCLOSED.—The President  
25 under subsection (a), and the head of the relevant agency

1 under subsection (b), as the case may be, may determine  
2 to not disclose the following information pursuant to this  
3 section:

4 (1) Any information—

5 (A) that implicates personal privacy or law  
6 enforcement concerns (such as date of birth, so-  
7 cial security number, and contact phone num-  
8 ber);

9 (B) that implicates the personal safety of  
10 White House staff (including daily arrival and  
11 departure); or

12 (C) whose release would so threaten na-  
13 tional security interests that it outweighs a  
14 strong presumption in favor of the public's in-  
15 terest in disclosure.

16 (2) For a non-renewable period of up to a year,  
17 any information related to purely personal guests of  
18 the first and second families, but only if the execu-  
19 tive branch's interest in protecting an unfettered  
20 consultation conducted in secret strongly outweighs  
21 the public's interest in an accountable Government  
22 free of corruption and political influence.

23 (3) Any information related to a small group of  
24 particularly sensitive meetings (such as visits of po-  
25 tential Supreme Court nominees).

1 **SEC. 603. PUBLIC AVAILABILITY OF BUDGET JUSTIFICA-**  
2 **TIONS AND APPROPRIATION REQUESTS.**

3 (a) IN GENERAL.—Section 3 of the Federal Funding  
4 Accountability and Transparency Act of 2006 (31 U.S.C.  
5 6101 note) is amended to read as follows:

6 **“SEC. 3. FULL DISCLOSURE OF FEDERAL FUNDS.**

7 “(a) IN GENERAL.—Not less frequently than monthly  
8 when practicable, and in any event not less frequently than  
9 quarterly, the Secretary (in consultation with the Director  
10 and, with respect to information described in subsection  
11 (b)(2), the head of the applicable Federal agency) shall  
12 ensure that updated information with respect to the infor-  
13 mation described in subsection (b) is posted on the website  
14 established under section 2.

15 “(b) INFORMATION TO BE POSTED.—

16 “(1) FUNDS.—For any funds made available to  
17 or expended by a Federal agency or component of a  
18 Federal agency, the information to be posted shall  
19 include—

20 “(A) for each appropriations account, in-  
21 cluding an expired or unexpired appropriations  
22 account, the amount—

23 “(i) of budget authority appropriated;

24 “(ii) that is obligated;

25 “(iii) of unobligated balances; and

1           “(iv) of any other budgetary re-  
2           sources;

3           “(B) from which accounts and in what  
4           amount—

5           “(i) appropriations are obligated for  
6           each program activity; and

7           “(ii) outlays are made for each pro-  
8           gram activity;

9           “(C) from which accounts and in what  
10          amount—

11          “(i) appropriations are obligated for  
12          each object class; and

13          “(ii) outlays are made for each object  
14          class; and

15          “(D) for each program activity, the  
16          amount—

17          “(i) obligated for each object class;  
18          and

19          “(ii) of outlays made for each object  
20          class.

21          “(2) BUDGET JUSTIFICATIONS.—

22          “(A) DEFINITIONS.—In this paragraph—

23                 “(i) the term ‘agency’ has the mean-  
24                 ing given that term in section 101 of title  
25                 31, United States Code; and

1           “(ii) the term ‘budget justification  
2           materials’ means the annual budget jus-  
3           tification materials of an agency that are  
4           submitted to Congress in support of the  
5           budget of the agency, in conjunction with  
6           the budget of the United States Govern-  
7           ment submitted under section 1105(a) of  
8           title 31, United States Code, but does not  
9           include budget justification materials that  
10          are classified.

11          “(B) INFORMATION.—The information to  
12          be posted shall include the budget justification  
13          materials of each agency—

14                 “(i) for the second fiscal year begin-  
15                 ning after the date of enactment of this  
16                 paragraph, and each fiscal year thereafter;  
17                 and

18                 “(ii) to the extent practicable, that  
19                 were released for any fiscal year before the  
20                 date of enactment of this paragraph.

21          “(C) FORMAT.—Budget justification mate-  
22          rials shall be posted under subparagraph (B)—

23                 “(i) in an open format machine read-  
24                 able and text searchable;

1           “(ii) in a manner that enables users  
2           to download individual reports, download  
3           all reports in bulk, and download in bulk  
4           the results of a search, to the extent prac-  
5           ticable; and

6           “(iii) in a structured data format, to  
7           the extent practicable.

8           “(D) DEADLINE.—The budget justification  
9           materials required to be posted under subpara-  
10          graph (B)(i) shall be posted not later than 2  
11          weeks after the date on which the budget jus-  
12          tification materials are first submitted to Con-  
13          gress.

14          “(E) RULE OF CONSTRUCTION.—Nothing  
15          in this paragraph shall be construed to author-  
16          ize an agency to destroy any budget justifica-  
17          tion materials relating to a fiscal year before  
18          the fiscal year described in subparagraph  
19          (B)(i).”.

20          (b) INFORMATION REGARDING AGENCY BUDGET  
21          JUSTIFICATIONS.—Section 1105 of title 31, United States  
22          Code, is amended by adding at the end the following:

23          “(i)(1) The Director of the Office of Management  
24          and Budget shall make publicly available on an internet  
25          website, and continuously update, a tabular list for each

1 fiscal year of each agency that submits to Congress budget  
2 justification materials in support of the budget of the  
3 agency, which shall include—

4           “(A) the name of the agency;

5           “(B) a unique identifier that identifies the  
6 agency;

7           “(C) to the extent practicable, the date on  
8 which the budget justification materials of the agen-  
9 cy are first submitted to Congress;

10           “(D) the date on which the budget justification  
11 materials of the agency are posted online under sec-  
12 tion 3 of the Federal Funding Accountability and  
13 Transparency Act of 2006 (31 U.S.C. 6101 note);

14           “(E) the uniform resource locator where the  
15 budget justification materials submitted to Congress  
16 are published on the website of the agency; and

17           “(F) a single data set that contains the infor-  
18 mation described in subparagraphs (A) through (E)  
19 with respect to the agency for all fiscal years for  
20 which budget justifications of the agency are made  
21 available under section 3 of the Federal Funding Ac-  
22 countability and Transparency Act of 2006 (31  
23 U.S.C. 6101 note) in a structured data format.

24           “(2)(A) Each agency that submits to Congress budg-  
25 et justification materials in support of the budget of the

1 agency shall make the materials available on the website  
2 of the agency.

3 “(B) The Director of Office of Management and  
4 Budget shall establish best practices for agencies relating  
5 to making available materials under subparagraph (A)(i),  
6 which shall include guidelines for using a uniform resource  
7 locator that is in a consistent format across agencies and  
8 is descriptive, memorable, and pronounceable, such as the  
9 format of ‘agencyname.gov/budget’.

10 “(C) If the Director of Office of Management and  
11 Budget maintains a public website that contains the budg-  
12 et of the United States Government submitted under sub-  
13 section (a) and any related materials, such website shall  
14 also contain a link to the tabular list required under para-  
15 graph (1).

16 “(3) In this subsection, the term ‘budget justification  
17 materials’ has the meaning given that term in section 3  
18 of the Federal Funding Accountability and Transparency  
19 Act of 2006 (31 U.S.C. 6101 note).”.

20 **SEC. 604. IMPROVING RULEMAKING DISCLOSURE FOR THE**  
21 **OFFICE OF INFORMATION AND REGULATORY**  
22 **AFFAIRS.**

23 (a) INCLUSION IN THE RULEMAKING DOCKET OF  
24 DOCUMENTS AND COMMUNICATIONS RELATED TO THE  
25 IMPLEMENTATION OF CENTRALIZED REGULATORY RE-

1 VIEW.—As soon as practicable, and not later than 15 days  
2 after the conclusion of centralized regulatory review for  
3 a draft proposed or draft final rule, the Administrator of  
4 the Office of Information and Regulatory Affairs shall in-  
5 clude in the rulemaking docket the following:

6 (1) A copy of the draft proposed or draft final  
7 rule and supporting analyses submitted to the Office  
8 of Information and Regulatory Affairs for review.

9 (2) A copy of the draft proposed or draft final  
10 rule that incorporates substantive changes, if any,  
11 made to the rule as part of implementing centralized  
12 regulatory review.

13 (3) A document describing in a complete, clear,  
14 and simple manner all substantive changes made by  
15 the Office of Information and Regulatory Affairs to  
16 the draft proposed or draft final rule submitted by  
17 the agency to Office for review.

18 (4) A copy of all documents and written com-  
19 munications (including all electronic mail and elec-  
20 tronic mail file attachments), and a summary of all  
21 oral communications (including phone calls, phone  
22 conferences, and meetings), exchanged as part of the  
23 implementation of the centralized regulatory review  
24 between or among any of the following:

25 (A) The agency responsible for the rule.

1 (B) The Office of Information and Regu-  
2 latory Affairs.

3 (C) Any other office or entity within the  
4 Executive Office of the President.

5 (D) An agency that is not the agency re-  
6 sponsible for the rule.

7 (E) An individual who is not employed  
8 by—

9 (i) the executive branch of the Federal  
10 Government; or

11 (ii) an agency that is not the agency  
12 responsible for the rule.

13 (b) DEFINITIONS.—In this section:

14 (1) CENTRALIZED REGULATORY REVIEW.—The  
15 term “centralized regulatory review” means the in-  
16 stitutional process of Presidential oversight of indi-  
17 vidual agency rules governed by Executive Order  
18 12866 (58 Fed. Reg. 51735; relating to regulatory  
19 planning and review), or any successor to such Exec-  
20 utive order.

21 (2) RULE.—The term “rule” has the meaning  
22 given that term in section 551 of title 5, United  
23 States Code.

24 (c) RULE OF CONSTRUCTION.—Nothing in this sec-  
25 tion shall be construed to preempt or displace the dislo-

1 sure requirements under any other provision of law affect-  
2 ing administrative procedure, if such requirements are not  
3 inconsistent with the requirements of this section.

4 **SEC. 605. IMPROVING REGISTRATION INFORMATION FROM**  
5 **AGENTS OF FOREIGN PRINCIPALS.**

6 (a) IMPROVING ONLINE ACCESS TO REGISTRATION  
7 INFORMATION.—Section 6(d)(1) of the Foreign Agents  
8 Registration Act of 1938 (22 U.S.C. 616(d)(1)) is amend-  
9 ed by striking “in a searchable, sortable, and  
10 downloadable manner” and inserting “in a format which  
11 is directly searchable, sortable, downloadable, and ma-  
12 chine-readable”.

13 (b) REPEALING EXEMPTION FROM REGISTRATION  
14 UNDER FOREIGN AGENTS REGISTRATION ACT OF 1938  
15 FOR PERSONS FILING DISCLOSURE REPORTS UNDER  
16 LOBBYING DISCLOSURE ACT OF 1995.—

17 (1) REPEAL OF EXEMPTION.—Section 3 of the  
18 Foreign Agents Registration Act of 1938 (22 U.S.C.  
19 613) is amended by striking subsection (h).

20 (2) TIMING OF FILING OF REGISTRATION  
21 STATEMENTS.—Section 2 of the Foreign Agents  
22 Registration Act of 1938 (22 U.S.C. 612) is amend-  
23 ed—

24 (A) in subsection (a), in the matter pre-  
25 ceding paragraph (1), in the fourth sentence, by

1 striking “The registration statement shall in-  
2 clude” and inserting “Except as provided in  
3 subsection (h), the registration statement shall  
4 include”; and

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

6 “(h) TIMING FOR FILING OF STATEMENTS BY PER-  
7 SONS REGISTERED UNDER THE LOBBYING DISCLOSURE  
8 ACT OF 1995.—In the case of an agent of a person de-  
9 scribed in section 1(b)(2) or an entity described in section  
10 1(b)(3) who has registered under the Lobbying Disclosure  
11 Act of 1995 (2 U.S.C. 1601 et seq.), after the agent files  
12 the first registration required under subsection (a) in con-  
13 nection with the agent’s representation of such person or  
14 entity, the agent shall file all subsequent statements re-  
15 quired under this section at the same time, and in the  
16 same frequency, as the reports filed with the Clerk of the  
17 House of Representatives or the Secretary of the Senate  
18 (as the case may be) under section 5 of the Lobbying Dis-  
19 closure Act of 1995 (2 U.S.C. 1604) in connection with  
20 the agent’s representation of such person or entity.”.

21 (c) EFFECTIVE DATE.—The amendments made by  
22 this section shall take effect upon the expiration of the  
23 30-day period which begins on the date of the enactment  
24 of this Act.

1 **SEC. 606. AGENCY DEFINED.**

2 In this subtitle (except for section 608), the term  
3 “agency” has the meaning given that term under section  
4 551 of title 5, United States Code.

5 **SEC. 607. GOVERNMENT-WIDE ENTITY IDENTIFIER.**

6 (a) DEFINITION.—As used in this section, the term  
7 “agency” has the meaning given the term “Executive  
8 agency” under section 105 of title 5, United States Code.

9 (b) REQUIREMENT FOR ALL AGENCIES TO USE A  
10 GOVERNMENT-WIDE ENTITY IDENTIFIER.—(1) Each  
11 agency shall, to the extent practicable, require all private  
12 sector entities from which it regularly collects reports, fil-  
13 ings, forms, disclosures or other regularized information  
14 to obtain a unique entity identifier.

15 (2) The unique entity identifier required under this  
16 section shall allow private sector entities to be identified  
17 uniquely across all Federal regulatory, procurement, as-  
18 sistance, and other reporting regimes.

19 (c) PUBLICATION OF INFORMATION CATEGORIZED  
20 USING GOVERNMENT-WIDE ENTITY IDENTIFIER.—Each  
21 agency shall, to the extent practicable, publish all public  
22 regulatory, procurement, assistance, and other reported  
23 information categorized using the unique entity identifier  
24 required under this section.

1 (d) GOVERNANCE.—The unique entity identifier re-  
 2 quired under this section shall be based on the global enti-  
 3 ty identifier issued by—

4 (1) utilities endorsed by the Regulatory Over-  
 5 sight Committee, whose charter was set forth by the  
 6 Finance Ministers and Central Bank Governors of  
 7 the Group of Twenty and the Financial Stability  
 8 Board; or

9 (2) utilities endorsed or otherwise governed by  
 10 the Global LEI Foundation so long as that Founda-  
 11 tion remains recognized by the Regulatory Oversight  
 12 Committee or any successor global public oversight  
 13 body.

14 **SEC. 608. GRANTS TRANSPARENCY REQUIREMENTS.**

15 (a) IN GENERAL.—Subtitle V of title 31, United  
 16 States Code, is amended by inserting after chapter 73 the  
 17 following:

18 **“CHAPTER 74—GRANTS TRANSPARENCY**  
 19 **REQUIREMENTS**

“Sec.

“7401. Definitions.

“7402. Pre-award evaluation requirements.

“7403. Website relating to Federal grants.

“7404. Postdecision explanation for failed applicants.

“7405. Inspector General review of peer review process.

20 **“§ 7401. Definitions**

21 “In this chapter:

1           “(1) APPLICANT.—The term ‘applicant’ means  
2           an entity that submits a proposal or application for  
3           a grant.

4           “(2) COMPETITIVE GRANT.—The term ‘com-  
5           petitive grant’ means a discretionary grant entered  
6           into through the use of merit-based selection proce-  
7           dures for the purpose of allocating funds authorized  
8           under a grant program of an Executive agency.

9           “(3) EXECUTIVE AGENCY.—The term ‘Execu-  
10          tive agency’ has the meaning given the term in sec-  
11          tion 105 of title 5, except the term does not include  
12          the Government Accountability Office.

13          “(4) GRANT.—The term ‘grant’ means an  
14          award of Federal financial assistance through a  
15          grant agreement or cooperative agreement making  
16          payment in cash or in kind to a recipient to carry  
17          out a public purpose authorized by law.

18          “(5) GRANT REVIEWER.—The term ‘grant re-  
19          viewer’, with respect to a grant—

20                 “(A) means any individual who reviews,  
21                 evaluates, or participates in the decision to se-  
22                 lect an applicant for award of the grant; and

23                 “(B) includes—

24                         “(i) a peer reviewer;

25                         “(ii) a merit reviewer; and

1                   “(iii) a member of a technical evalua-  
2                   tion panel or board or a special emphasis  
3                   panel.

4   **“§ 7402. Pre-award evaluation requirements**

5           “(a) EVALUATION REQUIRED.—

6                   “(1) IN GENERAL.—Before awarding a competi-  
7                   tive grant and after determining eligibility and con-  
8                   ducting a merit-based review, an Executive agency  
9                   shall conduct an evaluation of the risk posed by an  
10                  applicant to successfully carry out the grant in ac-  
11                  cordance with section 200.205 of title 2, Code of  
12                  Federal regulations (or any successor thereto).

13                  “(2) REVIEW OF INTERAGENCY DUPLICA-  
14                  TION.—To the extent practicable, each evaluation  
15                  conducted under paragraph (1) shall include a re-  
16                  view of any interagency duplication of efforts for re-  
17                  search grants, which may be completed through a  
18                  text-similarity detection process.

19           “(b) SIMPLIFIED EVALUATION PROCEDURE FOR  
20   CERTAIN APPLICANTS.—

21                  “(1) DEFINITION.—In this subsection, the term  
22                  ‘covered applicant’ means an applicant that, based  
23                  on a risk assessment conducted by the Executive  
24                  agency, is determined to pose a relatively low risk of

1 failing to execute the grant successfully and prop-  
2 erly.

3 “(2) PROCEDURE.—In conducting the evalua-  
4 tion required under subsection (a) with respect to a  
5 covered applicant, an Executive agency shall—

6 “(A) minimize the burden on the covered  
7 applicant; and

8 “(B) consider any existing findings with  
9 respect to the covered applicant under the sin-  
10 gle audit process under chapter 75 of this title  
11 related to the matters described in subsection  
12 (b).

13 **“§ 7403. Website relating to Federal grants**

14 “(a) REQUIREMENT.—The Director of the Office of  
15 Management and Budget shall consult with Executive  
16 agencies to upgrade grants.gov or any proposed successor  
17 public website for finding Federal grant opportunities and  
18 applying for those grants so that the website—

19 “(1) may serve as a central point of informa-  
20 tion and provide full access for applicants for com-  
21 petitive grants; and

22 “(2) shall capture in 1 site, or provide elec-  
23 tronic links to, other relevant databases.

24 “(b) NOTICE OF COMPETITIVE GRANT FUNDS  
25 AVAILABILITY.—At the time an Executive agency issues

1 a solicitation or otherwise announces the availability of  
2 funds for a competitive grant, the Executive agency shall  
3 post on the grants website maintained under this section,  
4 in a searchable electronic format, relevant information  
5 about the grant opportunity, including—

6           “(1) the grant announcement and purpose of  
7 the grant;

8           “(2) the anticipated period of performance for  
9 new awards and whether the Executive agency an-  
10 ticipates that the grant will be continued;

11           “(3) in the case of an announcement with re-  
12 spect to which a specific sum is reserved, the  
13 amount of funds available for the grant;

14           “(4) a statement of eligibility requirements for  
15 the grant;

16           “(5) contact information for the Executive  
17 agency, including the name, telephone number, and  
18 electronic mail address of a specific person or per-  
19 sons responsible for answering questions about the  
20 grant and the application process for the grant;

21           “(6) a clear statement of the evaluation factors  
22 or criteria that the Executive agency intends to use  
23 to evaluate and rank grant applications or proposals  
24 submitted, including the weight to be applied to each  
25 factor or criterion;

1           “(7) a description of the process and standards  
2           to be used by the Executive agency to determine  
3           that each grant reviewer does not have a prohibited  
4           conflict of interest, as defined by applicable statute  
5           or regulation, with respect to the evaluation or re-  
6           view of a grant application or proposal, or the deci-  
7           sion to award a grant;

8           “(8) the anticipated deadline for submission of  
9           grant applications or proposals; and

10           “(9) a set of sample winning grant proposals  
11           awarded under the same or similar program within  
12           the last 3 years.

13           “(c) USE BY APPLICANTS.—The grants website  
14           maintained under this section shall, to the greatest extent  
15           practicable, allow applicants to—

16           “(1) use the website with any widely-used com-  
17           puter platform;

18           “(2) search the website for all competitive  
19           grants by purpose, funding agency, program source,  
20           and other relevant criteria; and

21           “(3) apply for a competitive grant using the  
22           website.

23           “(d) TECHNICAL ASSISTANCE FOR GRANTEES.—

24           “(1) IN GENERAL.—Each Executive agency  
25           shall make available on the grants website main-

1       tained under this section detailed grant guidance  
2       and written technical assistance for applicants.

3               “(2) GRANT AWARD PROCESS INFORMATION  
4       POSTED.—With respect to each grant awarded by an  
5       Executive agency, the Executive agency shall, not  
6       later than 30 days after the date on which the grant  
7       is awarded, post on the grants website maintained  
8       under this section—

9               “(A) documentation explaining the basis  
10       for the selection decision for the grant, the  
11       number of proposals received for the grant,  
12       and, with respect to the proposal that resulted  
13       in the grant award, whether the grant was  
14       awarded consistent with a numerical ranking or  
15       other recommendations by grant reviewers; and

16              “(B) in any case in which the award of the  
17       grant is not consistent with the numerical  
18       rankings or any other recommendations made  
19       by grant reviewers, a written justification ex-  
20       plaining the rationale for the decision not to fol-  
21       low the rankings or recommendations.

22              “(3) SENSITIVE INFORMATION.—

23              “(A) PERSONALLY IDENTIFIABLE INFOR-  
24       MATION.—Each Executive agency may redact  
25       any personally identifiable information from a

1 post on the grants website maintained under  
2 this section.

3 “(B) ADVERSE INFORMATION.—An Execu-  
4 tive agency may not post on the grants website  
5 maintained under this section any sensitive in-  
6 formation that the Executive agency determines  
7 would adversely affect an applicant.

8 “(e) SUBMISSION AND PUBLICATION OF GRANT SO-  
9 LICITATION FORECAST ON THE GRANTS WEBSITE.—

10 “(1) REQUIREMENT.—Not later than November  
11 30 of each fiscal year or not later than 60 days after  
12 the date on which amounts are appropriated to an  
13 Executive agency for a fiscal year, whichever is later,  
14 the head of the Executive agency shall post a fore-  
15 cast, in accordance with paragraph (2), of all non-  
16 emergency grant solicitations that the Executive  
17 agency expects to issue for the following calendar  
18 year, which—

19 “(A) shall be based on the best informa-  
20 tion available; and

21 “(B) shall not be binding on the Executive  
22 agency.

23 “(2) MATTERS INCLUDED.—The forecast re-  
24 quired under paragraph (1) shall include, to the ex-

1 tent practicable, for each expected grant solicitation  
2 in a machine-readable format—

3 “(A) a brief description of the subject and  
4 purpose of the grant, organized by the organi-  
5 zational unit of the Executive agency;

6 “(B) contact information for the organiza-  
7 tional unit or individual responsible for the  
8 grant, if known, including name, telephone  
9 number, and electronic mail address;

10 “(C) the expected or actual dates for the  
11 issuance of the grant solicitation and applica-  
12 tion and the grant application submission dead-  
13 line;

14 “(D) the estimated amount of the average  
15 grant award, the estimated maximum and min-  
16 imum amounts of the grant award, if applica-  
17 ble, and the estimated total number of grant  
18 awards to be made; and

19 “(E) a description of the total amount  
20 available to be awarded.

21 “(f) PUBLICATION OF INFORMATION.—

22 “(1) IN GENERAL.—Except as provided in para-  
23 graph (2), nothing in this section shall be construed  
24 to require the publication of information otherwise  
25 exempt from disclosure under section 552 of title 5

1 (commonly referred to as the ‘Freedom of Informa-  
2 tion Act’).

3 “(2) LIMITATION.—The exemption under sec-  
4 tion 552(b)(5) of title 5 shall not exempt from publi-  
5 cation predecisional documents required to be posted  
6 pursuant to the requirements under subsection  
7 (d)(2).

8 “(g) TRANSPARENCY OF INFORMATION.—To the ex-  
9 tent practicable, the grants website maintained under this  
10 section shall—

11 “(1) make the information described in this sec-  
12 tion available in its original format;

13 “(2) make the information described in this sec-  
14 tion available without charge, license, or registration  
15 requirement;

16 “(3) permit the information described in this  
17 section to be searched;

18 “(4) permit the information described in this  
19 section to be downloaded in bulk;

20 “(5) permit the information described in this  
21 section to be disseminated via automatic electronic  
22 means;

23 “(6) permit the information described in this  
24 section to be freely shared by the public, such as by  
25 social media;

1           “(7) use permanent uniform resource locators  
2           for the information described in this section; and

3           “(8) provide an opportunity for the public to  
4           provide input about the usefulness of the site and  
5           recommendations for improvements.

6   **“§ 7404. Postdecision explanation for failed appli-**  
7                           **cants**

8           “If requested by an applicant for a competitive grant,  
9           for each grant award made in an amount in excess of  
10          \$100,000 pursuant to a merit-based selection procedure,  
11          an Executive agency shall provide the applicant with a  
12          timely direct interaction describing the basis for the award  
13          decision of the Executive agency, including, if applicable,  
14          the decision not to award a grant to the applicant.

15   **“§ 7405. Inspector General review of peer review**  
16                           **process**

17          “Not later than 18 months after the date of enact-  
18          ment of the Transparency in Government Act of 2019,  
19          the Inspector General of each Executive agency that  
20          awards competitive grants shall conduct a review of the  
21          effectiveness of the conflicts of interest policy of the Exec-  
22          utive agency, including a review of a random selection of  
23          peer review processes, with respect to the peer review proc-  
24          ess for competitive grants in order to detect favoritism.”.

1 (b) CLERICAL AMENDMENT.—The table of chapters  
 2 at the beginning of subtitle V of title 31, United States  
 3 Code, is amended by inserting after the item relating to  
 4 chapter 73 the following:

“74. **Grant transparency requirements** ..... **7401”.**

5 (c) GRANTS WORKFORCE REPORT.—

6 (1) DEFINITIONS.—In this subsection:

7 (A) EXECUTIVE AGENCY.—The term “Ex-  
 8 ecutive agency” has the meaning given the term  
 9 in section 105 of title 5, United States Code,  
 10 except the term does not include the Govern-  
 11 ment Accountability Office.

12 (B) FEDERAL GRANTS WORKFORCE.—The  
 13 term “Federal grants workforce”, with respect  
 14 to an Executive agency, means all employees of  
 15 the Executive agency who spend some or all of  
 16 their time engaged in—

17 (i) grant planning, including pro-  
 18 grammatic activities;

19 (ii) preparing grant solicitations, No-  
 20 tices of Funding Opportunity, Notices In-  
 21 viting Applications, or other requests for  
 22 grant proposals;

23 (iii) evaluating or reviewing grant ap-  
 24 plications, including serving on a peer re-  
 25 view board;

1 (iv) monitoring or administering grant  
2 performance by grantees;

3 (v) preparing the Notice of Award and  
4 negotiating terms and conditions; or

5 (vi) post-award closeout activities, in-  
6 cluding final technical and financial re-  
7 ports.

8 (2) REPORT.—Not later than 180 days after  
9 the date of enactment of this Act, the Comptroller  
10 General of the United States shall submit to the  
11 Committee on Homeland Security and Governmental  
12 Affairs of the Senate and the Committee on Over-  
13 sight and Reform of the House of Representatives a  
14 report on the Federal grants workforce, which shall  
15 address—

16 (A) the size of the Federal grants work-  
17 force and expected trends in Federal employ-  
18 ment for the Federal grants workforce;

19 (B) the adequacy of training opportunities  
20 for the Federal grants workforce;

21 (C) whether the Federal Acquisition Insti-  
22 tute or any other existing entity engaged in ac-  
23 quisition workforce training should be made  
24 available for grant training;

1 (D) whether a warrant system similar to  
2 that used in the Federal acquisition system  
3 should be established for Federal officials au-  
4 thorized to award grants;

5 (E) the use by Executive agencies of sus-  
6 pension and debarment actions taken against  
7 grantees during the 3-year period preceding the  
8 date on which the report is submitted, and the  
9 level of agency resources assigned to the sus-  
10 pension and debarment functions; and

11 (F) any recommendations for improving  
12 the Federal grants workforce.

13 **Subtitle B—Publication of**  
14 **Opinions of Office of Legal Counsel**

15 **SEC. 611. SHORT TITLE.**

16 This subtitle may be cited as the “See UNdisclosed  
17 Legal Interpretations and Get Honest Transparency Act  
18 of 2019” or as the “SUNLIGHT Act of 2019”.

19 **SEC. 612. SCHEDULE OF PUBLICATION FOR FINAL OLC**  
20 **OPINIONS.**

21 Each final opinion issued by the Office of Legal  
22 Counsel must be made publicly available in its entirety as  
23 soon as is practicable, but—

1           (1) not later than 30 days after the opinion is  
2 issued or updated if such action takes place on or  
3 after the date of enactment of this Act;

4           (2) not later than 1 year after the date of en-  
5 actment of this Act for an opinion issued on or after  
6 January 20, 1993;

7           (3) not later than 2 years after the date of en-  
8 actment of this Act for an opinion issued on or after  
9 January 20, 1981 and before or on January 19,  
10 1993;

11           (4) not later than 3 years after the date of en-  
12 actment of this Act for an opinion issued on or after  
13 January 20, 1969 and before or on January 19,  
14 1981; and

15           (5) not later than 4 years after the date of en-  
16 actment of this Act for all other opinions.

17 **SEC. 613. EXCEPTIONS AND LIMITATION ON PUBLIC AVAIL-**  
18 **ABILITY OF FINAL OLC OPINIONS.**

19           (a) IN GENERAL.—A final OLC opinion or part  
20 thereof may be withheld only to the extent—

21           (1) information contained in the opinion was—

22                   (A) specifically authorized to be kept se-  
23 cret, under criteria established by an Executive  
24 order, in the interest of national defense or for-  
25 eign policy;

1 (B) in fact properly classified, including all  
2 procedural and marking requirements, pursuant  
3 to such Executive order;

4 (C) the Attorney General determines that  
5 the national defense or foreign policy interests  
6 protected outweigh the public's interest in ac-  
7 cess to the information; and

8 (D) has been put through declassification  
9 review within the past two years;

10 (2) information contained in the opinion relates  
11 to the appointment of a specific individual not con-  
12 firmed to Federal office;

13 (3) information contained in the opinion is spe-  
14 cifically exempted from disclosure by statute (other  
15 than sections 552 and 552b of title 5, United States  
16 Code), provided that such statute—

17 (A) requires that the material be withheld  
18 in such a manner as to leave no discretion on  
19 the issue; or

20 (B) establishes particular criteria for with-  
21 holding or refers to particular types of material  
22 to be withheld;

23 (4) information in the opinion includes trade se-  
24 crets and commercial or financial information ob-  
25 tained from a person and privileged or confidential

1 whose disclosure would likely cause substantial harm  
2 to the competitive position of the person from whom  
3 the information was obtained;

4 (5) the President, in his or her sole and non-  
5 delegable determination, formally and personally  
6 claims in writing that executive privilege prevents  
7 the release of the information and disclosure would  
8 cause specific identifiable harm to an interest pro-  
9 tected by an exception or the disclosure is prohibited  
10 by law; or

11 (6) information in the opinion includes per-  
12 sonnel and medical files and similar files the dislo-  
13 sure of which would constitute a clearly unwarranted  
14 invasion of personal privacy.

15 (b) DETERMINATION TO WITHHOLD.—Any deter-  
16 mination under this section to withhold information con-  
17 tained in a final OLC opinion must be made by the Attor-  
18 ney General or a designee of the Attorney General. The  
19 determination shall be—

20 (1) in writing;

21 (2) made available to the public within the  
22 same timeframe as is required of a formal OLC  
23 opinion;

1           (3) sufficiently detailed as to inform the public  
2           of what kind of information is being withheld and  
3           the reason therefore; and

4           (4) effective only for a period of 3 years, sub-  
5           ject to review and reissuance, with each reissuance  
6           made available to the public.

7           (c) FINAL OPINIONS.—For final OLC opinions for  
8           which the text is withheld in full or in substantial part,  
9           a detailed unclassified summary of the opinion must be  
10          made available to the public, in the same timeframe as  
11          required of the final OLC opinion, that conveys the es-  
12          sence of the opinion, including any interpretations of a  
13          statute, the Constitution, or other legal authority. A nota-  
14          tion must be included in any published list of OLC opin-  
15          ions regarding the extent of the withholdings.

16          (d) NO LIMITATION ON RELIEF.—A decision by the  
17          Attorney General to release or withhold information pur-  
18          suant to this Act shall not preclude any action or relief  
19          conferred by statutory or regulatory regime that empowers  
20          any person to request or demand the release of informa-  
21          tion.

22          (e) REASONABLY SEGREGABLE PORTIONS OF OPIN-  
23          IONS TO BE PUBLISHED.—Any reasonably segregable  
24          portion of an opinion shall be provided after withholding  
25          of the portions which are exempt under this subsection.

1 The amount of information withheld, and the exemption  
2 under which the withholding is made, shall be indicated  
3 on the released portion of the opinion, unless including  
4 that indication would harm an interest protected by the  
5 exemption in this subsection under which the withholding  
6 is made. If technically feasible, the amount of the informa-  
7 tion withheld, and the exemption under which the with-  
8 holding is made, shall be indicated at the place in the opin-  
9 ion where such withholding is made.

10 **SEC. 614. METHOD OF PUBLICATION.**

11 The Attorney General shall publish each final OLC  
12 opinion to the extent the law permits, including by pub-  
13 lishing the opinions on a publicly accessible website that—

14 (1) with respect to each opinion—

15 (A) contains an electronic copy of the opin-  
16 ion, including any transmittal letter associated  
17 with the opinion, in an open format that is plat-  
18 form independent and that is available to the  
19 public without restrictions;

20 (B) provides the public the ability to re-  
21 trieve an opinion, to the extent practicable,  
22 through searches based on—

23 (i) the title of the opinion;

24 (ii) the date of publication or revision;

25 or

1 (iii) the full text of the opinion;

2 (C) identifies the time and date when the  
3 opinion was required to be published, and when  
4 the opinion was transmitted for publication;  
5 and

6 (D) provides a permanent means of access-  
7 ing the opinion electronically;

8 (2) includes a means for bulk download of all  
9 OLC opinions or a selection of opinions retrieved  
10 using a text-based search;

11 (3) provides free access to the opinions, and  
12 does not charge a fee, require registration, or impose  
13 any other limitation in exchange for access to the  
14 website; and

15 (4) is capable of being upgraded as necessary to  
16 carry out the purposes of this Act.

17 **SEC. 615. INDEX OF OPINIONS.**

18 (a) PUBLICATION OF INDEX.—

19 (1) IN GENERAL.—The Office of Legal Counsel  
20 shall publish a complete list of final OLC opinions,  
21 arranged chronologically, within 90 days of the date  
22 of the enactment of this Act.

23 (2) UPDATES AND REVISIONS.—The list of  
24 opinions shall be updated immediately every time an

1 OLC opinion becomes final, and a revision to an  
2 opinion shall be listed as if it were a new opinion.

3 (b) REQUIREMENTS FOR LIST.—Each list under sub-  
4 section (a) shall comply with the following:

5 (1) The list must be made available to the pub-  
6 lic by publication on the website under section 614.

7 (2) The list shall —

8 (A) include, for each opinion—

9 (i) the full name of the opinion;

10 (ii) the date it was finalized or re-  
11 vised;

12 (iii) each author’s name;

13 (iv) each recipient’s name;

14 (v) a summary of the opinion;

15 (vi) a unique identifier assigned to  
16 each final or revised opinion; and

17 (vii) whether an opinion has been  
18 withdrawn; and

19 (B) be published in both human-readable  
20 and machine-readable formats.

21 **SEC. 616. PRIVATE RIGHT OF ACTION.**

22 On complaint, the district court of the United States  
23 in the district in which the complainant resides, or has  
24 his principal place of business, or in the District of Colum-  
25 bia, has jurisdiction to enjoin the agency from withholding

1 information contained in a final OLC opinion and to order  
2 the production of information improperly withheld from  
3 the complainant. In such a case the court shall determine  
4 the matter de novo, and may examine the contents of such  
5 OLC opinion in camera to determine whether such infor-  
6 mation or any part thereof shall be withheld under any  
7 of the exemptions set forth in section 613, and the burden  
8 is on the agency to sustain its action.

9 **SEC. 617. SEVERABILITY.**

10 If any provision of this subtitle, any amendment  
11 made by this subtitle, or the application thereof to any  
12 person or circumstances is held invalid, the validity of the  
13 remainder of this subtitle, of any such amendments, and  
14 of the application of such provisions to other persons and  
15 circumstances shall not be affected thereby.

16 **SEC. 618. DEFINITIONS.**

17 (a) OLC OPINION.—The term “OLC opinion” means  
18 views on a matter of legal interpretation communicated  
19 by the Office of Legal Counsel of the Department of Jus-  
20 tice to any other office or agency, or person in an office  
21 or agency, in the Executive Branch, including any office  
22 in the Department of Justice, the White House, or the  
23 Executive Office of the President, and rendered in accord-  
24 ance with sections 511–513 of title 28, United States  
25 Code. Where the communication of the legal interpretation

1 takes place verbally, a memorialization of that communica-  
2 tion qualifies as an “OLC opinion”.

3 (b) FINAL OLC OPINION.—The term “final OLC  
4 opinion” means an OLC opinion that—

5 (1) the Attorney General, Assistant Attorney  
6 General for OLC, or a Deputy Assistant General for  
7 OLC, has determined is final;

8 (2) government officials or government contrac-  
9 tors are relying on;

10 (3) is relied upon to formulate legal guidance;

11 or

12 (4) is directly or indirectly cited in another Of-  
13 fice of Legal Counsel opinion.

14 (c) REVISED OLC OPINION.—The term “revised  
15 OLC opinion” means an OLC opinion that is withdrawn,  
16 information is added to, or information is removed from.

## 17 **Subtitle C—Contempt of Congress** 18 **Procedures and Enforcement**

### 19 **SEC. 621. AVAILABILITY OF CIVIL ACTION TO ENFORCE** 20 **HOUSE OF REPRESENTATIVES SUBPOENAS.**

21 (a) CIVIL ACTION.—The House of Representatives  
22 may in a civil action obtain any appropriate relief to en-  
23 force compliance with a subpoena or order of the House,  
24 or to enforce compliance with a subpoena or order issued  
25 by a committee or subcommittee of the House authorized

1 to issue a subpoena or order, if the House by resolution  
2 authorizes the commencement of that civil action.

3 (b) REPRESENTATION BY GENERAL COUNSEL.—Un-  
4 less the House otherwise provides, the Office of the Gen-  
5 eral Counsel of the House of Representatives shall rep-  
6 resent the House in the civil action.

7 (c) PERSONAL JURISDICTION.—Personal jurisdiction  
8 of the court over a defendant in a civil action under this  
9 section extends outside the territorial jurisdiction of the  
10 court if the claim—

11 (1) arose out of conduct by the defendant—

12 (A) within that territorial jurisdiction, or

13 (B) causing any injury, including informa-  
14 tional injury to the right of the House to make  
15 an investigation, within that territorial jurisdic-  
16 tion; or

17 (2) otherwise has a reasonable relationship to  
18 contacts of the defendant with the territorial juris-  
19 diction.

20 (d) ASSESSMENT OF COMPETING INTERESTS.—

21 (1) IN GENERAL.—In any civil action brought  
22 under this section, if the court has determined that  
23 the information or material which is the subject of  
24 the subpoena or order involved is presumptively priv-  
25 ileged based upon the President's generalized inter-

1 est in confidentiality, the House may overcome this  
2 presumption by showing that—

3 (A) the House, or a committee or sub-  
4 committee thereof, has a specific need for the  
5 information or material in order to carry out its  
6 constitutional obligations; and

7 (B) the information is not otherwise avail-  
8 able.

9 (2) ENFORCEMENT.—If the court determines  
10 that the House, or a committee or subcommittee  
11 thereof, has made the showing described in para-  
12 graph (1), it shall enforce the subpoena or order in-  
13 volved.

14 (e) EXPEDITION OF TRIAL AND APPELLATE PRO-  
15 CEEDINGS.—The court shall hear and determine a civil ac-  
16 tion under this section as expeditiously as possible, and  
17 to the maximum extent practicable during the Congress  
18 in which the action is commenced. Any appellate pro-  
19 ceedings relating to such a civil action shall similarly be  
20 expedited to assure to the extent possible that the matter  
21 is fully resolved during the Congress in which the action  
22 was commenced.

23 **SEC. 622. ALTERNATE PROCEDURES FOR ENFORCEMENT**  
24 **OF CRIMINAL CONTEMPT OF CONGRESS.**

25 (a) ALTERNATE PROCEDURE.—

1           (1) SCOPE OF APPLICATION.—If the House of  
2           Representatives finds a current or former officer or  
3           employee of the Executive branch has violated sec-  
4           tion 102 of the Revised Statutes of the United  
5           States (2 U.S.C. 192) or that any person has vio-  
6           lated such section at the direction of the President  
7           or another officer of the executive branch, the proce-  
8           dures of this section apply.

9           (2) CERTIFICATION BY SPEAKER.—In accord-  
10          ance with section 104 of the Revised Statutes of the  
11          United States (2 U.S.C. 194), upon the finding by  
12          the House of Representatives of a violation to which  
13          this section applies, the Speaker shall certify that  
14          finding to the appropriate United States attorney,  
15          whose duty it shall be to bring the matter before the  
16          grand jury for its action.

17          (3) CIRCUMSTANCES LEADING TO APPOINT-  
18          MENT OF SPECIAL COUNSEL.—If—

19                 (A) the Attorney General or the United  
20                 States attorney to whom the finding was cer-  
21                 tified informs the court or the House that the  
22                 Department of Justice will not prosecute the  
23                 case; or

24                 (B) by the end of the 30th day after the  
25                 date of receipt of a certification made under

1 paragraph (2) a grand jury has not returned an  
2 indictment based on the violation alleged in the  
3 certification;

4 the Special Division established under subsection (b)  
5 (hereinafter in this Act referred to as the “Special  
6 Division”) shall appoint a special counsel under sub-  
7 section (c). It shall be the duty of the Attorney Gen-  
8 eral to inform that court and the House if a grand  
9 jury does not return an indictment by the end of the  
10 30-day period. The Speaker of the House, or any in-  
11 terested congressional party, may file with the Spe-  
12 cial Division a suggestion that circumstances giving  
13 rise to a duty to appoint a special counsel have oc-  
14 curred after the 30-day period ends without the re-  
15 turn of an indictment.

16 (b) SPECIAL DIVISION.—

17 (1) ESTABLISHMENT.—There is hereby estab-  
18 lished within the United States Court of Appeals for  
19 the District of Columbia a Special Division to carry  
20 out the appointment of special counsels under this  
21 section.

22 (2) DESIGNATION.—

23 (A) IN GENERAL.—The Chief Justice of  
24 the United States shall designate three judges  
25 or justices of the United States, one of whom

1 shall be an active judge of the United States  
2 Court of Appeals for the District of Columbia,  
3 to serve on the Special Division, except that  
4 none of the judges or justices serving on the  
5 Special Division may serve or have served on  
6 the same court.

7 (B) PRIORITY.—In designating judges and  
8 justices to serve on the Special Division, the  
9 Chief Justice shall give priority to senior circuit  
10 judges and retired justices of the United States  
11 Supreme Court.

12 (C) DEADLINE.— The Chief Justice shall  
13 make the first such designation not later than  
14 45 days after the date of the enactment of this  
15 Act.

16 (3) TERM OF SERVICE.—Each designation to  
17 the Special Division shall be for a term of 2 years,  
18 but the Chief Justice may fill any vacancy arising  
19 before the end of a term for the remainder of that  
20 term.

21 (c) APPOINTMENT, QUALIFICATIONS, AND PROSECU-  
22 TORIAL JURISDICTION OF SPECIAL COUNSEL, AND AD-  
23 MINISTRATIVE MATTERS RELATING TO THE SPECIAL  
24 COUNSEL.—

1           (1) APPOINTMENT, QUALIFICATIONS, AND  
2 PROSECUTORIAL JURISDICTION OF SPECIAL COUN-  
3 SEL.—

4           (A) APPOINTMENT AND QUALIFICA-  
5 TIONS.—The Special Division shall appoint the  
6 special counsel, who must be an attorney in  
7 good standing with substantial prosecutorial ex-  
8 perience—

9           (i) who has not served in any capacity  
10 in the administration of the President who  
11 is or who was in office at the time the  
12 Speaker of the House certified the finding  
13 of a violation; and

14           (ii) who is or who was not a Member,  
15 officer, or employee of Congress at the  
16 time the Speaker of the House certified the  
17 finding of a violation.

18           (B) PROSECUTORIAL JURISDICTION.—The  
19 Special Division shall define the special coun-  
20 sel’s prosecutorial jurisdiction as comprising the  
21 investigation and prosecution of the alleged vio-  
22 lation, any conspiracy to commit the alleged  
23 violation, and any perjury, false statement, or  
24 obstruction of justice occurring in relation to  
25 such investigation and prosecution.

1           (2) AUTHORITY OF SPECIAL COUNSEL WITH  
2 RESPECT TO MATTERS WITHIN PROSECUTORIAL JU-  
3 RISDICTION.—With respect to all matters in that  
4 special counsel’s prosecutorial jurisdiction, a special  
5 counsel appointed under this section shall have full  
6 power and independent authority to exercise all pros-  
7 ecutorial functions and powers, and any other func-  
8 tions and powers normally ancillary thereto, of the  
9 Department of Justice, the Attorney General, and  
10 any other officer or employee of the Department of  
11 Justice, except that the Attorney General shall exer-  
12 cise direction or control as to those matters that spe-  
13 cifically require the Attorney General’s personal ac-  
14 tion under section 2516 of title 18, United States  
15 Code.

16           (3) COMPLIANCE WITH POLICIES OF THE DE-  
17 PARTMENT OF JUSTICE.—

18           (A) IN GENERAL.—A special counsel shall,  
19 except to the extent that to do so would be in-  
20 consistent with the purposes of this section,  
21 comply with the written or other established  
22 policies of the Department of Justice respecting  
23 enforcement of the criminal laws.

24           (B) NATIONAL SECURITY.—A special coun-  
25 sel shall comply with guidelines and procedures

1           used by the Department in the handling and  
2           use of classified material.

3           (4) SALARY.—The special counsel shall receive  
4           a salary equivalent to the salary of the United  
5           States Attorney for the District of Columbia.

6           (5) STAFF.—The special counsel may appoint  
7           and fix the salaries of such staff, not to exceed 12  
8           in number, as the special counsel deems necessary to  
9           carry out the functions of the special counsel under  
10          this section. However, no salary of a member of such  
11          staff may exceed the salary of the special counsel.

12          (6) EXPENSES.—The Department of Justice  
13          shall pay all costs relating to the establishment and  
14          operation of any office of special counsel. The Attor-  
15          ney General shall submit to the Congress, not later  
16          than 30 days after the end of each fiscal year, a re-  
17          port on amounts paid during that fiscal year for ex-  
18          penses of investigations and prosecutions the special  
19          counsel.

20          (7) REPORT TO CONGRESS.—Each special coun-  
21          sel shall report to Congress annually on the special  
22          counsel's activities under this section. The report  
23          shall include a description of the progress of any in-  
24          vestigation or prosecution conducted by the special

1 counsel and provide information justifying the costs  
2 of the activities reported on.

3 (d) REMOVAL OF SPECIAL COUNSEL.—

4 (1) IN GENERAL.—A special counsel may be re-  
5 moved from office, other than by impeachment and  
6 conviction, only by the personal action of the Attor-  
7 ney General, and only for good cause, physical or  
8 mental disability, or any other condition that sub-  
9 stantially impairs the performance of that special  
10 counsel's duties.

11 (2) REPORT UPON REMOVAL.—If a special  
12 counsel is removed from office, the Attorney General  
13 shall promptly submit to the Special Division and to  
14 Congress a report specifying the facts found and the  
15 ultimate grounds for the removal.

16 (3) JUDICIAL REVIEW OF REMOVAL.—A special  
17 counsel removed from office may obtain judicial re-  
18 view of the removal in a civil action. The Special Di-  
19 vision may not hear or determine any appeal of a de-  
20 cision in any such civil action. The special counsel  
21 may be reinstated or granted other appropriate relief  
22 by order of the court.

23 (4) APPOINTMENT OF REPLACEMENT.—Upon  
24 removal of a special counsel, the Special Division

1 shall appoint a similarly qualified individual to con-  
2 tinue the functions of the special counsel.

3 (e) TERMINATION OF SPECIAL COUNSEL'S AUTHOR-  
4 ITY.—

5 (1) IN GENERAL.—The authority of the special  
6 counsel shall cease 2 years after the date of the spe-  
7 cial counsel's appointment, but the Special Division  
8 may extend that authority for an additional period  
9 not to exceed one year, if the Special Division finds  
10 good cause to do so. Good cause to do so includes  
11 that the investigation or prosecution undertaken by  
12 the special counsel has been delayed by dilatory tac-  
13 tics by persons who could provide evidence that  
14 would significantly assist the investigation or pros-  
15 ecution, and also includes the need to allow the spe-  
16 cial counsel to participate in any appellate pro-  
17 ceedings related to prosecutions engaged in by the  
18 special counsel.

19 (2) TERMINATION BY COURT.—The Special Di-  
20 vision, either on the Special Division's own motion  
21 or upon the request of the Attorney General, may  
22 terminate an office of special counsel at any time, on  
23 the ground that the investigation of all matters with-  
24 in the prosecutorial jurisdiction of such special coun-  
25 sel, and any resulting prosecutions, have been com-

1       pleted or so substantially completed that it would be  
2       appropriate for the Department of Justice to com-  
3       plete such investigations and prosecutions.

4 **SEC. 623. INCREASE IN PENALTY FOR CONTEMPT OF CON-**  
5 **GRESS.**

6       Section 102 of the Revised Statutes of the United  
7 States (2 U.S.C. 192) is amended by striking “deemed”  
8 and all that follows through “twelve months” and insert-  
9 ing “fined not more than \$1,000,000 or imprisoned not  
10 more than 2 years, or both”.

11 **SEC. 624. AUTHORITY OF UNITED STATES CAPITOL POLICE**  
12 **TO ENFORCE CITATIONS.**

13       (a) AUTHORITY.—Section 9B(a) of the Act entitled  
14 “An Act to define the area of the United States Capitol  
15 Grounds, to regulate the use thereof, and for other pur-  
16 poses”, approved July 31, 1946 (2 U.S.C. 1967(a)), is  
17 amended—

18           (1) by striking “and” at the end of paragraph

19           (4);

20           (2) by striking the period at the end of para-  
21 graph (5) and inserting “; and”; and

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

24           “(6) within any area, to enforce a citation  
25       issued with respect to a violation of section 102 of

1 the Revised Statutes of the United States which re-  
2 lates to the House of Representatives, or any cita-  
3 tion issued with respect to a resolution adopted by  
4 the House citing a person for contempt of the  
5 House.”.

6 (b) EFFECTIVE DATE.—The amendment made by  
7 subsection (a) shall apply with respect to citations issued  
8 on or after the expiration of the 90-day period which be-  
9 gins on the date of the enactment of this Act.

10 **SEC. 625. COLLECTION OF PENALTIES IMPOSED BY THE**  
11 **HOUSE OF REPRESENTATIVES ON PERSONS**  
12 **CITED FOR CONTEMPT OF HOUSE.**

13 (a) CIVIL ACTION.—If the House of Representatives  
14 adopts a resolution citing a person for contempt of the  
15 House, the House may commence a civil action to collect  
16 a monetary penalty from the person if the House by subse-  
17 quent resolution authorizes the commencement of that  
18 civil action.

19 (b) REPRESENTATION BY GENERAL COUNSEL.—Un-  
20 less the House otherwise provides, the Office of the Gen-  
21 eral Counsel of the House of Representatives shall rep-  
22 resent the House in the civil action.

23 (c) PERSONAL JURISDICTION.—Personal jurisdiction  
24 of the court over a defendant in a civil action under this

1 section extends outside the territorial jurisdiction of the  
2 court if the claim—

3 (1) arose out of conduct by the defendant—

4 (A) within that territorial jurisdiction; or

5 (B) causing any injury, including informa-  
6 tional injury to the right of the House to make  
7 an investigation, within that territorial jurisdic-  
8 tion; or

9 (2) otherwise has a reasonable relationship to  
10 contacts of the defendant with the territorial juris-  
11 diction.

12 (d) EXPEDITION OF TRIAL AND APPELLATE PRO-  
13 CEEDINGS.—The court shall hear and determine a civil ac-  
14 tion under this section as expeditiously as possible, and  
15 to the maximum extent practicable during the Congress  
16 in which the action is commenced. Any appellate pro-  
17 ceedings relating to such a civil action shall similarly be  
18 expedited to assure to the extent possible that the matter  
19 is fully resolved during the Congress in which the action  
20 was commenced.

21 **SEC. 626. NO EFFECT OF EXPIRATION OF CONGRESS ON**  
22 **PENDING ACTIONS.**

23 Any civil action commenced by the House of Rep-  
24 resentatives pursuant to this subtitle, and the authority  
25 of the Office of the General Counsel of the House of Rep-

1 representatives with respect to the action, shall not be ren-  
2 dered moot or otherwise affected as the result of the expi-  
3 ration of the Congress in which the House commenced the  
4 action.

5 **TITLE VII—STRENGTHENING**  
6 **THE FREEDOM OF INFORMA-**  
7 **TION ACT**

8 **SEC. 701. AGENCY DEFINED.**

9 In this title, the term “agency” has the meaning  
10 given that term under section 551 of title 5, United States  
11 Code.

12 **SEC. 702. DIGITAL ACCESS TO COMPLETED RESPONSES TO**  
13 **THE FREEDOM OF INFORMATION ACT.**

14 (a) REQUIREMENT.—

15 (1) DATABASE OF COMPLETED FOIA RE-  
16 QUESTS.—Each agency shall make available all ma-  
17 terials contained in the agency’s completed response  
18 to a request under section 552 of title 5, United  
19 States Code (in this section referred to as a “FOIA  
20 request”), in a structured database or in a search-  
21 able, sortable, downloadable, machine-readable data-  
22 base not later than two months after the date on  
23 which the FOIA request was completed.

24 (2) ELECTRONIC FORMAT.—All information is  
25 presumed to be available in an electronic format as

1 described in paragraph (1) unless the agency dem-  
2 onstrates that excessive cost would place an undue  
3 burden on the agency.

4 (b) PUBLIC AVAILABILITY.—All information included  
5 in the agency’s completed response to a FOIA request  
6 shall be made available to the public electronically and  
7 without cost through each agency’s website.

8 **SEC. 703. FOIAONLINE FOR AGENCIES.**

9 Not later than 180 days after the date of the enact-  
10 ment of this Act, the head of each agency shall use  
11 FOIAonline to log, track, and publish all requests received  
12 under section 552 of title 5, United States Code.

13 **SEC. 704. FREEDOM OF INFORMATION ACT AMENDMENTS.**

14 (a) JUDICIAL REVIEW OF COMPLAINTS.—Section  
15 552(a)(4)(B) of title 5, United States Code, is amended  
16 by inserting after “withheld from the complainant” the  
17 following: “or the public”.

18 (b) PRESUMPTION OF OPENNESS.—

19 (1) AMENDMENTS.—Section 552(b) of title 5,  
20 United States Code, is amended—

21 (A) in paragraph (3)(B), by inserting  
22 “with an explanation for the exemption” after  
23 “specifically cites to this paragraph”;

1 (B) in paragraph (5), by inserting before  
2 the semicolon at the end the following: “and ex-  
3 cluding—

4 “(A) opinions that are controlling interpre-  
5 tations of law;

6 “(B) final reports or memoranda created  
7 by an entity other than the agency, including  
8 other Governmental entities, at the request of  
9 the agency and used to make a final policy deci-  
10 sion; and

11 “(C) guidance documents used by the  
12 agency to respond to the public;”;

13 (C) in paragraph (6), by striking “similar  
14 files” and inserting “personal information such  
15 as contact information or financial informa-  
16 tion”; and

17 (D) in the matter following paragraph  
18 (9)—

19 (i) by inserting before “Any reason-  
20 ably segregable portion” the following: “An  
21 agency may not withhold information  
22 under this subsection unless such agency  
23 reasonably foresees that disclosure would  
24 cause specific identifiable harm to an inter-

1 est protected by an exemption, or if disclo-  
2 sure is prohibited by law.”; and

3 (ii) by inserting before “If technically  
4 feasible,” the following: “For each record  
5 withheld in whole or in part under para-  
6 graph (3), the agency shall identify the  
7 statute that exempts the record from dis-  
8 closure.”.

9 (2) EXEMPTION DECISION TRANSPARENCY.—

10 Section 552(a)(6)(C)(i) of title 5, United States  
11 Code, is amended by striking the fourth sentence  
12 and inserting at the end the following: “Any notifi-  
13 cation of denial or partial denial of any request for  
14 records under this subsection shall set forth each  
15 name and title or position of each person responsible  
16 for the denial or partial denial or any decision to  
17 withhold a responsive record under subsection (b).”.

18 (c) GOVERNMENT ACCOUNTABILITY OFFICE.—Sub-  
19 section (i) of section 552 of title 5, United States Code,  
20 is amended to read as follows:

21 “(i) The Government Accountability Office shall—

22 “(1) conduct audits of administrative agencies  
23 on compliance with and implementation of the re-  
24 quirements of this section and issue reports detailing  
25 the results of such audits;

1           “(2) catalog the number of exemptions under  
2           subsection (b)(3) and agency use of such exemp-  
3           tions; and

4           “(3) review and prepare a report on the proc-  
5           essing of requests by agencies for information per-  
6           taining to an entity that has received assistance  
7           under title I of the Emergency Economic Stabiliza-  
8           tion Act of 2008 (12 U.S.C. 5211 et seq.) during  
9           any period in which the Government owns or owned  
10          more than 50 percent of the stock of such entity.”.

11          (d) ANNUAL REPORT BY CONGRESSIONAL RESEARCH  
12          SERVICE.—Section 552 of title 5, United States Code, is  
13          amended by adding at the end the following new sub-  
14          section:

15          “(n) The Congressional Research Service shall, on an  
16          annual basis, provide the Committee on Oversight and Re-  
17          form of the House of Representatives and the Committee  
18          on Homeland Security and Governmental Affairs of the  
19          Senate with a list of statutes described in subsection  
20          (b)(3). Each such list shall be made publicly available.”.

1 **TITLE VIII—IMPROVING TRANS-**  
2 **PARENCY WITHIN THE JUDI-**  
3 **CIAL SYSTEM**

4 **SEC. 801. TELEVISIONING SUPREME COURT PROCEEDINGS.**

5 (a) IN GENERAL.—Chapter 45 of title 28, United  
6 States Code, is amended by adding at the end the fol-  
7 lowing:

8 **“§ 678. Televising Supreme Court proceedings**

9 “The Supreme Court shall permit television coverage  
10 of all open sessions of the Court unless the Court decides,  
11 by a vote of the majority of justices, that allowing such  
12 coverage in a particular case would constitute a violation  
13 of the due process rights of one or more of the parties  
14 before the Court.”.

15 (b) CLERICAL AMENDMENT.—The chapter analysis  
16 for chapter 45 of title 28, United States Code, is amended  
17 by adding at the end the following:

“678. Televising Supreme Court proceedings.”.

18 **SEC. 802. AUDIO RECORDING OF SUPREME COURT PRO-**  
19 **CEEDINGS.**

20 The Chief Justice of the United States shall ensure  
21 that the audio of an oral argument before the Supreme  
22 Court of the United States is recorded and is made pub-  
23 licly available on the internet website of the Supreme  
24 Court at the same time that it is recorded.

1 **SEC. 803. AVAILABILITY ON THE INTERNET OF FINANCIAL**  
2 **DISCLOSURE REPORTS OF JUDICIAL OFFI-**  
3 **CERS.**

4 Section 103 of the Ethics in Government Act of 1978  
5 (5 U.S.C. App. 103), as amended by this Act, is further  
6 amended by inserting at the end the following:

7 “(n) The Judicial Conference shall make available  
8 any report filed with it under this title by a judicial officer  
9 within 48 hours of the applicable submission deadline on  
10 the website of the Judicial Conference in a searchable,  
11 sortable, downloadable, machine-readable format.”.

12 **SEC. 804. GAO AUDIT OF PACER.**

13 Not later than one year after the date of the enact-  
14 ment of this Act, the Comptroller General of the United  
15 States shall conduct an audit of the public access to court  
16 electronic records system maintained by the Administra-  
17 tive Office of the United States Courts, and shall submit  
18 to Congress, the Administrative Office of the United  
19 States Courts, and any other appropriate Federal agency  
20 or office, a report that contains the results of the audit,  
21 along with any recommendations for improving the public  
22 access to court electronic records system.

23 **SEC. 805. ELECTRONIC COURT RECORDS REFORM.**

24 (a) CONSOLIDATION OF THE CASE MANAGEMENT/  
25 ELECTRONIC CASE FILES SYSTEM.—

1           (1) IN GENERAL.—Not later than 2 years after  
2 the date of the enactment of this Act, the Director  
3 of the Administrative Office of the United States  
4 Courts, in coordination with the Administrator of  
5 General Services, shall consolidate the Case Manage-  
6 ment/Electronic Case Files system, and shall develop  
7 one system for all filings with courts of the United  
8 States, which shall be administered by the Adminis-  
9 trative Office of the United States Courts.

10           (2) USE OF TECHNOLOGY.—In developing the  
11 system under paragraph (1), the Director shall use  
12 modern technology in order—

13                   (A) to improve security, data accessibility,  
14                   affordability, and performance; and

15                   (B) to minimize the burden on pro se liti-  
16                   gants.

17           (3) AVAILABILITY TO STATES.—

18                   (A) IN GENERAL.—A State may choose to  
19                   participate in the system developed under this  
20                   subsection.

21                   (B) FEE.—The Director shall charge a fee  
22                   to a State that chooses to participate in the sys-  
23                   tem, which is set at a level to recover the cost  
24                   of providing the services associated with the ad-

1           ministration and maintenance of the system to  
2           the State.

3           (b) PUBLIC ACCESS TO COURT ELECTRONIC  
4 RECORDS SYSTEM REQUIREMENTS.—

5           (1) IN GENERAL.—Not later than 2 years after  
6           the date of the enactment of this Act, the Director  
7           of the Administrative Office of the United States  
8           Courts, in coordination with the Administrator of  
9           General Services, shall update the Public Access to  
10          Court Electronic Records system, which shall be  
11          subject to the following requirements:

12                   (A) A document filed with a court shall be  
13                   made publicly accessible upon filing, except as  
14                   ordered by a court or by rule of the Judicial  
15                   Conference.

16                   (B) All documents on the system shall be  
17                   available to the public and to parties before the  
18                   court free of charge.

19                   (C) Any information that is prohibited  
20                   from public disclosure by law or court order  
21                   shall be redacted.

22                   (D) All documents shall be text-searchable  
23                   and machine-readable.

1           (E) To the extent practicable, external  
2 websites shall be able to link to documents on  
3 the system.

4           (F) The system shall include digital audio  
5 and visual files of court recordings, when such  
6 files are available.

7           (G) The system shall provide search func-  
8 tions for public use.

9           (2) MINIMIZING THE BURDEN ON PRO SE LITI-  
10 GANTS.—In developing the system to comply with  
11 the requirements under paragraph (1), the Director  
12 shall, to the extent practicable, not impose a dis-  
13 proportionate impact on pro se litigants.

14           (3) USE OF TECHNOLOGY.—In developing the  
15 system under paragraph (1), the Director shall use  
16 modern technology in order—

17           (A) to improve security, data accessibility,  
18 affordability, and performance; and

19           (B) to minimize the burden on pro se liti-  
20 gants.

21           (4) AUTHORITY TO EXEMPT CERTAIN DOCU-  
22 MENTS.—The Director may identify categories of  
23 documents which are not made publicly accessible  
24 under subsection (a)(1), and categories of court pro-

1 proceedings, the recordings of which are not made avail-  
2 able under paragraph (1)(F).

3 (c) DEFINITION OF MACHINE-READABLE.—In this  
4 section, the term “machine-readable” means a format in  
5 which information or data can be easily processed by a  
6 computer without human intervention while ensuring no  
7 semantic meaning is lost.

## 8 **TITLE IX—ENFORCEMENT**

### 9 **SEC. 901. AUDITS BY THE GOVERNMENT ACCOUNTABILITY** 10 **OFFICE.**

11 (a) AUDIT REQUIREMENT.—The Comptroller Gen-  
12 eral shall conduct annual audits of the implementation of  
13 the provisions in this Act, and shall submit annually to  
14 the Committee on Oversight and Reform of the House of  
15 Representatives and the Committee on Homeland Security  
16 and Governmental Affairs of the Senate a report on the  
17 results of the audits.

18 (b) MATTERS COVERED BY AUDITS.—Audits con-  
19 ducted under this section shall address whether the con-  
20 gressional and executive branch data that is required to  
21 be provided to the public through the internet is each of  
22 the following:

23 (1) COMPLETE.—Made available, except for  
24 data that is subject to privacy, security, or privilege  
25 exemptions.

1           (2) PRIMARY.—Collected at the source, with the  
2 highest possible level of granularity, not in aggregate  
3 or modified forms.

4           (3) TIMELY.—Made available as quickly as nec-  
5 essary to preserve the value of the data.

6           (4) ACCESSIBLE.—Available to the widest range  
7 of users for the widest range of purposes.

8           (5) MACHINE PROCESSABLE.—Reasonably  
9 structured to allow automated processing.

10          (6) NON-DISCRIMINATORY.—Available to any-  
11 one, with no registration requirement.

12          (7) NON-PROPRIETARY.—Available in a format  
13 over which no entity has exclusive control.

14          (8) LICENSE-FREE.—Not subject to any copy-  
15 right, patent, trademark, or trade secret regulation  
16 (with reasonable privacy, security, and privilege re-  
17 strictions).

18          (c) CURRENT STANDARDS.—Audits conducted under  
19 this section shall also address whether the data provided  
20 to the public under this Act is produced and maintained  
21 using current standards for data publication.

1           **TITLE X—MISCELLANEOUS**

2   **SEC. 1001. TRANSFER OF CERTAIN RECORDS TO ARCHIVIST**  
3                   **OF UNITED STATES.**

4           (a) IN GENERAL.—Subject to subsection (b), not  
5 later than 90 days after the date of the enactment of this  
6 Act, the Attorney General of the United States shall trans-  
7 fer to the Archivist of the United States each record—

8                   (1) created during the period beginning on Jan-  
9 uary 1, 1981, and ending December 31, 1986; and

10                   (2) subject to Item 7 of Records Schedule N1-  
11 60-10-31 of the National Archives and Records Ad-  
12 ministration.

13           (b) RETENTION.—

14                   (1) IN GENERAL.—Not later than 60 days after  
15 the date of the enactment of this Act, the Attorney  
16 General of the United States may submit to the Ar-  
17 chivist of the United States a written request to re-  
18 tain any record described in subsection (a), in ac-  
19 cordance with section 1235.14 of title 36, Code of  
20 Federal Regulations. The Archivist shall approve or  
21 deny each such request not later than 60 days after  
22 receiving the request.

23                   (2) TRANSFER OF RECORDS AFTER DENIAL.—  
24 Not later than 30 days after the Archivist of the  
25 United States denies a request under paragraph (1),

1 the Attorney General shall transfer to the Archivist  
2 each record for which the request for retention has  
3 been denied.

4 (c) ENFORCEMENT.—If the Attorney General fails to  
5 comply with the requirements of this section, the Archivist  
6 of the United States may bring an action in the proper  
7 district court of the United States to enforce compliance  
8 with this section.

9 **SEC. 1002. DATA STANDARDS.**

10 (a) IN GENERAL.—Subtitle A of title I of the Finan-  
11 cial Stability Act of 2010 (12 U.S.C. 5311 et seq.) is  
12 amended by adding at the end the following:

13 **“SEC. 124. DATA STANDARDS.**

14 “(a) IN GENERAL.—The Secretary of the Treasury  
15 shall, by rule, promulgate data standards for the informa-  
16 tion reported to member agencies by financial entities  
17 under the jurisdiction of the member agency and the data  
18 collected from member agencies on behalf of the Council.

19 “(b) STANDARDIZATION.—Member agencies, in con-  
20 sultation with the Secretary of the Treasury, shall imple-  
21 ment regulations promulgated by the Secretary of the  
22 Treasury under subsection (a) to standardize the types  
23 and formats of data reported to member agencies or col-  
24 lected on behalf of the Council, as described under sub-  
25 section (a). If a member agency fails to implement such

1 regulations prior to the expiration of the 3-year period fol-  
2 lowing the date of publication of final regulations, the Sec-  
3 retary of the Treasury, in consultation with the Chair-  
4 person, may implement such regulations with respect to  
5 the financial entities under the jurisdiction of the member  
6 agency.

7 “(c) DATA STANDARDS.—

8 “(1) COMMON IDENTIFIERS AND DATA FOR-  
9 MATS.—The data standards promulgated under sub-  
10 section (a) shall include—

11 “(A) common identifiers for information  
12 reported to member agencies or collected on be-  
13 half of the Council, including a common legal  
14 entity identifier for all entities required to re-  
15 port to member agencies; and

16 “(B) common data formats for information  
17 reported to member agencies or collected on be-  
18 half of the Council.

19 “(2) DATA STANDARD REQUIREMENTS.—The  
20 data standards promulgated under subsection (a)  
21 shall, to the extent practicable—

22 “(A) render information fully searchable  
23 and machine-readable;

24 “(B) be nonproprietary;

1           “(C) incorporate standards developed and  
2           maintained by voluntary consensus standards  
3           bodies; and

4           “(D) be consistent with and implement ap-  
5           plicable accounting and reporting principles.

6           “(3) CONSULTATION.—In promulgating data  
7           standards under subsection (a), the Secretary of the  
8           Treasury shall consult with other Federal depart-  
9           ments and agencies and multi-agency initiatives re-  
10          sponsible for Federal data standards.

11          “(4) INTEROPERABILITY OF DATA.—In promul-  
12          gating data standards under subsection (a), the Sec-  
13          retary of the Treasury shall seek to promote inter-  
14          operability of financial regulatory data across mem-  
15          bers of the Council.”.

16          (b) CLERICAL AMENDMENT.—The table of contents  
17          under section 1(b) of the Dodd-Frank Wall Street Reform  
18          and Consumer Protection Act is amended by inserting  
19          after the item relating to section 123 the following:

“Sec. 124. Data standards.”.

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