

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.

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

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 congres-
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

1 this section, including any report or product
2 maintained in a CRS archive.”.

3 **SEC. 302. AVAILABILITY OF REPORTS IN STRUCTURED FOR-**
4 **MAT.**

5 Section 154(b)(1)(B) of the Legislative Branch Ap-
6 propriations Act, 2018 (2 U.S.C. 166a(b)(1)(B)) is
7 amended by striking the period at the end and inserting
8 the following: “, and shall be available in a structured data
9 format.”

10 **SEC. 303. REPORT ON MAKING OTHER MATERIALS AVAIL-**
11 **ABLE.**

12 Not later than 1 year after the date of the enactment
13 of this Act, the Director of the Congressional Research
14 Service shall submit a report to Congress describing the
15 steps the Director would be required to take in order to
16 make materials and publications of the Service which are
17 not treated as CRS Reports under section 154 of the Leg-
18 islative Branch Appropriations Act, 2018 (2 U.S.C. 166a)
19 available through the website established and maintained
20 by the Librarian of Congress under such section.

21 **SEC. 304. EFFECTIVE DATE.**

22 The amendments made by sections 301 and 302 shall
23 take effect as if included in the enactment of section 154
24 of the Legislative Branch Appropriations Act, 2018 (2
25 U.S.C. 166a).

TITLE IV—LOBBYING DISCLOSURE

SEC. 401. SHORT TITLE.

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

SEC. 402. MODIFICATIONS TO ENFORCEMENT.

(a) LOBBYING DISCLOSURE ACT TASK FORCE.—

(1) ESTABLISHMENT.—The Attorney General shall establish the Lobbying Disclosure Act Enforcement Task Force (in this subsection referred to as the “Task Force”).

(2) FUNCTIONS.—The Task Force—

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

(B) shall collect and disseminate information with respect to the enforcement of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1601 et seq.);

(C) shall audit, at a minimum on an annual basis, and as frequently as deemed necessary by the Task Force, the extent of compliance 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 (1) the enforcement of and compliance with the
2 Lobbying Disclosure Act of 1995; and

3 (2) the need for resources available for the en-
4 hanced enforcement of the Lobbying Disclosure Act
5 of 1995.

6 (d) INFORMATION IN ENFORCEMENT REPORTS.—
7 Section 6(b)(1) of the Lobbying Disclosure Act of 1995
8 (2 U.S.C. 1605(b)(1)) is amended by striking “by case”
9 and all that follows through “public record” and inserting
10 “by case and name of the individual lobbyists or lobbying
11 firms involved, any sentences imposed”.

12 **SEC. 403. DEFINITION OF LOBBYIST.**

13 Section 3(10) of the Lobbying Disclosure Act of 1995
14 (2 U.S.C. 1602(10)) is amended by striking “, other than
15 an individual” and all that follows through “period”.

16 **SEC. 404. EXPEDITED ONLINE REGISTRATION OF LOBBY-**
17 **ISTS; EXPANSION OF REGISTRANTS.**

18 Section 4(a) of the Lobbying Disclosure Act of 1995
19 (2 U.S.C. 1603(a)) is amended—

20 (1) in paragraph (1)—

21 (A) by striking “45 days” and inserting
22 “10 days”;

23 (B) by striking “, or on the first business
24 day after such 45th day if such 45th day is not
25 a business day,” and inserting “, or on the first

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”; 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 knowledgegment 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 QUISTION 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 disclo-

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 disclo-
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. TELEVISING 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 ceedings, 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.”.

○