

117TH CONGRESS
1ST SESSION

H. R. 2055

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

MARCH 18, 2021

Mr. QUIGLEY (for himself and Ms. NORTON) introduced the following bill; which was referred to the Committee on Oversight and Reform, and in addition to the Committees on House Administration, the Judiciary, Ethics, Financial Services, the Budget, and Rules, 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 2021”.

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 more
14 than \$100,000, rounded to the nearest
15 \$10,000,

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

19 “(vii) greater than \$1,000,000, rounded to
20 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 “(2) 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 Sen-
 22 ate.]

23 (c) AVAILABILITY ON THE INTERNET OF REPORTS
 24 FILED UNDER THIS TITLE WITH THE CLERK OF THE
 25 HOUSE OR THE SECRETARY OF THE SENATE.—Section

1 103 of the Ethics in Government Act of 1978 (5 U.S.C.
2 App. 103) is amended by adding at the end the following
3 new subsection:

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

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

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

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

23 (b) EFFECTIVE DATE.—The amendment made by
24 subsection (a) shall apply to travel commencing after the
25 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 Sen-**
 13 **ate.]**

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

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

18 (a) ELECTRONIC DISCLOSURE BY MEMBERS.—(1)
 19 Rule XXIII of the Rules of the House of Representatives
 20 is amended by redesignating clause 22 as clause 23 and
 21 by inserting after clause 21 the following:

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

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

3 “(A) the name and address of the intended
4 recipient;

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

7 “(C) the requested amount (only in the
8 case of congressional earmarks); and

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

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

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

18 “(4) display on the homepage of such website a
19 hypertext link that contains the words ‘Earmarks’,
20 ‘Appropriations Requests’, ‘Limited Tax Benefits’,
21 or ‘Limited Tariff Benefits’ and that directs to such
22 webpage address, and maintain that link for at least
23 30 calendar days after the last such request is made
24 during the Congress.”.

1 (2) The last sentence of clause 16 of rule XXIII of
2 the Rules of the House of Representatives is amended by
3 striking “and clause 17” and inserting “, clause 17, and
4 clause 22”.

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

8 **“Earmark disclosure websites**

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

15 “(1) the bill name;

16 “(2) the name, State, and district of that indi-
17 vidual;

18 “(3) the name and address of the intended re-
19 cipient;

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

22 “(5) the requested amount (only in the case of
23 congressional earmarks);

24 “(6) a brief description; and

1 “(7) the applicable department or agency of the
2 Government, and the account or program (if pro-
3 vided to the committee in the request);
4 and is in a downloadable format that is searchable and
5 sortable by such characteristics.

6 “(b) Any written statement received by a committee
7 under clause 17(a) of rule XXIII shall be posted on the
8 earmark disclosure webpage of the committee.

9 “(c) The earmark disclosure webpage of a committee
10 shall list the names of any Member, Delegate, and Resi-
11 dent Commissioner who requests a congressional earmark,
12 a limited tax benefit, or a limited tariff benefit and link
13 directly to their webpage addresses referred to in clause
14 18(2) of rule XXIII.

15 “(d) The earmark disclosure webpage of a committee
16 shall post the information required under paragraphs (a)
17 through (c) within one week of receipt, and shall maintain
18 that information on that webpage for the remainder of the
19 Congress.

20 “(e) For purposes of this clause, the terms ‘congres-
21 sional earmark’, ‘limited tax benefit’, and ‘limited tariff
22 benefit’ shall have the meaning given them in clause 9 of
23 rule XXI.”.

24 (c) POINT OF ORDER.—Clause 9 of rule XXI of the
25 Rules of the House of Representatives is amended by re-

1 designating paragraphs (e), (f), and (g) as paragraphs (f),
2 (g), and (h), respectively, and by inserting after paragraph
3 (d) the following:

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

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

15 (e) CENTRALIZED DATABASE FOR EARMARKS, LIM-
16 ITED TAX BENEFITS, AND LIMITED TARIFF BENEFITS.—
17 (1) The Clerk of the House of Representatives, the Sec-
18 retary of the Senate, and the chairs of the Committee on
19 Appropriations of the House of Representatives and the
20 Senate shall collaborate to create one centralized database
21 where all requests for earmark, limited tax benefits, and
22 limited tariff benefits are available on the Internet in a
23 searchable, sortable, downloadable format to the public.
24 The data available to the public for each earmark should
25 include—

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

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

5 (C) the name and address of the intended re-
6 cipient;

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

9 (E) the requested amount (only in the case of
10 congressional earmarks);

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

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

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

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

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

1 by such offices regarding the funding of those projects and
2 activities.

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

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

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

14 **SEC. 201. INCREASED TRANSPARENCY OF COMMITTEE**
15 **WORK.**

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

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

1 “(2) For each hearing and markup for which infor-
2 mation is posted under subparagraph (1), the committee
3 shall post on its Internet website within 45 days the fol-
4 lowing: the topic, related legislation, testimony of wit-
5 nesses, opening statements of the chair and ranking mi-
6 nority member, transcripts, and audio and video record-
7 ings.

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

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

18 **SEC. 202. INCREASED TRANSPARENCY OF RECORDED**
19 **VOTES.**

20 (a) ADDITIONAL DUTIES OF THE CLERK OF THE
21 HOUSE AND THE SECRETARY OF THE SENATE.—The
22 Clerk of the House of Representatives and the Secretary
23 of the Senate shall post on the public Internet site of the
24 Office of the Clerk or of the Secretary, respectively, a
25 record, organized by the name of each Member or Senator,

1 in a structured data format, of the recorded votes of that
 2 Member or Senator, including the roll, date, issue, ques-
 3 tion, result, and title or description of the vote, and any
 4 cost estimate of the Congressional Budget Office related
 5 to the vote.

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

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

15 (d) EFFECTIVE DATE.—This section shall apply to
 16 recorded votes occurring after the date of enactment of
 17 this Act.

18 **SEC. 203. ELECTRONIC FORMAT.**

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

22 **“§ 107a. Electronic format**

23 “To the extent practicable, all bills, resolutions, or-
 24 ders, and votes shall be created, exchanged, and published
 25 in searchable electronic formats, consistent with data

1 standards recommended by such advisory bodies as Con-
2 gress may establish.”.

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

“107a. Electronic format.”.

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

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

13 (b) COMPOSITION.—The Congressional Data Task
14 Force shall be composed of staff representatives of the
15 Clerk of the House, the Secretary of the Senate, the Li-
16 brary of Congress, the Congressional Research Service,
17 the Government Publishing Office, the Center for Legisla-
18 tive Archives, such other congressional offices and agen-
19 cies may be necessary, and representatives of the public.

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

23 (d) SCOPE.—The Congressional Data Task Force
24 shall recommend data standards for congressional infor-
25 mation, including all bills, amendments, Acts, reports,

1 committee hearing/meeting notices, the United States
2 Code, and other legislative documents and records.

3 **SEC. 205. USE OF DATA STANDARDS BY CONGRESSIONAL**
4 **SUPPORT OFFICES.**

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

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

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

20 (b) EFFECTIVE DATE.—Subsection (a) shall apply
21 with respect to any appropriations bill making funds avail-
22 able for fiscal year 2023 or any succeeding fiscal year.

1 **SEC. 207. SELECT COMMITTEE ON THE MODERNIZATION OF**
2 **CONGRESS.**

3 (a) ESTABLISHMENT.—There is hereby established in
4 the House of Representatives a Select Committee on the
5 Modernization of Congress (hereinafter in this section re-
6 ferred to as the “Select Committee”).

7 (b) COMPOSITION.—

8 (1) The Select Committee shall be composed of
9 12 Members, Delegates, or the Resident Commis-
10 sioner appointed by the Speaker.

11 (2) The Speaker shall appoint members of the
12 Select Committee as follows:

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

16 (B) At least 2 members from the Com-
17 mittee on Rules.

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

20 (3) Of the members of the Select Committee
21 appointed pursuant to paragraph (1), 6 shall be ap-
22 pointed on the recommendation of the Minority
23 Leader, including 1 member each as described in
24 subparagraphs (A) through (C) of paragraph (2).

25 (4) The Speaker shall designate one member of
26 the Select Committee as chair, and, upon rec-

1 commendation of the Minority Leader, shall designate
2 one member of the Select Committee as vice chair.

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

6 (c) JURISDICTION; FUNCTIONS.—

7 (1) LEGISLATIVE JURISDICTION.—The Select
8 Committee shall not have legislative jurisdiction and
9 shall have no authority to take legislative action on
10 any bill or resolution.

11 (2) INVESTIGATIVE JURISDICTION.—The sole
12 authority of the Select Committee shall be to inves-
13 tigate, study, make findings, hold public hearings,
14 and develop recommendations on modernizing Con-
15 gress, including recommendations on—

16 (A) rules to promote a more modern and
17 efficient Congress;

18 (B) procedures, including the schedule and
19 calendar;

20 (C) policies to develop the next generation
21 of leaders;

22 (D) staff recruitment, diversity, retention,
23 and compensation and benefits;

1 (E) administrative efficiencies, including
2 purchasing, travel, outside services, and shared
3 administrative staff;

4 (F) technology and innovation; and

5 (G) the work of the House Commission on
6 Congressional Mailing Standards.

7 (d) PROCEDURES.—

8 (1) Except as specified in paragraph (2), the
9 Select Committee shall have the authorities and re-
10 sponsibilities of, and shall be subject to the same
11 limitations and restrictions as, a standing committee
12 of the House, and shall be deemed a committee of
13 the House for all purposes of law or rule.

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

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

20 (C) Clause 2(m)(1)(B) of rule XI and clause
21 2(m)(3) of rule XI of the Rules of the House of
22 Representatives shall not apply to the Select Com-
23 mittee, but the Select Committee may recommend
24 subpoenas and depositions and submit such rec-
25 ommendations to the relevant standing committee.

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

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

6 (1) the Select Committee may use the services
7 of staff of the House; and

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

11 (f) REPORTS.—

12 (1) REPORTS ON FINDINGS AND RECOMMENDA-
13 TIONS.—The Select Committee may report to the
14 House or any committee from time to time the re-
15 sults of its investigations and studies, together with
16 such detailed findings and policy recommendations
17 as it may deem advisable. The Select Committee
18 may only submit any such report if the report re-
19 ceives the votes of not fewer than 2/3 of its mem-
20 bers.

21 (2) PUBLICATION.—The Select Committee shall
22 ensure that each report prepared in accordance with
23 paragraph (1) shall, upon completion, be made avail-
24 able to the general public in widely accessible for-
25 mats not later than 30 calendar days following the

1 date the report is made available to the House or a
2 committee, as applicable.

3 **SEC. 208. EXPANDED INFORMATION IN HOUSE STAFF DI-**
4 **RECTORY.**

5 Not later than 90 days after the date of the enact-
6 ment of this Act, the Clerk of the House of Representa-
7 tives shall submit a report to the Committees on Appro-
8 priations and House Administration of the House of Rep-
9 resentatives on the feasibility of expanding the information
10 included in the directory of employees of the House to in-
11 clude information on the position held and the areas of
12 responsibility assigned to each employee.

13 **SEC. 209. PUBLICATION OF UNITED STATES CAPITOL PO-**
14 **LICE ARREST INFORMATION.**

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

20 (b) EFFECTIVE DATE.—This section shall apply with
21 respect to arrests made by the United States Capitol Po-
22 lice on or after January 1, 2021.

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

3 **SEC. 211. SHORT TITLE.**

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

6 **SEC. 212. DEFINITIONS.**

7 In this subtitle:

8 (1) CONGRESSIONALLY MANDATED REPORT.—

9 The term “congressionally mandated report”—

10 (A) means a report that is required by
11 statute to be submitted to either House of Con-
12 gress or any committee of Congress or sub-
13 committee thereof; and

14 (B) does not include a report required
15 under part B of subtitle II of title 36, United
16 States Code.

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

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

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

1 (A) is not encumbered by any restrictions
2 that would impede reuse; and

3 (B) is based on an underlying open data
4 standard that is maintained by a standards or-
5 ganization.

6 (5) REPORTS ONLINE PORTAL.—The term “re-
7 ports online portal” means the online portal estab-
8 lished under section 213(a).

9 **SEC. 213. ESTABLISHMENT OF ONLINE PORTAL FOR CON-**
10 **GRESSIONALLY MANDATED REPORTS.**

11 (a) REQUIREMENT TO ESTABLISH ONLINE POR-
12 TAL.—

13 (1) IN GENERAL.—Not later than 1 year after
14 the date of enactment of this Act, the Director shall
15 establish and maintain an online portal accessible by
16 the public that allows the public to obtain electronic
17 copies of all congressionally mandated reports in one
18 place. The Director may publish other reports on the
19 online portal.

20 (2) EXISTING FUNCTIONALITY.—To the extent
21 possible, the Director shall meet the requirements
22 under paragraph (1) by using existing online portals
23 and functionality under the authority of the Direc-
24 tor.

1 (3) CONSULTATION.—In carrying out this sub-
2 title, the Director shall consult with the Clerk of the
3 House of Representatives, the Secretary of the Sen-
4 ate, and the Librarian of Congress regarding the re-
5 quirements for and maintenance of congressionally
6 mandated reports on the reports online portal.

7 (b) CONTENT AND FUNCTION.—The Director shall
8 ensure that the reports online portal includes the fol-
9 lowing:

10 (1) Subject to subsection (c), with respect to
11 each congressionally mandated report, each of the
12 following:

13 (A) A citation to the statute requiring the
14 report.

15 (B) An electronic copy of the report, in-
16 cluding any transmittal letter associated with
17 the report, in an open format that is platform
18 independent and that is available to the public
19 without restrictions, including restrictions that
20 would impede the re-use of the information in
21 the report.

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

25 (i) The title of the report.

1 (ii) The reporting Federal agency.

2 (iii) The date of publication.

3 (iv) Each congressional committee or
4 subcommittee receiving the report, if appli-
5 cable.

6 (v) The statute requiring the report.

7 (vi) Subject tags.

8 (vii) A unique alphanumeric identifier
9 for the report that is consistent across re-
10 port editions.

11 (viii) The serial number, Super-
12 intendent of Documents number, or other
13 identification number for the report, if ap-
14 plicable.

15 (ix) Key words.

16 (x) Full text search.

17 (xi) Any other relevant information
18 specified by the Director.

19 (D) The date on which the report was re-
20 quired to be submitted, and on which the report
21 was submitted, to the reports online portal.

22 (E) To the extent practicable, a permanent
23 means of accessing the report electronically.

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

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

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

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

10 (A) reports submitted within the required
11 time;

12 (B) reports submitted after the date on
13 which such reports were required to be sub-
14 mitted; and

15 (C) reports not submitted.

16 (c) NONCOMPLIANCE BY FEDERAL AGENCIES.—

17 (1) REPORTS NOT SUBMITTED.—If a Federal
18 agency does not submit a congressionally mandated
19 report to the Director, the Director shall to the ex-
20 tent practicable—

21 (A) include on the reports online portal—

22 (i) the information required under
23 clauses (i), (ii), (iv), and (v) of subsection
24 (b)(1)(C); and

1 (ii) the date on which the report was
2 required to be submitted; and

3 (B) include the congressionally mandated
4 report on the list described in subsection
5 (b)(5)(C).

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

11 (d) DEADLINE.—The Director shall ensure that in-
12 formation required to be published on the online portal
13 under this subtitle with respect to a congressionally man-
14 dated report or information required under subsection (c)
15 is published—

16 (1) not later than 30 calendar days after the in-
17 formation is received from the Federal agency in-
18 volved; or

19 (2) in the case of information required under
20 subsection (c), not later than 30 calendar days after
21 the deadline under this subtitle for the Federal
22 agency involved to submit information with respect
23 to the congressionally mandated report involved.

24 (e) EXCEPTION FOR CERTAIN REPORTS.—

1 (1) EXCEPTION DESCRIBED.—A congressionally
2 mandated report which is required by statute to be
3 submitted to a committee of Congress or a sub-
4 committee thereof, including any transmittal letter
5 associated with the report, shall not be submitted to
6 or published on the reports online portal if the chair
7 of a committee or subcommittee to which the report
8 is submitted notifies the Director in writing that the
9 report is to be withheld from submission and publi-
10 cation under this subtitle.

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

15 (A) a statement that the report is withheld
16 at the request of a committee or subcommittee
17 involved; and

18 (B) the written notification specified in
19 paragraph (1).

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

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

1 **SEC. 214. FEDERAL AGENCY RESPONSIBILITIES.**

2 (a) SUBMISSION OF ELECTRONIC COPIES OF RE-
3 PORTS.—Not earlier than 30 calendar days or later than
4 45 calendar days after the date on which a congressionally
5 mandated report is submitted to either House of Congress
6 or to any committee of Congress or subcommittee thereof,
7 the head of the Federal agency submitting the congress-
8 sionally mandated report shall submit to the Director the
9 information required under subparagraphs (A) through
10 (D) of section 213(b)(1) with respect to the congression-
11 ally mandated report. Nothing in this subtitle shall relieve
12 a Federal agency of any other requirement to publish the
13 congressionally mandated report on the online portal of
14 the Federal agency or otherwise submit the congression-
15 ally mandated report to Congress or specific committees
16 of Congress, or subcommittees thereof.

17 (b) GUIDANCE.—Not later than 240 calendar days
18 after the date of enactment of this Act, the Director of
19 the Office of Management and Budget, in consultation
20 with the Director, shall issue guidance to agencies on the
21 implementation of this subtitle.

22 (c) STRUCTURE OF SUBMITTED REPORT DATA.—
23 The head of each Federal agency shall ensure that each
24 congressionally mandated report submitted to the Director
25 complies with the open format criteria established by the
26 Director in the guidance issued under subsection (b).

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

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

5 (a) LIMITATION ON AUTHORITY TO CHANGE OR RE-
6 MOVE REPORTS.—Except as provided in subsection (b),
7 the head of the Federal agency concerned may change or
8 remove a congressionally mandated report submitted to be
9 published on the reports online portal only if—

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

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

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

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

3 (2) may remove a report from the online portal
4 if the report was submitted to or published on the
5 online portal in error.

6 **SEC. 216. RELATIONSHIP TO THE FREEDOM OF INFORMA-**
7 **TION ACT.**

8 (a) IN GENERAL.—Nothing in this subtitle shall be
9 construed to—

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

14 (2) impose any affirmative duty on the Director
15 to review congressionally mandated reports sub-
16 mitted for publication to the reports online portal
17 for the purpose of identifying and redacting such in-
18 formation or records.

19 (b) REDACTION OF INFORMATION.—The head of a
20 Federal agency may redact information required to be dis-
21 closed under this subtitle if the information would be prop-
22 erly withheld from disclosure under section 552 of title
23 5, United States Code, and shall—

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

4 (2) redact information being withheld under
5 this subsection prior to submitting the information
6 to the Director;

7 (3) redact only such information properly with-
8 held under this subsection from the submission of
9 information or from any congressionally mandated
10 report submitted under this Act;

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

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

15 **SEC. 217. IMPLEMENTATION.**

16 (a) REPORTS SUBMITTED TO CONGRESS.—

17 (1) IN GENERAL.—This subtitle shall apply
18 with respect to any congressionally mandated report
19 which—

20 (A) is required by statute to be submitted
21 to the House of Representatives or Senate at
22 any time before, on, or after the date of the en-
23 actment of this Act; or

24 (B) is included by the Clerk of the House
25 of Representatives or the Secretary of the Sen-

1 ate (as the case may be) on the list of reports
2 received by the House of Representatives or
3 Senate (as the case may be) at any time before
4 the date of the enactment of this Act.

5 (2) TRANSITION RULE FOR PREVIOUSLY SUB-
6 MITTED REPORTS.—The Director shall ensure that
7 any congressionally mandated report described in
8 paragraph (1) which was required to be submitted to
9 Congress by a statute enacted before the date of the
10 enactment of this Act is published on the online por-
11 tal under this subtitle not later than 1 year after the
12 date of the enactment of this Act.

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

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

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

1 (A) the chair of the committee, or sub-
 2 committee thereof, to which the report was re-
 3 quired to be submitted notifies the Director in
 4 writing that the report is to be withheld from
 5 publication; and

6 (B) the Director publishes the notification
 7 on the online portal.

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

9 The budgetary effects of this subtitle, for the purpose
 10 of complying with the Statutory Pay-As-You-Go Act of
 11 2010, shall be determined by reference to the latest state-
 12 ment titled “Budgetary Effects of PAYGO Legislation”
 13 for this subtitle, submitted for printing in the Congres-
 14 sional Record by the Chairman of the House Budget Com-
 15 mittee, provided that such statement has been submitted
 16 prior to the vote on passage.

17 **TITLE III—EXPANDING ACCESS**
 18 **TO CONGRESSIONAL RE-**
 19 **SEARCH SERVICE REPORTS**
 20 **ON LIBRARY OF CONGRESS**
 21 **WEBSITE**

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

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

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

3 (2) by inserting after subparagraph (A) the fol-
 4 lowing new subparagraph:

5 “(B) INCLUSION OF ARCHIVED MATE-
 6 RIAL.—The term ‘CRS Report’ includes any re-
 7 port or product described in subparagraph (A)
 8 which is produced prior to the effective date of
 9 this section, including any report or product
 10 maintained in a CRS archive.”.

11 **SEC. 302. AVAILABILITY OF REPORTS IN STRUCTURED FOR-**
 12 **MAT.**

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

18 **SEC. 303. REPORT ON MAKING OTHER MATERIALS AVAIL-**
 19 **ABLE.**

20 Not later than 1 year after the date of the enactment
 21 of this Act, the Director of the Congressional Research
 22 Service shall submit a report to Congress describing the
 23 steps the Director would be required to take in order to
 24 make materials and publications of the Service which are
 25 not treated as CRS Reports under section 154 of the Leg-

1 islative Branch Appropriations Act, 2018 (2 U.S.C. 166a)
 2 available through the website established and maintained
 3 by the Librarian of Congress under such section.

4 **SEC. 304. EFFECTIVE DATE.**

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

9 **TITLE IV—LOBBYING**
 10 **DISCLOSURE**

11 **SEC. 401. SHORT TITLE.**

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

14 **SEC. 402. MODIFICATIONS TO ENFORCEMENT.**

15 (a) LOBBYING DISCLOSURE ACT TASK FORCE.—

16 (1) ESTABLISHMENT.—The Attorney General
 17 shall establish the Lobbying Disclosure Act Enforce-
 18 ment Task Force (in this subsection referred to as
 19 the “Task Force”).

20 (2) FUNCTIONS.—The Task Force—

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

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

5 (C) shall audit, at a minimum on an an-
6 nual basis, and as frequently as deemed nec-
7 essary by the Task Force, the extent of compli-
8 ance or noncompliance with the requirements of
9 the Lobbying Disclosure Act of 1995 by lobby-
10 ists, lobbying firms, and registrants under that
11 Act through a random sampling of lobbying
12 registrations and reports filed under that Act
13 during each calendar year; and

14 (D) shall establish, publicize, and operate a
15 toll-free telephone number to serve as a hotline
16 for members of the public to report noncompli-
17 ance with lobbyist disclosure requirements
18 under the Lobbying Disclosure Act of 1995,
19 and shall develop a mechanism to allow mem-
20 bers of the public to report such noncompliance
21 online.

22 (b) REFERRAL OF CASES TO THE ATTORNEY GEN-
23 ERAL.—Section 6(a) of the Lobbying Disclosure Act of
24 1995 (2 U.S.C. 1605(a)) is amended—

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

4 (2) in paragraph (11), by striking “United
5 States Attorney for the District of Columbia” and
6 inserting “Attorney General”.

7 (c) RECOMMENDATIONS FOR IMPROVED ENFORCE-
8 MENT.—The Attorney General may make recommenda-
9 tions to Congress with respect to—

10 (1) the enforcement of and compliance with the
11 Lobbying Disclosure Act of 1995; and

12 (2) the need for resources available for the en-
13 hanced enforcement of the Lobbying Disclosure Act
14 of 1995.

15 (d) INFORMATION IN ENFORCEMENT REPORTS.—
16 Section 6(b)(1) of the Lobbying Disclosure Act of 1995
17 (2 U.S.C. 1605(b)(1)) is amended by striking “by case”
18 and all that follows through “public record” and inserting
19 “by case and name of the individual lobbyists or lobbying
20 firms involved, any sentences imposed”.

21 **SEC. 403. DEFINITION OF LOBBYIST.**

22 Section 3(10) of the Lobbying Disclosure Act of 1995
23 (2 U.S.C. 1602(10)) is amended by striking “, other than
24 an individual” and all that follows through “period”.

1 **SEC. 404. EXPEDITED ONLINE REGISTRATION OF LOBBY-**
2 **ISTS; EXPANSION OF REGISTRANTS.**

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

5 (1) in paragraph (1)—

6 (A) by striking “45 days” and inserting
7 “10 days”;

8 (B) by striking “, or on the first business
9 day after such 45th day if the 45th day is not
10 a business day,” and inserting “, or on the first
11 business day occurring after such 10th day if
12 such 10th day does not occur on a business
13 day,”; and

14 (C) by inserting “online” after “shall reg-
15 ister”; and

16 (2) in paragraph (2)—

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

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

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

22 “(B) THRESHOLD FOR CERTAIN ORGANI-
23 ZATIONS.—In the case of an organization whose
24 employees who are lobbyists engage in lobbying
25 activities only on behalf of the organization, the
26 organization is required to register under this

1 subsection only if the lobbying activities of each
 2 such employee includes or is expected to include
 3 more than one lobbying contact.”.

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

5 Section 5(d)(1) of the Lobbying Disclosure Act of
 6 1995 (2 U.S.C. 1604(d)(1)) is amended—

7 (1) in the matter preceding subparagraph (A),
 8 by striking “30 days after” and all that follows
 9 through “30th day is not” and inserting “20 days
 10 after the end of the quarterly period beginning on
 11 the first day of January, April, July, and October of
 12 each year, or on the first business day after such
 13 20th day if such 20th day is not”; and

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

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

17 (a) **REQUIRING ASSIGNMENT OF UNIQUE IDENTI-**
 18 **FICATION NUMBER.**—Section 6(a)(3) of the Lobbying
 19 Disclosure Act of 1995 (2 U.S.C. 1605(a)(3)) is amend-
 20 ed—

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

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

1 (3) by adding after subparagraph (B) the fol-
2 lowing:

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

6 (b) REPORT ON IMPLEMENTATION.—Not later than
7 60 days after the date of the enactment of this Act, the
8 Clerk of the House of Representatives and the Secretary
9 of the Senate shall submit a report to Congress on the
10 progress made by the Clerk and the Secretary in imple-
11 menting the amendment made by subsection (a), and shall
12 include in the report an analysis of the progress made in
13 including the unique identification number assigned to a
14 lobbyist in the statements and reports filed under the Lob-
15 bying Disclosure Act of 1995 in a structured data format.

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

17 (a) REQUIRED ETHICS TRAINING.—Any individual
18 who is a lobbyist registered or required to register under
19 section 4 of the Lobbying Disclosure Act of 1995 (2
20 U.S.C. 1603) shall—

21 (1) complete ethics training described in sub-
22 section (b)—

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

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

4 (2) submit to the Clerk of the House of Rep-
5 resentatives and the Secretary of the Senate certifi-
6 cation of the training completed under paragraph
7 (1).

8 (b) QUALIFIED TRAINING.—The Ethics Committee
9 of the House of Representatives and the Select Committee
10 on Ethics of the Senate shall jointly—

11 (1) determine the curriculum and certification
12 requirements for the ethics training for individuals
13 described in subsection (a);

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

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

19 (4) provide oversight of the ethics training pro-
20 gram established under this section in order to de-
21 termine the quality of instruction in, and the admin-
22 istration of, the training program.

23 (c) RESPONSIBILITIES OF CLERK AND SEC-
24 RETARY.—The Clerk of the House of Representatives and
25 the Secretary of the Senate shall—

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

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

7 (A) whether the individual has complied
8 with such requirement; and

9 (B) the certifications submitted by the in-
10 dividual under subsection (a)(2).

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

12 Section 15 of the Lobbying Disclosure Act of 1995
13 (2 U.S.C. 1610) is repealed.

14 **SEC. 409. EFFECTIVE DATE.**

15 (a) SECTION 402.—Section 402 and the amendments
16 made by that section take effect upon the expiration of
17 the 90-day period beginning on the date of the enactment
18 of this Act.

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

1 (c) SECTION 406.—The amendments made by section
2 406 shall apply to any registration or report that is filed
3 under section 4 or 5 of the Lobbying Disclosure Act of
4 1995—

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

7 (2) before such 90th day, if such registration or
8 report is, as of such 90th day, being retained under
9 section 6(a)(5) of the Lobbying Disclosure Act of
10 1995 (2 U.S.C. 1605(a)(5)).

11 (d) SECTION 407.—

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

15 (2) CURRENT LOBBYISTS.—In the case of indi-
16 viduals who are registered under section 4 of the
17 Lobbying Disclosure Act of 1995 (2 U.S.C. 1603) as
18 of the effective date under paragraph (1), the ethics
19 training required under section 407(a)(1) shall be
20 completed not later than the end of the 6-month pe-
21 riod beginning on the effective date under paragraph
22 (1) of this subsection, in lieu of the date specified
23 in section 407(a)(1).

TITLE V—TRANSPARENCY IN FEDERAL CONTRACTING

SEC. 501. IMPROVING APPLICATION PROGRAMMING INTER- FACE AND WEBSITE DATA ELEMENTS.

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

(1) in subsection (a)—

(A) in paragraph (4)(A)(ii), by striking “and delivery orders” and inserting “lease agreements and assignments, and delivery orders”;

(B) in paragraph (7)—

(i) in subparagraph (B), by striking “paragraph (2)(A)(i)” and inserting “paragraph (5)(A)(i)”;

(ii) in subparagraph (C)—

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

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

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

1 (iv) by adding at the end the following
2 new subparagraph:

3 “(E) programmatically search and access
4 all data in a serialized machine-readable format
5 (such as XML) via a web-services application
6 programming interface.”;

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

10 (D) by inserting before paragraph (2) the
11 following new paragraph:

12 “(1) CONGRESSIONALLY DIRECTED SPENDING
13 ITEM.—The term ‘congressionally directed spending
14 item’ means a provision or report language included
15 primarily at the request of a Member of Congress
16 providing, authorizing, or recommending a specific
17 amount of discretionary budget authority, credit au-
18 thority, or other spending authority for a contract,
19 loan, loan guarantee, grant, loan authority, or other
20 expenditure with or to an entity, or targeted to a
21 specific State, locality, or congressional district,
22 other than through a statutory or administrative for-
23 mula-driven or competitive award process.”;

24 (2) in subsection (b)(1)—

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

3 (B) by redesignating subparagraph (G) as
4 subparagraph (J); and

5 (C) by inserting after subparagraph (F)
6 the following new subparagraphs:

7 “(G) to the extent possible, the Federal
8 agency, including the bureau, office, or subdivi-
9 sion, that authorized the Federal award;

10 “(H) after January 1, 2022, for each con-
11 tract, subcontract, purchase order, task order,
12 lease agreement and assignment, and delivery
13 order—

14 “(i) information about the extent of
15 competition in awarding the contract, in-
16 cluding the number of bids or proposals
17 determined to be responsive during the
18 competitive process, and if the award was
19 not competitive, the legal authority and
20 specific rationale for awarding the contract
21 without full and open competition;

22 “(ii) the full amount awarded under
23 the contract or, in the case of lease agree-
24 ments or assignments, the amount paid to
25 the Government, and the full amount of

1 any options to expand or extend under the
2 contract;

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

5 “(iv) the type of contract, such as
6 fixed price, cost plus pricing, labor hour
7 contracts, and time and materials con-
8 tracts;

9 “(v) a permanent link to the original
10 solicitation or notice and the solicitation
11 ID;

12 “(vi) an indication if the contract is
13 the result of legislative mandates, set-
14 asides, preference program requirements,
15 or other criteria, and whether the contract
16 is multi-year, consolidated, or performance-
17 based; and

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

20 “(I) after January 1, 2022, for all grants,
21 subgrants, loans, awards, cooperative agree-
22 ments, and other forms of financial assistance,
23 an indication if the funding is a congressionally
24 directed spending item; and”;

25 (3) in subsection (c)(5)—

1 (A) by striking “subsection (a)(2)(A)(i)”
2 and inserting “subsection (a)(5)(A)(i)”; and
3 (B) by striking “subsection (a)(2)(A)(ii)”
4 and inserting “subsection (a)(5)(A)(ii)”.

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

9 **SEC. 502. IMPROVING DATA QUALITY.**

10 The Federal Funding Accountability and Trans-
11 parency Act of 2006 (Public Law 109–282; 31 U.S.C.
12 6101 note) is amended by adding at the end the following
13 new section:

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

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

23 “(1) A review of data used for the website to
24 verify accuracy of the data and assess the process
25 used for improving data quality.

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

6 “(3) An identification of and report on new
 7 standards that the Inspector General recommends
 8 for implementation by the Federal agency of the In-
 9 spector General to improve data quality.

10 “(b) OMB REPORT.—Not later than April 1 of each
 11 year, the Director of the Office of Management and Budg-
 12 et shall make each report submitted under subsection (a)
 13 for the previous fiscal year available to the public, includ-
 14 ing a review of the findings of the audit and recommenda-
 15 tions to improve data quality, through the website estab-
 16 lished under section 2.”.

17 **SEC. 503. REQUIREMENTS RELATING TO REPORTING OF**
 18 **AWARD DATA.**

19 (a) REVISION OF GUIDANCE.—The Director of the
 20 Office of Management and Budget shall revise the Office’s
 21 guidance to Federal agencies on reporting Federal awards
 22 to clarify—

23 (1) the requirement for award titles to describe
 24 the award’s purpose; and

1 (2) requirements for validating and docu-
 2 menting agency award data submitted by Federal
 3 agencies.

4 (b) INCLUSION OF CITY INFORMATION.—The Direc-
 5 tor of the Office of Management and Budget shall include
 6 information on the city in which work is performed in the
 7 Office’s public reporting of the completeness of agency
 8 data submissions.

9 (c) DEFINITIONS.—In this section, the terms “Fed-
 10 eral agency” and “Federal award” have the meanings
 11 given those terms in section 2(a) of the Federal Funding
 12 Accountability and Transparency Act of 2006 (Public Law
 13 109–282; 31 U.S.C. 6101 note).

14 **SEC. 504. RECIPIENT PERFORMANCE TRANSPARENCY.**

15 (a) IN GENERAL.—The Federal Funding Account-
 16 ability and Transparency Act of 2006 (Public Law 109–
 17 282; 31 U.S.C. 6101 note), as amended by the preceding
 18 provisions of this Act, is further amended by adding at
 19 the end the following new section:

20 **“SEC. 10. RECIPIENT PERFORMANCE TRANSPARENCY AND**
 21 **PAST PERFORMANCE.**

22 “The Director of the Office of Management and
 23 Budget shall ensure that the unique identifier required in
 24 section 2(b)(1)(E), which is used to link information about
 25 an entity receiving an award on the website established

1 under such section, is also used to link information about
 2 such entity on the Federal Awardee Performance Integrity
 3 Information System.”.

4 (b) EFFECTIVE DATE.—The amendment made by
 5 subsection (a) shall be implemented not later than June
 6 30, 2022.

7 **SEC. 505. IMPROVEMENT OF FEDERAL AWARDEE PER-**
 8 **FORMANCE AND INTEGRITY INFORMATION**
 9 **SYSTEM DATABASE.**

10 Section 872(c) of the Duncan Hunter National De-
 11 fense Authorization Act for Fiscal Year 2009 (Public Law
 12 110–417; 122 Stat. 4556) is amended—

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

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

18 “(E) In an administrative proceeding, any
 19 administrative judgment that does not contain
 20 an explicit finding or acknowledgment of fault.

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

1 **SEC. 506. FEDERAL CONTRACTOR COMPLIANCE.**

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

6 “(C) PERIODIC INSPECTION OR REVIEW.—
7 The Inspector General of each Federal agency
8 shall periodically—

9 “(i) conduct an inspection or review of
10 each contract file described in subpara-
11 graph (B) to determine if the agency is
12 providing appropriate consideration of the
13 information included in the database estab-
14 lished under subsection (a); and

15 “(ii) submit a report containing the
16 results of the inspection or review con-
17 ducted under clause (i) to the Committee
18 on Homeland Security and Governmental
19 Affairs of the Senate and the Committee
20 on Oversight and Government Reform of
21 the House of Representatives.”.

22 (b) SELF-REPORTING REQUIREMENT.—Subsection
23 (f) of section 2313 of such title is amended to read as
24 follows:

25 “(f) SELF-REPORTING REQUIREMENT.—

1 “(1) CONTRACTS IN EXCESS OF SIMPLIFIED AC-
2 QUISITION THRESHOLD.—No funds appropriated or
3 otherwise made available by any Act may be used for
4 any Federal contract for the procurement of prop-
5 erty or services in excess of the simplified acquisition
6 threshold unless the contractor has first made the
7 certifications set forth in section 52.209–5 of the
8 Federal Acquisition Regulation.

9 “(2) CONTRACTS IN EXCESS OF \$500,000.—No
10 funds appropriated or otherwise made available by
11 any Act may be used for any Federal contract for
12 the procurement of property or services in excess of
13 \$500,000 unless the contractor—

14 “(A) certifies that the contractor has sub-
15 mitted to the Administrator of General Services
16 the information required under subsection (c)
17 and that such information is current as of the
18 date of such certification; or

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

22 (c) ANNUAL REPORT.—The Comptroller General of
23 the United States shall annually submit a report to the
24 appropriate congressional committees describing the ex-

1 tent to which suspended or debarred contractors on the
2 Excluded Parties List System—

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

5 (2) were granted waivers from Federal agencies
6 from suspension or debarment for purposes of enter-
7 ing into Federal contracts.

8 **SEC. 507. IMPROVING ACCESS TO INFORMATION DIS-**
9 **CLOSED ON LOBBYING ACTIVITIES.**

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

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

16 (2) by adding at the end the following new
17 paragraph:

18 “(7) The Administrator of General Services shall es-
19 tablish and maintain an online database that—

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

21 “(B) contains information disclosed pursuant to
22 this subsection; and

23 “(C) is searchable, sortable, machine-readable,
24 and downloadable.”.

(b) DEADLINE FOR DATABASE.—Not later than 180 days after the date of the enactment of this Act, the Administrator of General Services shall establish the database required by paragraph (7) of section 1352(b) of title 31, United States Code, as added by subsection (a).

SEC. 508. INCLUSION OF NARRATIVES ON USASPENDING.GOV.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Director of the Office of Management and Budget shall allow any agency, in reporting an award to USAspending.gov (or a successor website), to upload a narrative for such award.

(b) DEFINITIONS.—In this section, the terms “agency” and “award” have the meanings given those terms on USAspending.gov (or a successor website).

**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.**

(a) REQUIREMENT.—Except as provided for in subsection (b), each advertisement or other communication paid for by an agency, either directly or through a contract

1 awarded by the agency, shall include a prominent notice
 2 informing the target audience that the advertisement or
 3 other communication is paid for by that agency.

4 (b) EXCEPTIONS.—The requirement in subsection (a)
 5 shall not apply to an advertisement or other communica-
 6 tion—

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

8 (2) that is distributed through a short message
 9 service.

10 (c) ADVERTISEMENT OR OTHER COMMUNICATIONS
 11 DEFINED.—In this section, the term “advertisement or
 12 other communication” includes—

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

15 (2) a communication by an individual in any
 16 form, including speech, print, or by any electronic
 17 means.

18 **SEC. 602. IMPROVING ACCESS TO INFLUENTIAL EXECUTIVE**
 19 **BRANCH OFFICIAL’S VISITOR ACCESS**
 20 **RECORDS.**

21 (a) DISCLOSURE OF WHITE HOUSE VISITOR ACCESS
 22 RECORDS.—Not later than 30 days after the date of the
 23 enactment of this Act, and monthly thereafter, the Presi-
 24 dent shall disclose to the public all White House visitor

1 access records for the previous month that are redacted
2 in accordance with subsection (c).

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

9 (c) INFORMATION NOT DISCLOSED.—The President
10 under subsection (a), and the head of the relevant agency
11 under subsection (b), as the case may be, may determine
12 to not disclose the following information pursuant to this
13 section:

14 (1) Any information—

15 (A) that implicates personal privacy or law
16 enforcement concerns (such as date of birth, so-
17 cial security number, and contact phone num-
18 ber);

19 (B) that implicates the personal safety of
20 White House staff (including daily arrival and
21 departure); or

22 (C) whose release would so threaten na-
23 tional security interests that it outweighs a
24 strong presumption in favor of the public's in-
25 terest in disclosure.

1 (2) For a non-renewable period of up to a year,
 2 any information related to purely personal guests of
 3 the first and second families, but only if the execu-
 4 tive branch’s interest in protecting an unfettered
 5 consultation conducted in secret strongly outweighs
 6 the public’s interest in an accountable Government
 7 free of corruption and political influence.

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

11 **SEC. 603. PUBLIC AVAILABILITY OF BUDGET JUSTIFICA-**
 12 **TIONS AND APPROPRIATION REQUESTS.**

13 (a) IN GENERAL.—Section 3 of the Federal Funding
 14 Accountability and Transparency Act of 2006 (31 U.S.C.
 15 6101 note) is amended to read as follows:

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

17 “(a) IN GENERAL.—Not less frequently than monthly
 18 when practicable, and in any event not less frequently than
 19 quarterly, the Secretary (in consultation with the Director
 20 and, with respect to information described in subsection
 21 (b)(2), the head of the applicable Federal agency) shall
 22 ensure that updated information with respect to the infor-
 23 mation described in subsection (b) is posted on the website
 24 established under section 2.

25 “(b) INFORMATION TO BE POSTED.—

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

5 “(A) for each appropriations account, in-
6 cluding an expired or unexpired appropriations
7 account, the amount—

8 “(i) of budget authority appropriated;

9 “(ii) that is obligated;

10 “(iii) of unobligated balances; and

11 “(iv) of any other budgetary re-
12 sources;

13 “(B) from which accounts and in what
14 amount—

15 “(i) appropriations are obligated for
16 each program activity; and

17 “(ii) outlays are made for each pro-
18 gram activity;

19 “(C) from which accounts and in what
20 amount—

21 “(i) appropriations are obligated for
22 each object class; and

23 “(ii) outlays are made for each object
24 class; and

1 “(D) for each program activity, the
2 amount—

3 “(i) obligated for each object class;
4 and
5 “(ii) of outlays made for each object
6 class.

7 “(2) BUDGET JUSTIFICATIONS.—

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

9 “(i) the term ‘agency’ has the mean-
10 ing given that term in section 101 of title
11 31, United States Code; and

12 “(ii) the term ‘budget justification
13 materials’ means the annual budget jus-
14 tification materials of an agency that are
15 submitted to Congress in support of the
16 budget of the agency, in conjunction with
17 the budget of the United States Govern-
18 ment submitted under section 1105(a) of
19 title 31, United States Code, but does not
20 include budget justification materials that
21 are classified.

22 “(B) INFORMATION.—The information to
23 be posted shall include the budget justification
24 materials of each agency—

1 “(i) for the second fiscal year begin-
2 ning after the date of enactment of this
3 paragraph, and each fiscal year thereafter;
4 and

5 “(ii) to the extent practicable, that
6 were released for any fiscal year before the
7 date of enactment of this paragraph.

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

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

12 “(ii) in a manner that enables users
13 to download individual reports, download
14 all reports in bulk, and download in bulk
15 the results of a search, to the extent prac-
16 ticable; and

17 “(iii) in a structured data format, to
18 the extent practicable.

19 “(D) DEADLINE.—The budget justification
20 materials required to be posted under subpara-
21 graph (B)(i) shall be posted not later than 2
22 weeks after the date on which the budget jus-
23 tification materials are first submitted to Con-
24 gress.

1 “(E) RULE OF CONSTRUCTION.—Nothing
2 in this paragraph shall be construed to author-
3 ize an agency to destroy any budget justifica-
4 tion materials relating to a fiscal year before
5 the fiscal year described in subparagraph
6 (B)(i).”.

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

10 “(i)(1) The Director of the Office of Management
11 and Budget shall make publicly available on an internet
12 website, and continuously update, a tabular list for each
13 fiscal year of each agency that submits to Congress budget
14 justification materials in support of the budget of the
15 agency, which shall include—

16 “(A) the name of the agency;

17 “(B) a unique identifier that identifies the
18 agency;

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

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

1 “(E) the uniform resource locator where the
2 budget justification materials submitted to Congress
3 are published on the website of the agency; and

4 “(F) a single data set that contains the infor-
5 mation described in subparagraphs (A) through (E)
6 with respect to the agency for all fiscal years for
7 which budget justifications of the agency are made
8 available under section 3 of the Federal Funding Ac-
9 countability and Transparency Act of 2006 (31
10 U.S.C. 6101 note) in a structured data format.

11 “(2)(A) Each agency that submits to Congress budg-
12 et justification materials in support of the budget of the
13 agency shall make the materials available on the website
14 of the agency.

15 “(B) The Director of Office of Management and
16 Budget shall establish best practices for agencies relating
17 to making available materials under subparagraph (A)(i),
18 which shall include guidelines for using a uniform resource
19 locator that is in a consistent format across agencies and
20 is descriptive, memorable, and pronounceable, such as the
21 format of ‘agencyname.gov/budget’.

22 “(C) If the Director of Office of Management and
23 Budget maintains a public website that contains the budg-
24 et of the United States Government submitted under sub-
25 section (a) and any related materials, such website shall

1 also contain a link to the tabular list required under para-
 2 graph (1).

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

7 **SEC. 604. IMPROVING RULEMAKING DISCLOSURE FOR THE**
 8 **OFFICE OF INFORMATION AND REGULATORY**
 9 **AFFAIRS.**

10 (a) INCLUSION IN THE RULEMAKING DOCKET OF
 11 DOCUMENTS AND COMMUNICATIONS RELATED TO THE
 12 IMPLEMENTATION OF CENTRALIZED REGULATORY RE-
 13 VIEW.—As soon as practicable, and not later than 15 days
 14 after the conclusion of centralized regulatory review for
 15 a draft proposed or draft final rule, the Administrator of
 16 the Office of Information and Regulatory Affairs shall in-
 17 clude in the rulemaking docket the following:

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

21 (2) A copy of the draft proposed or draft final
 22 rule that incorporates substantive changes, if any,
 23 made to the rule as part of implementing centralized
 24 regulatory review.

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

6 (4) A copy of all documents and written com-
7 munications (including all electronic mail and elec-
8 tronic mail file attachments), and a summary of all
9 oral communications (including phone calls, phone
10 conferences, and meetings), exchanged as part of the
11 implementation of the centralized regulatory review
12 between or among any of the following:

13 (A) The agency responsible for the rule.

14 (B) The Office of Information and Regu-
15 latory Affairs.

16 (C) Any other office or entity within the
17 Executive Office of the President.

18 (D) An agency that is not the agency re-
19 sponsible for the rule.

20 (E) An individual who is not employed
21 by—

22 (i) the executive branch of the Federal
23 Government; or

24 (ii) an agency that is not the agency
25 responsible for the rule.

1 (b) DEFINITIONS.—In this section:

2 (1) CENTRALIZED REGULATORY REVIEW.—The
3 term “centralized regulatory review” means the in-
4 stitutional process of Presidential oversight of indi-
5 vidual agency rules governed by Executive Order
6 12866 (58 Fed. Reg. 51735; relating to regulatory
7 planning and review), or any successor to such Exec-
8 utive order.

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

12 (c) RULE OF CONSTRUCTION.—Nothing in this sec-
13 tion shall be construed to preempt or displace the disclo-
14 sure requirements under any other provision of law affect-
15 ing administrative procedure, if such requirements are not
16 inconsistent with the requirements of this section.

17 **SEC. 605. IMPROVING REGISTRATION INFORMATION FROM**
18 **AGENTS OF FOREIGN PRINCIPALS.**

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

1 (b) REPEALING EXEMPTION FROM REGISTRATION
2 UNDER FOREIGN AGENTS REGISTRATION ACT OF 1938
3 FOR PERSONS FILING DISCLOSURE REPORTS UNDER
4 LOBBYING DISCLOSURE ACT OF 1995.—

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

8 (2) TIMING OF FILING OF REGISTRATION
9 STATEMENTS.—Section 2 of the Foreign Agents
10 Registration Act of 1938 (22 U.S.C. 612) is amend-
11 ed—

12 (A) in subsection (a), in the matter pre-
13 ceding paragraph (1), in the fourth sentence, by
14 striking “The registration statement shall in-
15 clude” and inserting “Except as provided in
16 subsection (h), the registration statement shall
17 include”; and

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

19 “(h) TIMING FOR FILING OF STATEMENTS BY PER-
20 SONS REGISTERED UNDER LOBBYING DISCLOSURE ACT
21 OF 1995.—In the case of an agent of a person described
22 in section 1(b)(2) or an entity described in section 1(b)(3)
23 who has registered under the Lobbying Disclosure Act of
24 1995 (2 U.S.C. 1601 et seq.), after the agent files the
25 first registration required under subsection (a) in connec-

tion with the agent’s representation of such person or entity, the agent shall file all subsequent statements required under this section at the same time, and in the same frequency, as the reports filed with the Clerk of the House of Representatives or the Secretary of the Senate (as the case may be) under section 5 of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1604) in connection with the agent’s representation of such person or entity.”.

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

SEC. 606. AGENCY DEFINED.

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

SEC. 607. GOVERNMENT-WIDE ENTITY IDENTIFIER.

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

(b) REQUIREMENT FOR ALL AGENCIES TO USE A GOVERNMENT-WIDE ENTITY IDENTIFIER.—(1) Each agency shall, to the extent practicable, require all private sector entities from which it regularly collects reports, fil-

1 ings, forms, disclosures or other regularized information
2 to obtain a unique entity identifier.

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

7 (c) PUBLICATION OF INFORMATION CATEGORIZED
8 USING GOVERNMENT-WIDE ENTITY IDENTIFIER.—Each
9 agency shall, to the extent practicable, publish all public
10 regulatory, procurement, assistance, and other reported
11 information categorized using the unique entity identifier
12 required under this section.

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

16 (1) utilities endorsed by the Regulatory Over-
17 sight Committee, whose charter was set forth by the
18 Finance Ministers and Central Bank Governors of
19 the Group of Twenty and the Financial Stability
20 Board; or

21 (2) utilities endorsed or otherwise governed by
22 the Global LEI Foundation so long as that Founda-
23 tion remains recognized by the Regulatory Oversight
24 Committee or any successor global public oversight
25 body.

1 **SEC. 608. GRANTS TRANSPARENCY REQUIREMENTS.**

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

5 **“CHAPTER 74—GRANTS TRANSPARENCY**
6 **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.

7 **“§ 7401. Definitions**

8 “In this chapter:

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

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

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

21 “(4) GRANT.—The term ‘grant’ means an
22 award of Federal financial assistance through a

1 grant agreement or cooperative agreement making
 2 payment in cash or in kind to a recipient to carry
 3 out a public purpose authorized by law.

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

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

9 “(B) includes—

10 “(i) a peer reviewer;

11 “(ii) a merit reviewer; and

12 “(iii) a member of a technical evalua-
 13 tion panel or board or a special emphasis
 14 panel.

15 **“§ 7402. Pre-award evaluation requirements**

16 “(a) EVALUATION REQUIRED.—

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

24 “(2) REVIEW OF INTERAGENCY DUPLICA-
 25 TION.—To the extent practicable, each evaluation

1 conducted under paragraph (1) shall include a re-
 2 view of any interagency duplication of efforts for re-
 3 search grants, which may be completed through a
 4 text-similarity detection process.

5 “(b) SIMPLIFIED EVALUATION PROCEDURE FOR
 6 CERTAIN APPLICANTS.—

7 “(1) DEFINITION.—In this subsection, the term
 8 ‘covered applicant’ means an applicant that, based
 9 on a risk assessment conducted by the Executive
 10 agency, is determined to pose a relatively low risk of
 11 failing to execute the grant successfully and prop-
 12 erly.

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

16 “(A) minimize the burden on the covered
 17 applicant; and

18 “(B) consider any existing findings with
 19 respect to the covered applicant under the sin-
 20 gle audit process under chapter 75 of this title
 21 related to the matters described in subsection
 22 (b).

23 **“§ 7403. Website relating to Federal grants**

24 “(a) REQUIREMENT.—The Director of the Office of
 25 Management and Budget shall consult with Executive

1 agencies to upgrade grants.gov or any proposed successor
2 public website for finding Federal grant opportunities and
3 applying for those grants so that the website—

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

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

9 “(b) NOTICE OF COMPETITIVE GRANT FUNDS
10 AVAILABILITY.—At the time an Executive agency issues
11 a solicitation or otherwise announces the availability of
12 funds for a competitive grant, the Executive agency shall
13 post on the grants website maintained under this section,
14 in a searchable electronic format, relevant information
15 about the grant opportunity, including—

16 “(1) the grant announcement and purpose of
17 the grant;

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

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

24 “(4) a statement of eligibility requirements for
25 the grant;

1 “(5) contact information for the Executive
2 agency, including the name, telephone number, and
3 electronic mail address of a specific person or per-
4 sons responsible for answering questions about the
5 grant and the application process for the grant;

6 “(6) a clear statement of the evaluation factors
7 or criteria that the Executive agency intends to use
8 to evaluate and rank grant applications or proposals
9 submitted, including the weight to be applied to each
10 factor or criterion;

11 “(7) a description of the process and standards
12 to be used by the Executive agency to determine
13 that each grant reviewer does not have a prohibited
14 conflict of interest, as defined by applicable statute
15 or regulation, with respect to the evaluation or re-
16 view of a grant application or proposal, or the deci-
17 sion to award a grant;

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

20 “(9) a set of sample winning grant proposals
21 awarded under the same or similar program within
22 the last 3 years.

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

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

3 “(2) search the website for all competitive
4 grants by purpose, funding agency, program source,
5 and other relevant criteria; and

6 “(3) apply for a competitive grant using the
7 website.

8 “(d) TECHNICAL ASSISTANCE FOR GRANTEES.—

9 “(1) IN GENERAL.—Each Executive agency
10 shall make available on the grants website main-
11 tained under this section detailed grant guidance
12 and written technical assistance for applicants.

13 “(2) GRANT AWARD PROCESS INFORMATION
14 POSTED.—With respect to each grant awarded by an
15 Executive agency, the Executive agency shall, not
16 later than 30 days after the date on which the grant
17 is awarded, post on the grants website maintained
18 under this section—

19 “(A) documentation explaining the basis
20 for the selection decision for the grant, the
21 number of proposals received for the grant,
22 and, with respect to the proposal that resulted
23 in the grant award, whether the grant was
24 awarded consistent with a numerical ranking or
25 other recommendations by grant reviewers; and

1 “(B) in any case in which the award of the
2 grant is not consistent with the numerical
3 rankings or any other recommendations made
4 by grant reviewers, a written justification ex-
5 plaining the rationale for the decision not to fol-
6 low the rankings or recommendations.

7 “(3) SENSITIVE INFORMATION.—

8 “(A) PERSONALLY IDENTIFIABLE INFOR-
9 MATION.—Each Executive agency may redact
10 any personally identifiable information from a
11 post on the grants website maintained under
12 this section.

13 “(B) ADVERSE INFORMATION.—An Execu-
14 tive agency may not post on the grants website
15 maintained under this section any sensitive in-
16 formation that the Executive agency determines
17 would adversely affect an applicant.

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

20 “(1) REQUIREMENT.—Not later than November
21 30 of each fiscal year or not later than 60 days after
22 the date on which amounts are appropriated to an
23 Executive agency for a fiscal year, whichever is later,
24 the head of the Executive agency shall post a fore-
25 cast, in accordance with paragraph (2), of all non-

1 emergency grant solicitations that the Executive
2 agency expects to issue for the following calendar
3 year, which—

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

6 “(B) shall not be binding on the Executive
7 agency.

8 “(2) MATTERS INCLUDED.—The forecast re-
9 quired under paragraph (1) shall include, to the ex-
10 tent practicable, for each expected grant solicitation
11 in a machine-readable format—

12 “(A) a brief description of the subject and
13 purpose of the grant, organized by the organi-
14 zational unit of the Executive agency;

15 “(B) contact information for the organiza-
16 tional unit or individual responsible for the
17 grant, if known, including name, telephone
18 number, and electronic mail address;

19 “(C) the expected or actual dates for the
20 issuance of the grant solicitation and applica-
21 tion and the grant application submission dead-
22 line;

23 “(D) the estimated amount of the average
24 grant award, the estimated maximum and min-
25 imum amounts of the grant award, if applica-

1 ble, and the estimated total number of grant
2 awards to be made; and

3 “(E) a description of the total amount
4 available to be awarded.

5 “(f) PUBLICATION OF INFORMATION.—

6 “(1) IN GENERAL.—Except as provided in para-
7 graph (2), nothing in this section shall be construed
8 to require the publication of information otherwise
9 exempt from disclosure under section 552 of title 5
10 (commonly referred to as the ‘Freedom of Informa-
11 tion Act’).

12 “(2) LIMITATION.—The exemption under sec-
13 tion 552(b)(5) of title 5 shall not exempt from publi-
14 cation predecisional documents required to be posted
15 pursuant to the requirements under subsection
16 (d)(2).

17 “(g) TRANSPARENCY OF INFORMATION.—To the ex-
18 tent practicable, the grants website maintained under this
19 section shall—

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

22 “(2) make the information described in this sec-
23 tion available without charge, license, or registration
24 requirement;

1 “(3) permit the information described in this
2 section to be searched;

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

5 “(5) permit the information described in this
6 section to be disseminated via automatic electronic
7 means;

8 “(6) permit the information described in this
9 section to be freely shared by the public, such as by
10 social media;

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

13 “(8) provide an opportunity for the public to
14 provide input about the usefulness of the site and
15 recommendations for improvements.

16 **“§ 7404. Postdecision explanation for failed appli-**
17 **cants**

18 “If requested by an applicant for a competitive grant,
19 for each grant award made in an amount in excess of
20 \$100,000 pursuant to a merit-based selection procedure,
21 an Executive agency shall provide the applicant with a
22 timely direct interaction describing the basis for the award
23 decision of the Executive agency, including, if applicable,
24 the decision not to award a grant to the applicant.

1 **“§ 7405. Inspector General review of peer review**
 2 **process**

3 “Not later than 18 months after the date of enact-
 4 ment of the Transparency in Government Act of 2021,
 5 the Inspector General of each Executive agency that
 6 awards competitive grants shall conduct a review of the
 7 effectiveness of the conflicts of interest policy of the Exec-
 8 utive agency, including a review of a random selection of
 9 peer review processes, with respect to the peer review proc-
 10 ess for competitive grants in order to detect favoritism.”.

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

“74. Grant transparency requirements 7401”.

15 (c) GRANTS WORKFORCE REPORT.—

16 (1) DEFINITIONS.—In this subsection:

17 (A) EXECUTIVE AGENCY.—The term “Ex-
 18 ecutive agency” has the meaning given the term
 19 in section 105 of title 5, United States Code,
 20 except the term does not include the Govern-
 21 ment Accountability Office.

22 (B) FEDERAL GRANTS WORKFORCE.—The
 23 term “Federal grants workforce”, with respect
 24 to an Executive agency, means all employees of

1 the Executive agency who spend some or all of
2 their time engaged in—

3 (i) grant planning, including pro-
4 grammatic activities;

5 (ii) preparing grant solicitations, No-
6 tices of Funding Opportunity, Notices In-
7 viting Applications, or other requests for
8 grant proposals;

9 (iii) evaluating or reviewing grant ap-
10 plications, including serving on a peer re-
11 view board;

12 (iv) monitoring or administering grant
13 performance by grantees;

14 (v) preparing the Notice of Award and
15 negotiating terms and conditions; or

16 (vi) post-award closeout activities, in-
17 cluding final technical and financial re-
18 ports.

19 (2) REPORT.—Not later than 180 days after
20 the date of enactment of this Act, the Comptroller
21 General of the United States shall submit to the
22 Committee on Homeland Security and Governmental
23 Affairs of the Senate and the Committee on Over-
24 sight and Government Reform of the House of Rep-

1 representatives a report on the Federal grants work-
2 force, which shall address—

3 (A) the size of the Federal grants work-
4 force and expected trends in Federal employ-
5 ment for the Federal grants workforce;

6 (B) the adequacy of training opportunities
7 for the Federal grants workforce;

8 (C) whether the Federal Acquisition Insti-
9 tute or any other existing entity engaged in ac-
10 quisition workforce training should be made
11 available for grant training;

12 (D) whether a warrant system similar to
13 that used in the Federal acquisition system
14 should be established for Federal officials au-
15 thorized to award grants;

16 (E) the use by Executive agencies of sus-
17 pension and debarment actions taken against
18 grantees during the 3-year period preceding the
19 date on which the report is submitted, and the
20 level of agency resources assigned to the sus-
21 pension and debarment functions; and

22 (F) any recommendations for improving
23 the Federal grants workforce.

1 **Subtitle B—Publication of**
2 **Opinions of Office of Legal Counsel**

3 **SEC. 611. SHORT TITLE.**

4 This subtitle may be cited as the “See UNdisclosed
5 Legal Interpretations and Get Honest Transparency Act
6 of 2021” or as the “SUNLIGHT Act of 2021”.

7 **SEC. 612. SCHEDULE OF PUBLICATION FOR FINAL OLC**
8 **OPINIONS.**

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

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

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

18 (3) not later than 2 years after the date of en-
19 actment of this Act for an opinion issued on or after
20 January 20, 1981 and before or on January 19,
21 1993;

22 (4) not later than 3 years after the date of en-
23 actment of this Act for an opinion issued on or after
24 January 20, 1969 and before or on January 19,
25 1981; and

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

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

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

7 (1) information contained in the opinion was—

8 (A) specifically authorized to be kept se-
9 cret, under criteria established by an Executive
10 order, in the interest of national defense or for-
11 eign policy;

12 (B) in fact properly classified, including all
13 procedural and marking requirements, pursuant
14 to such Executive order;

15 (C) the Attorney General determines that
16 the national defense or foreign policy interests
17 protected outweigh the public's interest in ac-
18 cess to the information; and

19 (D) has been put through declassification
20 review within the past two years;

21 (2) information contained in the opinion relates
22 to the appointment of a specific individual not con-
23 firmed to Federal office;

24 (3) information contained in the opinion is spe-
25 cifically exempted from disclosure by statute (other

1 than sections 552 and 552b of title 5, United States
2 Code), provided that such statute—

3 (A) requires that the material be withheld
4 in such a manner as to leave no discretion on
5 the issue; or

6 (B) establishes particular criteria for with-
7 holding or refers to particular types of material
8 to be withheld;

9 (4) information in the opinion includes trade se-
10 crets and commercial or financial information ob-
11 tained from a person and privileged or confidential
12 whose disclosure would likely cause substantial harm
13 to the competitive position of the person from whom
14 the information was obtained;

15 (5) the President, in his or her sole and non-
16 delegable determination, formally and personally
17 claims in writing that executive privilege prevents
18 the release of the information and disclosure would
19 cause specific identifiable harm to an interest pro-
20 tected by an exception or the disclosure is prohibited
21 by law; or

22 (6) information in the opinion includes per-
23 sonnel and medical files and similar files the disclo-
24 sure of which would constitute a clearly unwarranted
25 invasion of personal privacy.

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

6 (1) in writing;

7 (2) made available to the public within the
8 same timeframe as is required of a formal OLC
9 opinion;

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

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

16 (c) FINAL OPINIONS.—For final OLC opinions for
17 which the text is withheld in full or in substantial part,
18 a detailed unclassified summary of the opinion must be
19 made available to the public, in the same timeframe as
20 required of the final OLC opinion, that conveys the es-
21 sence of the opinion, including any interpretations of a
22 statute, the Constitution, or other legal authority. A nota-
23 tion must be included in any published list of OLC opin-
24 ions regarding the extent of the withholdings.

1 (d) NO LIMITATION ON RELIEF.—A decision by the
2 Attorney General to release or withhold information pur-
3 suant to this Act shall not preclude any action or relief
4 conferred by statutory or regulatory regime that empowers
5 any person to request or demand the release of informa-
6 tion.

7 (e) REASONABLY SEGREGABLE PORTIONS OF OPIN-
8 IONS TO BE PUBLISHED.—Any reasonably segregable
9 portion of an opinion shall be provided after withholding
10 of the portions which are exempt under this subsection.
11 The amount of information withheld, and the exemption
12 under which the withholding is made, shall be indicated
13 on the released portion of the opinion, unless including
14 that indication would harm an interest protected by the
15 exemption in this subsection under which the withholding
16 is made. If technically feasible, the amount of the informa-
17 tion withheld, and the exemption under which the with-
18 holding is made, shall be indicated at the place in the opin-
19 ion where such withholding is made.

20 **SEC. 614. METHOD OF PUBLICATION.**

21 The Attorney General shall publish each final OLC
22 opinion to the extent the law permits, including by pub-
23 lishing the opinions on a publically accessible website
24 that—

25 (1) with respect to each opinion—

1 (A) contains an electronic copy of the opin-
2 ion, including any transmittal letter associated
3 with the opinion, in an open format that is plat-
4 form independent and that is available to the
5 public without restrictions;

6 (B) provides the public the ability to re-
7 trieve an opinion, to the extent practicable,
8 through searches based on—

9 (i) the title of the opinion;

10 (ii) the date of publication or revision;

11 or

12 (iii) the full text of the opinion; and

13 (C) identifies the time and date when the
14 opinion was required to be published, and when
15 the opinion was transmitted for publication;
16 and

17 (D) provides a permanent means of access-
18 ing the opinion electronically;

19 (2) includes a means for bulk download of all
20 OLC opinions or a selection of opinions retrieved
21 using a text-based search;

22 (3) provides free access to the opinions, and
23 does not charge a fee, require registration, or impose
24 any other limitation in exchange for access to the
25 website; and

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

3 **SEC. 615. INDEX OF OPINIONS.**

4 (a) PUBLICATION OF INDEX.—

5 (1) IN GENERAL.—The Office of Legal Counsel
6 shall publish a complete list of final OLC opinions,
7 arranged chronologically, within 90 days of the date
8 of the enactment of this Act.

9 (2) UPDATES AND REVISIONS.—The list of
10 opinions shall be updated immediately every time an
11 OLC opinion becomes final, and a revision to an
12 opinion shall be listed as if it were a new opinion.

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

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

17 (2) The list shall—

18 (A) include, for each opinion—

19 (i) the full name of the opinion;

20 (ii) the date it was finalized or re-
21 vised;

22 (iii) each author's name;

23 (iv) each recipient's name;

24 (v) a summary of the opinion;

- 1 (vi) a unique identifier assigned to
2 each final or revised opinion; and
3 (vii) whether an opinion has been
4 withdrawn; and
5 (B) be published in both human-readable
6 and machine-readable formats.

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

8 On complaint, the district court of the United States
9 in the district in which the complainant resides, or has
10 his principal place of business, or in the District of Colum-
11 bia, has jurisdiction to enjoin the agency from withholding
12 information contained in a final OLC opinion and to order
13 the production of information improperly withheld from
14 the complainant. In such a case the court shall determine
15 the matter de novo, and may examine the contents of such
16 OLC opinion in camera to determine whether such infor-
17 mation or any part thereof shall be withheld under any
18 of the exemptions set forth in section 613, and the burden
19 is on the agency to sustain its action.

20 **SEC. 617. SEVERABILITY.**

21 If any provision of this subtitle, any amendment
22 made by this subtitle, or the application thereof to any
23 person or circumstances is held invalid, the validity of the
24 remainder of this subtitle, of any such amendments, and

1 of the application of such provisions to other persons and
2 circumstances shall not be affected thereby.

3 **SEC. 618. DEFINITIONS.**

4 (a) OLC OPINION.—The term “OLC opinion” means
5 views on a matter of legal interpretation communicated
6 by the Office of Legal Counsel of the Department of Jus-
7 tice to any other office or agency, or person in an office
8 or agency, in the Executive Branch, including any office
9 in the Department of Justice, the White House, or the
10 Executive Office of the President, and rendered in accord-
11 ance with sections 511–513 of title 28, United States
12 Code. Where the communication of the legal interpretation
13 takes place verbally, a memorialization of that communica-
14 tion qualifies as an “OLC opinion”.

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

17 (1) the Attorney General, Assistant Attorney
18 General for OLC, or a Deputy Assistant General for
19 OLC, has determined is final;

20 (2) government officials or government contrac-
21 tors are relying on;

22 (3) is relied upon to formulate legal guidance;
23 or

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

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

4 **Subtitle C—Contempt of Congress** 5 **Procedures and Enforcement**

6 **SEC. 621. AVAILABILITY OF CIVIL ACTION TO ENFORCE** 7 **HOUSE OF REPRESENTATIVES SUBPOENAS.**

8 (a) CIVIL ACTION.—The House of Representatives
 9 may in a civil action obtain any appropriate relief to en-
 10 force compliance with a subpoena or order of the House,
 11 or to enforce compliance with a subpoena or order issued
 12 by a committee or subcommittee of the House authorized
 13 to issue a subpoena or order, if the House by resolution
 14 authorizes the commencement of that civil action.

15 (b) REPRESENTATION BY GENERAL COUNSEL.—Un-
 16 less the House otherwise provides, the Office of the Gen-
 17 eral Counsel of the House of Representatives shall rep-
 18 resent the House in the civil action.

19 (c) PERSONAL JURISDICTION.—Personal jurisdiction
 20 of the court over a defendant in a civil action under this
 21 section extends outside the territorial jurisdiction of the
 22 court if the claim—

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

24 (A) within that territorial jurisdiction, or

1 (B) causing any injury, including informa-
2 tional injury to the right of the House to make
3 an investigation, within that territorial jurisdic-
4 tion; or

5 (2) otherwise has a reasonable relationship to
6 contacts of the defendant with the territorial juris-
7 diction.

8 (d) ASSESSMENT OF COMPETING INTERESTS.—

9 (1) IN GENERAL.—In any civil action brought
10 under this section, if the court has determined that
11 the information or material which is the subject of
12 the subpoena or order involved is presumptively priv-
13 ileged based upon the President's generalized inter-
14 est in confidentiality, the House may overcome this
15 presumption by showing that—

16 (A) the House, or a committee or sub-
17 committee thereof, has a specific need for the
18 information or material in order to carry out its
19 constitutional obligations; and

20 (B) the information is not otherwise avail-
21 able.

22 (2) ENFORCEMENT.— If the court determines
23 that the House, or a committee or subcommittee
24 thereof, has made the showing described in para-

1 graph (1), it shall enforce the subpoena or order in-
 2 volved.

3 (e) EXPEDITION OF TRIAL AND APPELLATE PRO-
 4 CEEDINGS.—The court shall hear and determine a civil ac-
 5 tion under this section as expeditiously as possible, and
 6 to the maximum extent practicable during the Congress
 7 in which the action is commenced. Any appellate pro-
 8 ceedings relating to such a civil action shall similarly be
 9 expedited to assure to the extent possible that the matter
 10 is fully resolved during the Congress in which the action
 11 was commenced.

12 **SEC. 622. ALTERNATE PROCEDURES FOR ENFORCEMENT**
 13 **OF CRIMINAL CONTEMPT OF CONGRESS.**

14 (a) ALTERNATE PROCEDURE.—

15 (1) SCOPE OF APPLICATION.—If the House of
 16 Representatives finds a current or former officer or
 17 employee of the Executive branch has violated sec-
 18 tion 102 of the Revised Statutes of the United
 19 States (2 U.S.C. 192) or that any person has vio-
 20 lated such section at the direction of the President
 21 or another officer of the executive branch, the proce-
 22 dures of this section apply.

23 (2) CERTIFICATION BY SPEAKER.—In accord-
 24 ance with section 104 of the Revised Statutes of the
 25 United States (2 U.S.C. 194), upon the finding by

1 the House of Representatives of a violation to which
2 this section applies, the Speaker shall certify that
3 finding to the appropriate United States attorney,
4 whose duty it shall be to bring the matter before the
5 grand jury for its action.

6 (3) CIRCUMSTANCES LEADING TO APPOINT-
7 MENT OF SPECIAL COUNSEL.—If—

8 (A) the Attorney General or the United
9 States attorney to whom the finding was cer-
10 tified informs the court or the House that the
11 Department of Justice will not prosecute the
12 case; or

13 (B) by the end of the 30th day after the
14 date of receipt of a certification made under
15 paragraph (2) a grand jury has not returned an
16 indictment based on the violation alleged in the
17 certification;

18 the Special Division established under subsection (b)
19 (hereinafter in this Act referred to as the “Special
20 Division”) shall appoint a special counsel under sub-
21 section (c). It shall be the duty of the Attorney Gen-
22 eral to inform that court and the House if a grand
23 jury does not return an indictment by the end of the
24 30-day period. The Speaker of the House, or any in-
25 terested congressional party, may file with the Spe-

1 cial Division a suggestion that circumstances giving
2 rise to a duty to appoint a special counsel have oc-
3 curred after the 30-day period ends without the re-
4 turn of an indictment.

5 (b) SPECIAL DIVISION.—

6 (1) ESTABLISHMENT.—There is hereby estab-
7 lished within the United States Court of Appeals for
8 the District of Columbia a Special Division to carry
9 out the appointment of special counsels under this
10 section.

11 (2) DESIGNATION.—

12 (A) IN GENERAL.—The Chief Justice of
13 the United States shall designate three judges
14 or justices of the United States, one of whom
15 shall be an active judge of the United States
16 Court of Appeals for the District of Columbia,
17 to serve on the Special Division, except that
18 none of the judges or justices serving on the
19 Special Division may serve or have served on
20 the same court.

21 (B) PRIORITY.—In designating judges and
22 justices to serve on the Special Division, the
23 Chief Justice shall give priority to senior circuit
24 judges and retired justices of the United States
25 Supreme Court.

1 (C) DEADLINE.— The Chief Justice shall
2 make the first such designation not later than
3 45 days after the date of the enactment of this
4 Act.

5 (3) TERM OF SERVICE.—Each designation to
6 the Special Division shall be for a term of 2 years,
7 but the Chief Justice may fill any vacancy arising
8 before the end of a term for the remainder of that
9 term.

10 (c) APPOINTMENT, QUALIFICATIONS, AND PROSECU-
11 TORIAL JURISDICTION OF SPECIAL COUNSEL, AND AD-
12 MINISTRATIVE MATTERS RELATING TO THE SPECIAL
13 COUNSEL.—

14 (1) APPOINTMENT, QUALIFICATIONS, AND
15 PROSECUTORIAL JURISDICTION OF SPECIAL COUN-
16 SEL.—

17 (A) APPOINTMENT AND QUALIFICA-
18 TIONS.—The Special Division shall appoint the
19 special counsel, who must be an attorney in
20 good standing with substantial prosecutorial ex-
21 perience—

22 (i) who has not served in any capacity
23 in the administration of the President who
24 is or who was in office at the time the

1 Speaker of the House certified the finding
2 of a violation; and

3 (ii) who is or who was not a Member,
4 officer, or employee of Congress at the
5 time the Speaker of the House certified the
6 finding of a violation.

7 (B) PROSECUTORIAL JURISDICTION.—The
8 Special Division shall define the special coun-
9 sel’s prosecutorial jurisdiction as comprising the
10 investigation and prosecution of the alleged vio-
11 lation, any conspiracy to commit the alleged
12 violation, and any perjury, false statement, or
13 obstruction of justice occurring in relation to
14 such investigation and prosecution.

15 (2) AUTHORITY OF SPECIAL COUNSEL WITH
16 RESPECT TO MATTERS WITHIN PROSECUTORIAL JU-
17 RISDICTION.—With respect to all matters in that
18 special counsel’s prosecutorial jurisdiction, a special
19 counsel appointed under this section shall have full
20 power and independent authority to exercise all pros-
21 ecutorial functions and powers, and any other func-
22 tions and powers normally ancillary thereto, of the
23 Department of Justice, the Attorney General, and
24 any other officer or employee of the Department of
25 Justice, except that the Attorney General shall exer-

1 eise direction or control as to those matters that spe-
2 cifically require the Attorney General's personal ac-
3 tion under section 2516 of title 18, United States
4 Code.

5 (3) COMPLIANCE WITH POLICIES OF THE DE-
6 PARTMENT OF JUSTICE.—

7 (A) IN GENERAL.—A special counsel shall,
8 except to the extent that to do so would be in-
9 consistent with the purposes of this section,
10 comply with the written or other established
11 policies of the Department of Justice respecting
12 enforcement of the criminal laws.

13 (B) NATIONAL SECURITY.—A special coun-
14 sel shall comply with guidelines and procedures
15 used by the Department in the handling and
16 use of classified material.

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

20 (5) STAFF.—The special counsel may appoint
21 and fix the salaries of such staff, not to exceed 12
22 in number, as the special counsel deems necessary to
23 carry out the functions of the special counsel under
24 this section. However, no salary of a member of such
25 staff may exceed the salary of the special counsel.

1 (6) EXPENSES.—The Department of Justice
2 shall pay all costs relating to the establishment and
3 operation of any office of special counsel. The Attor-
4 ney General shall submit to the Congress, not later
5 than 30 days after the end of each fiscal year, a re-
6 port on amounts paid during that fiscal year for ex-
7 penses of investigations and prosecutions the special
8 counsel.

9 (7) REPORT TO CONGRESS.—Each special coun-
10 sel shall report to Congress annually on the special
11 counsel's activities under this section. The report
12 shall include a description of the progress of any in-
13 vestigation or prosecution conducted by the special
14 counsel and provide information justifying the costs
15 of the activities reported on.

16 (d) REMOVAL OF SPECIAL COUNSEL.—

17 (1) IN GENERAL.—A special counsel may be re-
18 moved from office, other than by impeachment and
19 conviction, only by the personal action of the Attor-
20 ney General, and only for good cause, physical or
21 mental disability, or any other condition that sub-
22 stantially impairs the performance of that special
23 counsel's duties.

24 (2) REPORT UPON REMOVAL.—If a special
25 counsel is removed from office, the Attorney General

1 shall promptly submit to the Special Division and to
2 Congress a report specifying the facts found and the
3 ultimate grounds for the removal.

4 (3) JUDICIAL REVIEW OF REMOVAL.—A special
5 counsel removed from office may obtain judicial re-
6 view of the removal in a civil action. The Special Di-
7 vision may not hear or determine any appeal of a de-
8 cision in any such civil action. The special counsel
9 may be reinstated or granted other appropriate relief
10 by order of the court.

11 (4) APPOINTMENT OF REPLACEMENT.—Upon
12 removal of a special counsel, the Special Division
13 shall appoint a similarly qualified individual to con-
14 tinue the functions of the special counsel.

15 (e) TERMINATION OF SPECIAL COUNSEL’S AUTHOR-
16 ITY.—

17 (1) IN GENERAL.—The authority of the special
18 counsel shall cease 2 years after the date of the spe-
19 cial counsel’s appointment, but the Special Division
20 may extend that authority for an additional period
21 not to exceed one year, if the Special Division finds
22 good cause to do so. Good cause to do so includes
23 that the investigation or prosecution undertaken by
24 the special counsel has been delayed by dilatory tac-
25 tics by persons who could provide evidence that

1 would significantly assist the investigation or prosecution,
2 ecution, and also includes the need to allow the special
3 counsel to participate in any appellate proceedings related to prosecutions engaged in by the
4 special counsel.
5

6 (2) TERMINATION BY COURT.—The Special Division,
7 vision, either on the Special Division’s own motion
8 or upon the request of the Attorney General, may
9 terminate an office of special counsel at any time, on
10 the ground that the investigation of all matters within
11 the prosecutorial jurisdiction of such special counsel,
12 and any resulting prosecutions, have been completed
13 or so substantially completed that it would be
14 appropriate for the Department of Justice to complete
15 such investigations and prosecutions.

16 **SEC. 623. INCREASE IN PENALTY FOR CONTEMPT OF CON-**
17 **GRESS.**

18 Section 102 of the Revised Statutes of the United
19 States (2 U.S.C. 192) is amended by striking “deemed”
20 and all that follows through “twelve months” and inserting
21 “fined not more than \$1,000,000 or imprisoned not
22 more than 2 years, or both”.

1 **SEC. 624. AUTHORITY OF UNITED STATES CAPITOL POLICE**
2 **TO ENFORCE CITATIONS.**

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

8 (1) by striking “and” at the end of paragraph
9 (4);

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

12 (3) by adding at the end the following new
13 paragraph:

14 “(6) within any area, to enforce a citation
15 issued with respect to a violation of section 102 of
16 the Revised Statutes of the United States which re-
17 lates to the House of Representatives, or any cita-
18 tion issued with respect to a resolution adopted by
19 the House citing a person for contempt of the
20 House.”.

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

1 **SEC. 625. COLLECTION OF PENALTIES IMPOSED BY THE**
2 **HOUSE OF REPRESENTATIVES ON PERSONS**
3 **CITED FOR CONTEMPT OF HOUSE.**

4 (a) CIVIL ACTION.—If the House of Representatives
5 adopts a resolution citing a person for contempt of the
6 House, the House may commence a civil action to collect
7 a monetary penalty from the person if the House by subse-
8 quent resolution authorizes the commencement of that
9 civil action.

10 (b) REPRESENTATION BY GENERAL COUNSEL.—Un-
11 less the House otherwise provides, the Office of the Gen-
12 eral Counsel of the House of Representatives shall rep-
13 resent the House in the civil action.

14 (c) PERSONAL JURISDICTION.—Personal jurisdiction
15 of the court over a defendant in a civil action under this
16 section extends outside the territorial jurisdiction of the
17 court if the claim—

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

19 (A) within that territorial jurisdiction; or

20 (B) causing any injury, including informa-
21 tional injury to the right of the House to make
22 an investigation, within that territorial jurisdic-
23 tion; or

24 (2) otherwise has a reasonable relationship to
25 contacts of the defendant with the territorial juris-
26 diction.

1 (d) EXPEDITION OF TRIAL AND APPELLATE PRO-
2 CEEDINGS.—The court shall hear and determine a civil ac-
3 tion under this section as expeditiously as possible, and
4 to the maximum extent practicable during the Congress
5 in which the action is commenced. Any appellate pro-
6 ceedings relating to such a civil action shall similarly be
7 expedited to assure to the extent possible that the matter
8 is fully resolved during the Congress in which the action
9 was commenced.

10 **SEC. 626. NO EFFECT OF EXPIRATION OF CONGRESS ON**
11 **PENDING ACTIONS.**

12 Any civil action commenced by the House of Rep-
13 resentatives pursuant to this subtitle, and the authority
14 of the Office of the General Counsel of the House of Rep-
15 resentatives with respect to the action, shall not be ren-
16 dered moot or otherwise affected as the result of the expi-
17 ration of the Congress in which the House commenced the
18 action.

19 **TITLE VII—STRENGTHENING**
20 **THE FREEDOM OF INFORMA-**
21 **TION ACT**

22 **SEC. 701. AGENCY DEFINED.**

23 In this title, the term “agency” has the meaning
24 given that term under section 551 of title 5, United States
25 Code.

1 **SEC. 702. DIGITAL ACCESS TO COMPLETED RESPONSES TO**
2 **THE FREEDOM OF INFORMATION ACT.**

3 (a) REQUIREMENT.—

4 (1) DATABASE OF COMPLETED FOIA RE-
5 QUESTS.—Each agency shall make available all ma-
6 terials contained in the agency’s completed response
7 to a request under section 552 of title 5, United
8 States Code (in this section referred to as a “FOIA
9 request”), in a structured database or in a search-
10 able, sortable, downloadable, machine-readable data-
11 base not later than two months after the date on
12 which the FOIA request was completed.

13 (2) ELECTRONIC FORMAT.—All information is
14 presumed to be available in an electronic format as
15 described in paragraph (1) unless the agency dem-
16 onstrates that excessive cost would place an undue
17 burden on the agency.

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

22 **SEC. 703. FOIAONLINE FOR AGENCIES.**

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

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

2 (a) JUDICIAL REVIEW OF COMPLAINTS.—Section
3 552(a)(4)(B) of title 5, United States Code, is amended
4 by inserting after “withheld from the complainant” the
5 following: “or the public”.

6 (b) PRESUMPTION OF OPENNESS.—

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

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

12 (B) in paragraph (5), by inserting before
13 the semicolon at the end the following: “and ex-
14 cluding—

15 “(A) opinions that are controlling interpre-
16 tations of law;

17 “(B) final reports or memoranda created
18 by an entity other than the agency, including
19 other Governmental entities, at the request of
20 the agency and used to make a final policy deci-
21 sion; and

22 “(C) guidance documents used by the
23 agency to respond to the public;”;

24 (C) in paragraph (6), by striking “similar
25 files” and inserting “personal information such

1 as contact information or financial informa-
2 tion”; and

3 (D) in the matter following paragraph
4 (9)—

5 (i) by inserting before “Any reason-
6 ably segregable portion” the following: “An
7 agency may not withhold information
8 under this subsection unless such agency
9 reasonably foresees that disclosure would
10 cause specific identifiable harm to an inter-
11 est protected by an exemption, or if disclo-
12 sure is prohibited by law.”; and

13 (ii) by inserting before “If technically
14 feasible,” the following: “For each record
15 withheld in whole or in part under para-
16 graph (3), the agency shall identify the
17 statute that exempts the record from dis-
18 closure.”.

19 (2) EXEMPTION DECISION TRANSPARENCY.—

20 Section 552(a)(6)(C)(i) of title 5, United States
21 Code, is amended by striking the fourth sentence
22 and inserting at the end the following: “Any notifi-
23 cation of denial or partial denial of any request for
24 records under this subsection shall set forth each
25 name and title or position of each person responsible

1 for the denial or partial denial or any decision to
2 withhold a responsive record under subsection (b).”.

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

6 “(i) The Government Accountability Office shall—

7 “(1) conduct audits of administrative agencies
8 on compliance with and implementation of the re-
9 quirements of this section and issue reports detailing
10 the results of such audits;

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

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

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

1 “(n) The Congressional Research Service shall, on an
2 annual basis, provide the Committee on Oversight and
3 Government Reform of the House of Representatives and
4 the Committee on Homeland Security and Governmental
5 Affairs of the Senate with a list of statutes described in
6 subsection (b)(3). Each such list shall be made publicly
7 available.”.

8 **TITLE VIII—IMPROVING TRANS-**
9 **PARENCY WITHIN THE JUDI-**
10 **CIAL SYSTEM**

11 **SEC. 801. TELEVISING SUPREME COURT PROCEEDINGS.**

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

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

16 “The Supreme Court shall permit television coverage
17 of all open sessions of the Court unless the Court decides,
18 by a vote of the majority of justices, that allowing such
19 coverage in a particular case would constitute a violation
20 of the due process rights of one or more of the parties
21 before the Court.”.

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

“678. Televising Supreme Court proceedings.”.

1 **SEC. 802. AUDIO RECORDING OF SUPREME COURT PRO-**
2 **CEEDINGS.**

3 The Chief Justice of the United States shall ensure
4 that the audio of an oral argument before the Supreme
5 Court of the United States is recorded and is made pub-
6 licly available on the Internet website of the Supreme
7 Court at the same time that it is recorded.

8 **SEC. 803. AVAILABILITY ON THE INTERNET OF FINANCIAL**
9 **DISCLOSURE REPORTS OF JUDICIAL OFFI-**
10 **CERS.**

11 Section 103 of the Ethics in Government Act of 1978
12 (5 U.S.C. App. 103), as amended by this Act, is further
13 amended by inserting at the end the following:

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

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

20 Not later than one year after the date of the enact-
21 ment of this Act, the Comptroller General of the United
22 States shall conduct an audit of the public access to court
23 electronic records system maintained by the Administra-
24 tive Office of the United States Courts, and shall submit
25 to Congress, the Administrative Office of the United
26 States Courts, and any other appropriate Federal agency

1 or office, a report that contains the results of the audit,
2 along with any recommendations for improving the public
3 access to court electronic records system.

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

5 (a) CONSOLIDATION OF THE CASE MANAGEMENT/
6 ELECTRONIC CASE FILES SYSTEM.—

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

16 (2) USE OF TECHNOLOGY.—In developing the
17 system under paragraph (1), the Director shall use
18 modern technology in order—

19 (A) to improve security, data accessibility,
20 affordability, and performance; and

21 (B) to minimize the burden on pro se liti-
22 gants.

23 (3) AVAILABILITY TO STATES.—

1 (A) IN GENERAL.—A State may choose to
2 participate in the system developed under this
3 subsection.

4 (B) FEE.—The Director shall charge a fee
5 to a State that chooses to participate in the sys-
6 tem, which is set at a level to recover the cost
7 of providing the services associated with the ad-
8 ministration and maintenance of the system to
9 the State.

10 (b) PUBLIC ACCESS TO COURT ELECTRONIC
11 RECORDS SYSTEM REQUIREMENTS.—

12 (1) IN GENERAL.—Not later than 2 years after
13 the date of the enactment of this Act, the Director
14 of the Administrative Office of the United States
15 Courts, in coordination with the Administrator of
16 General Services, shall update the Public Access to
17 Court Electronic Records system, which shall be
18 subject to the following requirements:

19 (A) A document filed with a court shall be
20 made publicly accessible upon filing, except as
21 ordered by a court or by rule of the Judicial
22 Conference.

23 (B) All documents on the system shall be
24 available to the public and to parties before the
25 court free of charge.

1 (C) Any information that is prohibited
2 from public disclosure by law or court order
3 shall be redacted.

4 (D) All documents shall be text-searchable
5 and machine-readable.

6 (E) To the extent practicable, external
7 websites shall be able to link to documents on
8 the system.

9 (F) The system shall include digital audio
10 and visual files of court recordings, when such
11 files are available.

12 (G) The system shall provide search func-
13 tions for public use.

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

19 (3) USE OF TECHNOLOGY.—In developing the
20 system under paragraph (1), the Director shall use
21 modern technology in order—

22 (A) to improve security, data accessibility,
23 affordability, and performance; and

24 (B) to minimize the burden on pro se liti-
25 gants.

1 (4) AUTHORITY TO EXEMPT CERTAIN DOCU-
2 MENTS.—The Director may identify categories of
3 documents which are not made publicly accessible
4 under subsection (a)(1), and categories of court pro-
5 ceedings, the recordings of which are not made avail-
6 able under paragraph (1)(F).

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

12 **TITLE IX—ENFORCEMENT**

13 **SEC. 901. AUDITS BY THE GOVERNMENT ACCOUNTABILITY** 14 **OFFICE.**

15 (a) AUDIT REQUIREMENT.—The Comptroller Gen-
16 eral shall conduct annual audits of the implementation of
17 the provisions in this Act, and shall submit annually to
18 the Committee on Oversight and Government Reform of
19 the House of Representatives and the Committee on
20 Homeland Security and Governmental Affairs of the Sen-
21 ate a report on the results of the audits.

22 (b) MATTERS COVERED BY AUDITS.—Audits con-
23 ducted under this section shall address whether the con-
24 gressional and executive branch data that is required to

1 be provided to the public through the Internet is each of
2 the following:

3 (1) COMPLETE.—Made available, except for
4 data that is subject to privacy, security, or privilege
5 exemptions.

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

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

11 (4) ACCESSIBLE.—Available to the widest range
12 of users for the widest range of purposes.

13 (5) MACHINE PROCESSABLE.—Reasonably
14 structured to allow automated processing.

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

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

19 (8) LICENSE-FREE.—Not subject to any copy-
20 right, patent, trademark, or trade secret regulation
21 (with reasonable privacy, security, and privilege re-
22 strictions).

23 (c) CURRENT STANDARDS.—Audits conducted under
24 this section shall also address whether the data provided

1 to the public under this Act is produced and maintained
2 using current standards for data publication.

3 **TITLE X—MISCELLANEOUS**

4 **SEC. 1001. TRANSFER OF CERTAIN RECORDS TO ARCHIVIST**
5 **OF UNITED STATES.**

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

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

12 (2) subject to Item 7 of Records Schedule N1–
13 60–10–31 of the National Archives and Records Ad-
14 ministration.

15 (b) RETENTION.—

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

1 (2) TRANSFER OF RECORDS AFTER DENIAL.—

2 Not later than 30 days after the Archivist of the
3 United States denies a request under paragraph (1),
4 the Attorney General shall transfer to the Archivist
5 each record for which the request for retention has
6 been denied.

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

12 **SEC. 1002. DATA STANDARDS.**

13 (a) IN GENERAL.—Subtitle A of title I of the Finan-
14 cial Stability Act of 2010 (12 U.S.C. 5311 et seq.) is
15 amended by adding at the end the following:

16 **“SEC. 124. DATA STANDARDS.**

17 “(a) IN GENERAL.—The Secretary of the Treasury
18 shall, by rule, promulgate data standards for the informa-
19 tion reported to member agencies by financial entities
20 under the jurisdiction of the member agency and the data
21 collected from member agencies on behalf of the Council.

22 “(b) STANDARDIZATION.—Member agencies, in con-
23 sultation with the Secretary of the Treasury, shall imple-
24 ment regulations promulgated by the Secretary of the
25 Treasury under subsection (a) to standardize the types

1 and formats of data reported to member agencies or col-
2 lected on behalf of the Council, as described under sub-
3 section (a). If a member agency fails to implement such
4 regulations prior to the expiration of the 3-year period fol-
5 lowing the date of publication of final regulations, the Sec-
6 retary of the Treasury, in consultation with the Chair-
7 person, may implement such regulations with respect to
8 the financial entities under the jurisdiction of the member
9 agency.

10 “(c) DATA STANDARDS.—

11 “(1) COMMON IDENTIFIERS AND DATA FOR-
12 MATS.—The data standards promulgated under sub-
13 section (a) shall include—

14 “(A) common identifiers for information
15 reported to member agencies or collected on be-
16 half of the Council, including a common legal
17 entity identifier for all entities required to re-
18 port to member agencies; and

19 “(B) common data formats for information
20 reported to member agencies or collected on be-
21 half of the Council.

22 “(2) DATA STANDARD REQUIREMENTS.—The
23 data standards promulgated under subsection (a)
24 shall, to the extent practicable—

1 “(A) render information fully searchable
2 and machine-readable;

3 “(B) be nonproprietary;

4 “(C) incorporate standards developed and
5 maintained by voluntary consensus standards
6 bodies; and

7 “(D) be consistent with and implement ap-
8 plicable accounting and reporting principles.

9 “(3) CONSULTATION.—In promulgating data
10 standards under subsection (a), the Secretary of the
11 Treasury shall consult with other Federal depart-
12 ments and agencies and multi-agency initiatives re-
13 sponsible for Federal data standards.

14 “(4) INTEROPERABILITY OF DATA.—In promul-
15 gating data standards under subsection (a), the Sec-
16 retary of the Treasury shall seek to promote inter-
17 operability of financial regulatory data across mem-
18 bers of the Council.”.

19 (b) CLERICAL AMENDMENT.—The table of contents
20 under section 1(b) of the Dodd-Frank Wall Street Reform
21 and Consumer Protection Act is amended by inserting
22 after the item relating to section 123 the following:

“Sec. 124. Data standards.”.

○