

115TH CONGRESS
2D SESSION

H. R. 7167

To strengthen transparency and accountability within the Federal Government, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 20, 2018

Mr. TED LIEU of California (for himself, Mr. CICILLINE, Ms. ESHOO, Mr. GALLEGRO, and Ms. SÁNCHEZ) introduced the following bill; which was referred to the Committee on Oversight and Government Reform, and in addition to the Committees on the Judiciary, and Ways and Means, 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 strengthen transparency and accountability within the Federal 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Restoring the Public Trust Act”.

6 (b) TABLE OF CONTENTS.—The table of contents for
7 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—NO PERSONAL ENRICHMENT FOR FEDERAL
EMPLOYEES

Subtitle A—Stop Waste And Misuse by the President

- Sec. 101. Short title.
- Sec. 102. Findings.
- Sec. 103. Reimbursal for costs of protection.

Subtitle B—Stop Waste And Misuse by Presidential Flyers Landing Yet
Evading Rules and Standards

- Sec. 111. Short title.
- Sec. 112. Prohibition on use of funds for travel on private aircraft.

Subtitle C—E. Scott Pruitt Accountability for Government Officials

- Sec. 121. Short title.
- Sec. 122. Findings.
- Sec. 123. Use of public office for private gain.

Subtitle D—Curb Objectionable Redirection of Resources and Unconstitutional
Payments to Trump

- Sec. 131. Short title.
- Sec. 132. Findings.
- Sec. 133. Sense of the Congress.
- Sec. 134. Reports.
- Sec. 135. Definitions.

Subtitle E—Relatives in Government Getting Employment Dishonorably

- Sec. 141. Short title.
- Sec. 142. Employment of relatives; restrictions.

Subtitle F—Determining if Regulatory Actions are in the Interest of the
Nation or the Swamp

- Sec. 151. Short title.
- Sec. 152. Requiring greater transparency for regulatory conflicts of interest.
- Sec. 153. ACUS study and report on regulatory conflicts of interest.
- Sec. 154. Judicial review.
- Sec. 155. Effective date.

TITLE II—ROOTING OUT CONFLICTS OF INTEREST

Subtitle A—Commonsense Legislation Ensuring Accountability by Reporting
Access of Non-Cleared Employees to Secrets

- Sec. 201. Short title.
- Sec. 202. Report on security clearances for individuals working in the White
House and Executive Office of the President.

Subtitle B—Divestiture of Certain Financial Interests of Federal Officers and
Employees and Spouses

- Sec. 211. Divestiture of certain financial interests of Federal officers and em-
ployees and spouses.

Subtitle C—Presidential Tax Transparency

Sec. 221. Short title.

Sec. 222. Disclosure of tax returns by Presidents and certain Presidential candidates.

Subtitle D—White House Open Data

Sec. 231. Short title.

Sec. 232. White House visitor log and employee information.

Subtitle E—Prohibitions on Making Certain Contracts with Federal Government or Receiving Federal Funds

Sec. 241. Prohibitions on making certain contracts with Federal Government or receiving Federal funds.

TITLE III—INCREASED OVERSIGHT AND STRENGTHENING
AGENCIES RESPONSIBLE FOR ROOTING OUT CORRUPTION

Sec. 301. Congressional notification of change in status of Inspector General.

Sec. 302. Presidential explanation of failure to nominate an Inspector General.

1 **TITLE I—NO PERSONAL ENRICH-**
2 **MENT FOR FEDERAL EM-**
3 **PLOYEES**

4 **Subtitle A—Stop Waste And Misuse**
5 **by the President**

6 **SEC. 101. SHORT TITLE.**

7 This subtitle may be cited as the “Stop Waste And
8 Misuse by the President Act of 2018” or the “SWAMP
9 Act of 2018”.

10 **SEC. 102. FINDINGS.**

11 The Congress finds as follows:

12 (1) Presidential travel to commercial entities
13 owned in whole or in part by the President or First
14 Family results in the American taxpayer effectively
15 subsidizing the President’s businesses.

1 (2) Given current expenditures, President
2 Trump is on track to spend more during his first
3 year of office than all eight years of the Obama ad-
4 ministration combined.

5 (3) It is unacceptable for the President to
6 maintain an interest in traveling to properties in
7 which he has a direct financial interest, as the U.S.
8 Government is responsible for renting space for per-
9 sonnel in said private commercial entities.

10 (4) Every time the President travels to Mar-a-
11 Lago, he necessarily promotes his private business
12 interests via free press at the Government's expense.

13 (5) The State Department's recent promotion
14 of Mar-a-Lago on its official website raises serious
15 ethics concerns.

16 (6) As of April 14, 2017, President Trump has
17 cost the U.S. taxpayer unprecedented amounts of
18 money, including the following estimated costs:

19 (A) For trips to Mar-a-Lago:

20 (i) Total cost for security in Palm
21 Beach: \$3,700,000 (each trip).

22 (ii) Roundtrip flights from Joint Base
23 Andrews, Maryland, to West Palm, Flor-
24 ida: \$700,000.

1 (iii) Overtime for local law enforce-
2 ment during Trump’s trips: \$60,000/day.

3 (iv) Total golf cart rentals ordered by
4 the Secret Service “for POTUS visit”:
5 \$35,185.

6 (v) Estimated loss of business due to
7 airport closure: \$30,000/weekend.

8 (B) For Trump Tower:

9 (i) Request for additional Secret Serv-
10 ice funding to secure Trump Towers:
11 \$60,000,000.

12 (ii) New York Police Department se-
13 curity costs: \$127,000–\$146,000/day.

14 (iii) “Elevator services” ordered by
15 the Secret Service: \$64,000.

16 (iv) Air Force One flights to New
17 York City: \$180,000/hour.

18 (7) The proposed 2017 Federal spending bill in-
19 cludes reimbursements for millions of dollars spent
20 by Florida and New York to protect the President
21 and First Family, and facilitate their travel. While
22 localities should be reimbursed, the taxpayer should
23 not be responsible for said reimbursement.

1 **SEC. 103. REIMBURSAL FOR COSTS OF PROTECTION.**

2 In the case of a person whom the United States Se-
 3 cret Service is authorized to protect under paragraph (1)
 4 or (2) of section 3056(a) of title 18, United States Code,
 5 if that person, while traveling for official business or for
 6 personal purposes, stays in a hotel or other establishment
 7 providing daily-rate accommodation in which that person
 8 has an ownership or financial interest, that person shall
 9 reimburse to the Treasury—

10 (1) any amount expended by the United States
 11 Secret Service for the provision of such protection;
 12 and

13 (2) any amount expended for other costs in-
 14 curred by the Government pertaining to that stay.

15 **Subtitle B—Stop Waste And Misuse**
 16 **by Presidential Flyers Landing**
 17 **Yet Evading Rules and Stand-**
 18 **ards**

19 **SEC. 111. SHORT TITLE.**

20 This subtitle may be cited as the “Stop Waste And
 21 Misuse by Presidential Flyers Landing Yet Evading Rules
 22 and Standards Act” or the “SWAMP FLYERS Act”.

23 **SEC. 112. PROHIBITION ON USE OF FUNDS FOR TRAVEL ON**
 24 **PRIVATE AIRCRAFT.**

25 (a) IN GENERAL.—Beginning on the date of the en-
 26 actment of this Act, no Federal funds appropriated or oth-

1 erwise made available in any fiscal year may be used to
2 pay the travel expenses of any senior political appointee
3 for travel on official business on a non-commercial, pri-
4 vate, or chartered flight.

5 (b) EXCEPTIONS.—The limitation in subsection (a)
6 shall not apply—

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

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

11 (c) CERTIFICATION.—

12 (1) IN GENERAL.—Any senior political ap-
13 pointee who travels on a non-commercial, private, or
14 chartered flight under the exception provided in sub-
15 section (b)(1) shall, not later than 30 days after the
16 date of such travel, submit a written statement to
17 Congress certifying that no commercial flight was
18 available.

19 (2) PENALTY.—Any statement submitted under
20 paragraph (1) shall be considered a statement for
21 purposes of applying section 1001 of title 18, United
22 States Code.

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

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

4 (2) a Senior Executive Service position that is
5 not a career appointee as defined under section
6 3132(a)(4) of such title; or

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

10 **Subtitle C—E. Scott Pruitt Ac-**
11 **countability for Government Of-**
12 **ficials**

13 **SEC. 121. SHORT TITLE.**

14 This subtitle may be cited as the “E. Scott Pruitt
15 Accountability for Government Officials Act of 2018”.

16 **SEC. 122. FINDINGS.**

17 Congress finds the following:

18 (1) During his time as Administrator of the
19 Environmental Protection Agency, Scott Pruitt faced
20 more than 12 separate ethics investigations includ-
21 ing by the Environmental Protection Agency Inspec-
22 tor General, the Committee on Oversight and Gov-
23 ernment Reform of the House of Representatives,
24 the Executive Office of the President, the Govern-

1 ment Accountability Office, and the U.S. Office of
2 Special Counsel.

3 (2) On October 2, 2017, the Department of the
4 Interior’s Inspector General confirmed they were in-
5 vestigating Secretary Ryan Zinke’s taxpayer-funded
6 flights, including \$12,375 on a chartered flight from
7 Las Vegas to Montana where he spoke to a hockey
8 team that is owned by one of Secretary Zinke’s larg-
9 est political donors.

10 (3) On March 14, 2018, CNN reported that
11 Secretary of Housing and Urban Development Ben
12 Carson knew about a dining set worth \$31,000 that
13 was ordered for Carson’s office, knowledge of which
14 he had previously denied.

15 (4) On March 20, 2018, it was publicly re-
16 ported that Scott Pruitt secured a sub-market lease
17 for a Washington, DC, condominium owned by the
18 wife of a lobbyist who represented clients with mat-
19 ters pending before the Environmental Protection
20 Agency, and told the Washington Examiner that he
21 was “dumbfounded that that’s controversial”.

22 (5) On April 4, 2018, the New York Times re-
23 ported that Scott Pruitt used a loophole in the Safe
24 Water Drinking Act to give raises to his aides that
25 had been explicitly denied by the White House.

1 (6) On April 16, 2018, the Washington Post re-
2 ported that Scott Pruitt had spent nearly
3 \$3,000,000 of taxpayer funds on security and travel
4 since taking office in February 2017.

5 (7) On April 26, 2018, Politico reported that
6 Scott Pruitt spent over \$105,000 of taxpayer funds
7 on first-class flights, citing since-debunked threats to
8 his personal security.

9 (8) On June 5, 2018, the Washington Post re-
10 ported that Scott Pruitt used official channels to
11 pressure Chick-fil-A Chief Executive Officer Dan
12 Cathy into securing a restaurant franchise for his
13 wife.

14 (9) On June 6, 2018, the Washington Post re-
15 ported that Scott Pruitt forced aides to help him se-
16 cure a used “Trump Home Luxury Plush Euro Pil-
17 low Top”.

18 (10) On June 8, 2018, the Washington Post re-
19 ported that Scott Pruitt forced his security detail to
20 help him acquire high-end hand lotion and to pick
21 up his dry cleaning.

22 (11) On July 2, 2018, the Washington Post re-
23 ported that Scott Pruitt recruited a staff member to
24 help his wife find a job, the salary for which he stip-
25 ulated should be no less than \$200,000.

1 (12) On July 5, 2018, Scott Pruitt resigned
2 amid myriad scandals and massive public pressure.

3 (13) On July 13, 2018, Forbes reported on Wil-
4 bur Ross’ massive conflicts of interest, including
5 having taken meetings with a trade association
6 whose members included a car manufacturer whose
7 investors included Ross himself. The same report
8 noted that Wilbur Ross took meetings with compa-
9 nies whose investors included his wife.

10 (14) On July 13, 2018, The New York Times
11 reported that Tom Price repeatedly violated govern-
12 ment travel rules, wasting at least \$314,000 of tax-
13 payer funds by using chartered jets and military air
14 travel instead of commercially available flights.

15 **SEC. 123. USE OF PUBLIC OFFICE FOR PRIVATE GAIN.**

16 (a) IN GENERAL.—Chapter 93 of title 18, United
17 States Code, is amended by adding at the end the fol-
18 lowing:

19 **“§ 1925. Use of public office for private gain**

20 “(a) USE FOR PRIVATE GAIN.—Whoever, being a
21 covered Federal officer or employee, uses his public office
22 for—

23 “(1) his own private gain;

24 “(2) the endorsement of any product, service or
25 enterprise; or

1 “(3) the private gain of a friend, relative, or a
2 person with whom the covered Federal officer or em-
3 ployee is affiliated in a nongovernmental capacity,
4 including a nonprofit organization of which the cov-
5 ered Federal officer or employee is an officer or
6 member, and a person with whom the employee has
7 or seeks employment or business relations,
8 shall be fined under this title, imprisoned not more than
9 one year, or in the case of a willful violation, not more
10 than 5 years, or both.

11 “(b) COERCION.—Whoever, being a covered Federal
12 officer or employee, uses or permits the use of his Govern-
13 ment position or title or any authority associated with his
14 public office in a manner that is intended to coerce or in-
15 duce another person, including a subordinate, to provide
16 any benefit, financial or otherwise, to himself or to a
17 friend, relative, or person with whom the covered Federal
18 officer or employee is affiliated in a nongovernmental ca-
19 pacity, shall be fined under this title, imprisoned not more
20 than one year, or in the case of a willful violation, not
21 more than 5 years, or both.

22 “(c) COVERED FEDERAL OFFICER OR EMPLOYEE.—
23 For purposes of this section, the term ‘covered Federal
24 officer or employee’ means any of the following officers
25 or employees of the Federal Government:

1 “(1) Assistant to the President for National Se-
2 curity Affairs.

3 “(2) Assistant to the President and Chief of
4 Staff.

5 “(3) Assistant to the President and Deputy
6 Chief of Staff.

7 “(4) Assistant to the President and Deputy
8 Chief of Staff for Communications (or Director of
9 Communications).

10 “(5) Assistant to the President and Press Sec-
11 retary.

12 “(6) Senior Advisor to the President.

13 “(7) Assistant to the President and Staff Sec-
14 retary.

15 “(8) Assistant to the President for Homeland
16 Security and Counterterrorism.

17 “(9) Assistant to the President and Counselor
18 to the President.

19 “(10) Director of the National Economic Coun-
20 cil.

21 “(11) Director of the Domestic Policy Council.

22 “(12) Assistant to the President and Chief of
23 Staff or Deputy Chief of Staff to the Vice President.

24 “(13) Special Assistant to the President and
25 Director of Communications for the Vice President.

1 “(14) Press Secretary to the Vice President.

2 “(15) Senior Advisor to the Vice President.

3 “(16) Deputy Assistant to the President and
4 National Security Advisor or Deputy National Security
5 Advisor to the Vice President.

6 “(17) Deputy Assistant to the President and
7 Counselor to the Vice President.

8 “(18) Assistant to the President and White
9 House Counsel.

10 “(19) Director of the Office of Management
11 and Budget.

12 “(20) Any officer or employee whose appointment
13 is made by the President by and with the advice
14 and consent of the Senate.”.

15 (b) CLERICAL AMENDMENT.—The table of sections
16 for chapter 93 of title 18, United States Code, is amended
17 by inserting after the item related to section 1924 the following:
18

 “1925. Use of public office for private gain.”.

1 **Subtitle D—Curb Objectionable Re-**
2 **direction of Resources and Un-**
3 **constitutional Payments to**
4 **Trump**

5 **SEC. 131. SHORT TITLE.**

6 This subtitle may be cited as the “Curb Objectionable
7 Redirection of Resources and Unconstitutional Payments
8 to Trump Act” or the “CORRUPT Act”.

9 **SEC. 132. FINDINGS.**

10 Congress finds the following:

11 (1) Kleptocracy is a tool used by autocratic
12 leaders, including Vladimir Putin, to exploit state re-
13 sources; it involves the operation of sophisticated
14 networks for the purpose of self-enrichment.

15 (2) Unlike prior presidents, President Trump
16 has refused to sell his business interests or divest
17 himself of assets that present potential conflicts of
18 interest.

19 (3) Article I of the Constitution states that “no
20 Person holding any office of profit or trust under
21 them, shall, without the consent of the Congress, ac-
22 cept any present, emolument, office, or title, of any
23 kind whatever, from any King, Prince, or foreign
24 State”.

1 (4) Foreign governments and foreign-held com-
2 panies have already shifted business to the Presi-
3 dent's companies in order to curry favor with the
4 Administration.

5 (5) According to reports, the Trump Inter-
6 national Hotel has generated at least \$19,700,000 in
7 income for the President between September 2016
8 and April 2017.

9 (6) The National Security Council and State
10 Department have allegedly used taxpayers' money to
11 pay for staff to stay at Trump hotels and resorts,
12 thereby benefitting the President.

13 **SEC. 133. SENSE OF THE CONGRESS.**

14 It is the sense of Congress that—

15 (1) kleptocrats such as Vladimir Putin pose a
16 threat to United States national security by under-
17 mining financial and Government institutions;

18 (2) the United States must take all steps nec-
19 essary to defend itself against kleptocratic practices;
20 and

21 (3) Federal funds should not be expended in a
22 manner that enriches the President or any of his
23 close relatives or associates.

1 **SEC. 134. REPORTS.**

2 (a) AGENCY REPORT.—Not later than 90 days after
3 the date of the enactment of this Act, the head of each
4 agency shall submit to the Office of Government Ethics
5 a report on the amount expended by that agency in fiscal
6 year 2018 at, or any payments made to, any covered prop-
7 erty and shall include—

8 (1) any hotel stay using per diem or other
9 funds; or

10 (2) the rental of any conference room or meet-
11 ing facility.

12 (b) OFFICE OF GOVERNMENT ETHICS REPORT.—
13 Not later than 120 days after the date of the enactment
14 of this Act, the Office of Government Ethics shall submit
15 to Congress a comprehensive report on funds expended by
16 any agency at, or any payments made to, a covered prop-
17 erty in fiscal year 2018.

18 (c) ANNUAL REPORT.—At the end of the next fiscal
19 year following the date of the enactment of this Act, and
20 at the end of each fiscal year thereafter, the Director of
21 the Office of Management and Budget shall submit to
22 Congress a report on the direct and indirect ways that
23 funds appropriated to agencies have benefitted a covered
24 property, including—

1 (1) funds expended by any agency at, or any
2 payments made to, a covered property in the pre-
3 vious fiscal year;

4 (2) regulatory actions in the previous fiscal year
5 with a beneficial impact on a covered property; and

6 (3) indirect expenditures with vendors con-
7 ducting more than \$1,000,000 in business with a
8 covered individual or with the owners of a covered
9 property in the previous fiscal year.

10 **SEC. 135. DEFINITIONS.**

11 In this subtitle:

12 (1) AGENCY.—The term “agency”—

13 (A) has the meaning given the term—

14 (i) “Executive agency” under section
15 105 of title 5, United States Code; and

16 (ii) “military department” under sec-
17 tion 102 of title 5, United States Code;
18 and

19 (B) means—

20 (i) any other establishment in the ex-
21 ecutive branch (including the Executive Of-
22 fice of the President, the United States
23 Postal Service, and the Postal Regulatory
24 Commission);

1 (ii) an office, agency, or other estab-
2 lishment in the legislative branch; and

3 (iii) an office, agency, or other estab-
4 lishment in the judicial branch.

5 (2) COVERED INDIVIDUAL.—The term “covered
6 individual” means—

7 (A) the President;

8 (B) a relative of the President; and

9 (C) with respect to an agency that is an
10 Executive department, the head of the Execu-
11 tive department.

12 (3) COVERED PROPERTY.—The term “covered
13 property” means—

14 (A) any property controlled by the Trump
15 Organization; or

16 (B) an organization or business controlled
17 by or associated with a covered person (includ-
18 ing any known shell company), any member of
19 the President’s family, or any employee of the
20 Trump Organization.

21 (4) EXECUTIVE DEPARTMENT.—The term “Ex-
22 ecutive department” has the meaning given the term
23 in section 101 of title 5, United States Code.

1 **Subtitle E—Relatives In Govern-**
2 **ment Getting Employment Dis-**
3 **honorably**

4 **SEC. 141. SHORT TITLE.**

5 This subtitle may be cited as the “Relatives In Gov-
6 ernment Getting Employment Dishonorably Act” or the
7 “RIGGED Act”.

8 **SEC. 142. EMPLOYMENT OF RELATIVES; RESTRICTIONS.**

9 (a) IN GENERAL.—Section 3110 of title 5, United
10 States Code, is amended—

11 (1) in subsection (a)—

12 (A) in paragraph (1)(A) by inserting “, in-
13 cluding the White House Office and the Execu-
14 tive Office of the President” after “Executive
15 agency”;

16 (B) by redesignating paragraphs (2) and
17 (3) as paragraphs (3) and (4), respectively; and

18 (C) by inserting after paragraph (1) the
19 following:

20 “(2) ‘civilian position’ means any existing or
21 newly created position in an agency, including a po-
22 sition acting in a professional or official capacity as
23 a consultant or advisor, regardless of whether such
24 position is voluntary, gratuitous, or authorized by
25 law to be compensated;”;

1 (2) in subsection (b), by striking “A public offi-
 2 cial may not” and inserting “Notwithstanding any
 3 other provision of law, a public official may not”;
 4 and

5 (3) in subsection (c)—

6 (A) by inserting “shall be removed imme-
 7 diately and” after “in violation of this section”;
 8 and

9 (B) by striking “as pay” and inserting “as
 10 salary or expenses”.

11 (b) APPLICATION OF PROHIBITED PERSONNEL
 12 PRACTICES.—Section 2302(a)(2)(C) of title 5, United
 13 States Code, is amended by inserting “, including the
 14 White House Office,” after “Executive agency”.

15 **Subtitle F—Determining if Regu-**
 16 **latory Actions are in the Inter-**
 17 **est of the Nation or the Swamp**

18 **SEC. 151. SHORT TITLE.**

19 This subtitle may be cited as the “Determining if
 20 Regulatory Actions are in the Interest of the Nation or
 21 the Swamp Act of 2018” or the “DRAIN the Swamp Act
 22 of 2018”.

1 **SEC. 152. REQUIRING GREATER TRANSPARENCY FOR REG-**
 2 **ULATORY CONFLICTS OF INTEREST.**

3 (a) IN GENERAL.—Part I of title 5, United States
 4 Code, is amended by inserting after chapter 6, the fol-
 5 lowing new chapter:

6 **“CHAPTER 6A—PUBLICATION OF INFOR-**
 7 **MATION RELATING TO REGULATORY**
 8 **CONFLICTS OF INTEREST**

“621. Definitions.

“622. Agency submission to Comptroller General.

9 **“§ 621. Definitions**

10 “In this chapter:

11 “(1) AGENCY; RULE; RULE MAKING.—The
 12 terms ‘agency’, ‘rule’, and ‘rule making’ have the
 13 meanings given those terms in section 551.

14 “(2) MAJOR RULE.—The term ‘major rule’ has
 15 the meaning given that term in section 804.

16 “(3) REGULATORY CONFLICT OF INTEREST.—
 17 The term ‘regulatory conflict of interest’ means a
 18 major rule that has a substantial pecuniary benefit
 19 to a covered person.

20 “(4) COVERED PERSON.—The term ‘covered
 21 person’ means the President, senior advisors to the
 22 President, including special advisors that do not re-
 23 ceive an official salary, the head of the agency
 24 issuing the rule, the Director of the Office of Man-

1 agement and Budget, the Administrator of the Of-
 2 fice of Information and Regulatory Affairs, or any
 3 individual who serves on a Regulatory Reform Task
 4 Force established by section 3 of Executive Order
 5 13777.

6 **“§ 622. Agency submission to Comptroller General**

7 “(a) REGULATORY CONFLICTS OF INTEREST.—Not
 8 later than September 30 of each fiscal year, the head of
 9 each agency shall submit to the Comptroller General of
 10 the United States in such a manner as the Comptroller
 11 General may reasonably require, for each major rule that
 12 the agency proposes or finalizes during that fiscal year,
 13 an assessment and quantification of any regulatory con-
 14 flict of interest pertaining to that major rule.

15 “(b) EXCEPTION.—Nothing in this chapter shall
 16 apply to any rule that an agency for good cause finds (and
 17 incorporates the finding and a brief statement of each rea-
 18 son therefor in the rule issued) that notice and public pro-
 19 cedure thereon are impracticable, unnecessary, or contrary
 20 to the public interest.

21 “(c) MAJOR RULES.—Before a major rule may take
 22 effect, the head of the agency promulgating such rule shall
 23 submit to the Comptroller General and publish in the Fed-
 24 eral Register the report required pursuant to subsection
 25 (a).”.

(b) CLERICAL AMENDMENT.—The table of chapters for part I of title 5, United States Code, is amended by inserting after the item relating to chapter 6, the following new item:

“6A. Publication of Information Relating to Regulatory Conflicts of Interest 621”.

SEC. 153. ACUS STUDY AND REPORT ON REGULATORY CONFLICTS OF INTEREST.

(a) IN GENERAL.—The Administrative Conference of the United States shall conduct a study on—

(1) compliance by agencies with this subtitle and the amendments made by this subtitle; and

(2) effective measures to minimize regulatory conflicts of interest (as that term is defined in section 621(3) of title 5, United States Code, as added by section 152(a)).

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Administrative Conference of the United States shall submit to Congress a report that contains the findings of the study conducted under subsection (a).

SEC. 154. JUDICIAL REVIEW.

(a) AGENCY STATEMENTS ON REGULATORY CONFLICTS OF INTEREST.—

(1) IN GENERAL.—Compliance or noncompliance by any agency with the provisions of chapter

1 6A of title 5, United States Code, as added by sec-
2 tion 152(a), shall be subject to judicial review only
3 in accordance with this section.

4 (2) LIMITED REVIEW OF AGENCY COMPLIANCE
5 OR NONCOMPLIANCE.—

6 (A) IN GENERAL.—Agency compliance or
7 noncompliance with the provisions of chapter
8 6A of title 5, United States Code, as added by
9 section 152(a), shall be subject to judicial re-
10 view only under section 706(1) of title 5,
11 United States Code, and only as provided under
12 subparagraph (B).

13 (B) FAILURE TO PREPARE WRITTEN
14 STATEMENT.—If an agency fails to prepare the
15 written statement (including the preparation of
16 the estimates, analyses, statements, or descrip-
17 tions) under such chapter, a court may compel
18 the agency to prepare such written statement.

19 (3) REVIEW OF AGENCY RULES.—In any judi-
20 cial review under any other Federal law of an agency
21 rule for which a written statement is required under
22 such chapter 6A, the inadequacy or failure to pre-
23 pare such statement shall not be used as a basis for
24 staying, enjoining, invalidating or otherwise affecting
25 such agency rule.

1 (4) CERTAIN INFORMATION AS PART OF
2 RECORD.—Any information generated under such
3 chapter 6A that is part of the rule making record
4 for judicial review under the provisions of any other
5 Federal law may be considered as part of the record
6 for judicial review conducted under such other provi-
7 sions of Federal law.

8 (5) APPLICATION OF OTHER FEDERAL LAW.—
9 For any petition under paragraph (2) the provisions
10 of such other Federal law shall control all other mat-
11 ters, such as exhaustion of administrative remedies,
12 the time for and manner of seeking review and
13 venue, except that if such other Federal law does not
14 provide a limitation on the time for filing a petition
15 for judicial review that is less than 1 year, such limi-
16 tation shall be 1 year after a final rule is promul-
17 gated by the appropriate agency.

18 (b) JUDICIAL REVIEW AND RULE OF CONSTRUC-
19 TION.—Except as provided in subsection (a)—

20 (1) any information submitted under this sec-
21 tion shall not be subject to judicial review; and

22 (2) no provision of this subtitle shall be con-
23 strued to create any right or benefit, substantive or
24 procedural, enforceable by any person in any admin-
25 istrative or judicial action.

1 **SEC. 155. EFFECTIVE DATE.**

2 This subtitle shall take effect beginning on the date
3 of the enactment of this Act and shall apply to any agency
4 rule for which a general notice of proposed rule making
5 is made on or after such date.

6 **TITLE II—ROOTING OUT**
7 **CONFLICTS OF INTEREST**
8 **Subtitle A—Commonsense Legisla-**
9 **tion Ensuring Accountability by**
10 **Reporting Access of Non-**
11 **Cleared Employees to Secrets**

12 **SEC. 201. SHORT TITLE.**

13 This subtitle may be cited as the “Commonsense Leg-
14 islation Ensuring Accountability by Reporting Access of
15 Non-Cleared Employees to Secrets Act” or the “CLEAR-
16 ANCES Act”.

17 **SEC. 202. REPORT ON SECURITY CLEARANCES FOR INDIVIDUALS WORKING IN THE WHITE HOUSE**
18 **AND EXECUTIVE OFFICE OF THE PRESIDENT.**

20 (a) IN GENERAL.—Subpart I of part III of title 5,
21 United States Code, is amended by adding after section
22 10106 the following:

23 **“CHAPTER 102—SECURITY CLEARANCES**

“Sec.

“10201. Report on individuals working in the White House and Executive Office of the President.

1 **“§ 10201. Report on individuals working in the White**
2 **House and Executive Office of the Presi-**
3 **dent**

4 “(a) IN GENERAL.—Not later than 3 months after
5 the date of the enactment of this section and every 3
6 months thereafter, the President shall submit a report to
7 the appropriate congressional committees on security
8 clearance information on any individual working in the
9 White House or the Executive Office of the President, in-
10 cluding—

11 “(1) the President’s staff or any other indi-
12 vidual in the White House or Office whose function
13 is to advise or assist the President; and

14 “(2) any individual who is detailed from the
15 Government, a university, a think tank, or the pri-
16 vate sector to the White House or the Office.

17 “(b) REPORT REQUIREMENTS.—A report submitted
18 under subsection (a) shall include the following:

19 “(1) The name and position of any individual
20 working in the White House or the Office and who
21 holds a security clearance.

22 “(2) With respect to any detailee, the entity or
23 agency from which the individual was detailed from.

24 “(3) With respect to any clearance listed pursu-
25 ant to paragraph (1)—

1 “(A) whether the clearance is temporary or
2 permanent and level of the clearance;

3 “(B) the date the background investigation
4 was initiated and the date of adjudication (if
5 any); and

6 “(C) the date of any interim reports or no-
7 tifications from the investigating agency.

8 “(4) The name and position of any individual
9 working in the White House or the Office who was
10 granted a security clearance by the President or
11 other authorizing personnel despite an unfavorable
12 recommendation from the White House Security Of-
13 fice or an agency, and the date the decision was
14 made to grant the clearance.

15 “(5) The name and position of any individual
16 not contained in any list above whom the President
17 has provided access to classified information, the
18 date the information was so provided, and the level
19 of classification of the information.

20 “(6) The name and position of any individual
21 working in the White House or Office—

22 “(A) whose security clearance has been re-
23 voked or suspended and the date of such rev-
24 ocation or suspension; or

1 “(B) who held an interim security clear-
 2 ance for a period longer than one year, and a
 3 justification from the White House Counsel as
 4 to why it is in the national security interest of
 5 the United States to keep the employee in the
 6 position without a permanent security clear-
 7 ance.

8 “(c) DEFINITIONS.—In this section—

9 “(1) the term ‘appropriate congressional com-
 10 mittees’ means—

11 “(A) the Permanent Select Committee on
 12 Intelligence and the Committees on Oversight
 13 and Government Reform and the Judiciary of
 14 the House of Representatives; and

15 “(B) the Select Committee on Intelligence
 16 and the Committees on Homeland Security and
 17 Governmental Affairs and the Judiciary of the
 18 Senate; and

19 “(2) the term ‘Office’ means the Executive Of-
 20 fice of the President.”.

21 (b) CLERICAL AMENDMENT.—The table of chapters
 22 for such title is amended by adding after the item relating
 23 to chapter 101 the following:

“102. Security Clearances10201”.

1 **Subtitle B—Divestiture of Certain**
 2 **Financial Interests of Federal**
 3 **Officers and Employees and**
 4 **Spouses**

5 **SEC. 211. DIVESTITURE OF CERTAIN FINANCIAL INTERESTS**
 6 **OF FEDERAL OFFICERS AND EMPLOYEES**
 7 **AND SPOUSES.**

8 (a) DEFINITIONS.—In this section—

9 (1) the term “covered significant business inter-
 10 est”—

11 (A) means any financial interest of a cov-
 12 ered officer or employee in a corporation, com-
 13 pany, association, firm, partnership, proprietor-
 14 ship, or any other business entity of which the
 15 covered officer or employee is—

16 (i) a trustee;

17 (ii) a partner;

18 (iii) an officer;

19 (iv) a director; or

20 (v) a shareholder who holds more than

21 10 percent of any class of equity securities;

22 and

23 (B) does not include any financial interest
 24 consisting of obligations issued by the Treasury,
 25 diversified mutual funds that qualify for a regu-

1 latory exemption, or residential property that is
2 not held for the production of rental or other
3 income;

4 (2) the terms “conflict-free holding” and
5 “qualified blind trust” have the meanings given
6 those terms in sections 102(f)(3) and 102(f)(8), re-
7 spectively, of the Ethics in Government Act of 1978
8 (5 U.S.C. App.); and

9 (3) the term “covered officer or employee”
10 means—

11 (A) any individual occupying a position—

12 (i) listed under the Executive Sched-
13 ule (subchapter II of chapter 53 of title 5,
14 United States Code);

15 (ii) in the Senior Executive Service as
16 a noncareer appointee (as that term is de-
17 fined in section 3132(a) if such title);

18 (iii) of a confidential or policy-deter-
19 mining character under schedule C of sub-
20 part C of part 213 of title 5, Code of Fed-
21 eral Regulations; or

22 (iv) in the executive branch whose ap-
23 pointment is made by the President, by
24 and with the advice and consent of the
25 Senate; and

1 (B) any individual occupying any of the
2 following positions:

3 (i) Assistant to the President for Na-
4 tional Security Affairs.

5 (ii) Assistant to the President and
6 Chief of Staff.

7 (iii) Assistant to the President and
8 Deputy Chief of Staff.

9 (iv) Assistant to the President and
10 Deputy Chief of Staff for Communications
11 (or Director of Communications).

12 (v) Assistant to the President and
13 Press Secretary.

14 (vi) Senior Advisor to the President.

15 (vii) Assistant to the President and
16 Staff Secretary.

17 (viii) Assistant to the President for
18 Homeland Security and Counterterrorism.

19 (ix) Assistant to the President and
20 Counselor to the President.

21 (x) Director of the National Economic
22 Council.

23 (xi) Director of the Domestic Policy
24 Council.

1 (xii) Assistant to the President and
2 Chief of Staff or Deputy Chief of Staff to
3 the Vice President.

4 (xiii) Special Assistant to the Presi-
5 dent and Director of Communications for
6 the Vice President.

7 (xiv) Press Secretary to the Vice
8 President.

9 (xv) Senior Advisor to the Vice Presi-
10 dent.

11 (xvi) Deputy Assistant to the Presi-
12 dent and National Security Advisor or
13 Deputy National Security Advisor to the
14 Vice President.

15 (xvii) Deputy Assistant to the Presi-
16 dent and Counselor to the Vice President.

17 (xviii) Assistant to the President and
18 White House Counsel.

19 (b) DIVESTITURE OF COVERED SIGNIFICANT BUSI-
20 NESS INTEREST.—

21 (1) IN GENERAL.—A covered officer or em-
22 ployee or the spouse of any such an officer or em-
23 ployee shall divest of any covered significant busi-
24 ness interest by transferring such interest to a quali-
25 fied blind trust.

1 (2) TRUSTEE DUTIES.—Within a reasonable pe-
 2 riod of time after the date a covered significant busi-
 3 ness interest is transferred to a qualified blind trust
 4 under paragraph (1), the trustee of the qualified
 5 blind trust shall—

6 (A) sell the interest; and

7 (B) use the proceeds of the sale of the in-
 8 terest to purchase conflict-free holdings.

9 (c) ENFORCEMENT.—The Attorney General, the at-
 10 torney general of any State, or any person aggrieved by
 11 any violation of subsection (b) may seek declaratory or in-
 12 junctive relief in a court of competent jurisdiction if there
 13 is probable cause to believe that a covered officer or em-
 14 ployee or the spouse of such an officer or employee has
 15 not complied with such subsection.

16 **Subtitle C—Presidential Tax** 17 **Transparency**

18 **SEC. 221. SHORT TITLE.**

19 This subtitle may be cited as the “Presidential Tax
 20 Transparency Act”.

21 **SEC. 222. DISCLOSURE OF TAX RETURNS BY PRESIDENTS** 22 **AND CERTAIN PRESIDENTIAL CANDIDATES.**

23 (a) IN GENERAL.—Title I of the Ethics in Govern-
 24 ment Act of 1978 (5 U.S.C. App.) is amended—

25 (1) by inserting after section 102 the following:

1 **“SEC. 102A. DISCLOSURE OF TAX RETURNS.**

2 “(a) DEFINITIONS.—In this section—

3 “(1) the term ‘covered candidate’ means an in-
4 dividual—

5 “(A) required to file a report under section
6 101(c); and

7 “(B) who is nominated by a major party
8 as a candidate for the office of President;

9 “(2) the term ‘covered individual’ means—

10 “(A) a President required to file a report
11 under subsection (a) or (d) of section 101; and

12 “(B) an individual who occupies the office
13 of the President required to file a report under
14 section 101(e);

15 “(3) the term ‘major party’ has the meaning
16 given the term in section 9002 of the Internal Rev-
17 enue Code of 1986; and

18 “(4) the term ‘income tax return’ means, with
19 respect to any covered candidate or covered indi-
20 vidual, any return (within the meaning of section
21 6103(b) of the Internal Revenue Code of 1986) re-
22 lated to Federal income taxes, but does not in-
23 clude—

24 “(A) information returns issued to persons
25 other than such covered candidate or covered
26 individual; and

1 “(B) declarations of estimated tax.

2 “(b) DISCLOSURE.—

3 “(1) COVERED INDIVIDUALS.—

4 “(A) IN GENERAL.—In addition to the in-
5 formation described in subsections (a) and (b)
6 of section 102, a covered individual shall in-
7 clude in each report required to be filed under
8 this title a copy of the income tax returns of the
9 covered individual for the 3 most recent taxable
10 years for which a return has been filed with the
11 Internal Revenue Service as of the date on
12 which the report is filed.

13 “(B) FAILURE TO DISCLOSE.—If an in-
14 come tax return is not disclosed under subpara-
15 graph (A), the Director of the Office of Govern-
16 ment Ethics shall submit to the Secretary of
17 the Treasury a request that the Secretary of
18 the Treasury provide the Director of the Office
19 of Government Ethics with a copy of the in-
20 come tax return.

21 “(C) PUBLICLY AVAILABLE.—Each income
22 tax return submitted under this paragraph shall
23 be filed with the Director of the Office of Gov-
24 ernment Ethics and made publicly available in

1 the same manner as the information described
2 in subsections (a) and (b) of section 102.

3 “(D) REDACTION OF CERTAIN INFORMA-
4 TION.—Before making any income tax return
5 submitted under this paragraph available to the
6 public, the Director of the Office of Government
7 Ethics shall redact such information as the Di-
8 rector of the Office of Government Ethics, in
9 consultation with the Secretary of the Treasury
10 (or a delegate of the Secretary), determines ap-
11 propriate.

12 “(2) CANDIDATES.—

13 “(A) IN GENERAL.—Not later than 15
14 days after the date on which a covered can-
15 didate is nominated, the covered candidate shall
16 amend the report filed by the covered candidate
17 under section 101(c) with the Federal Election
18 Commission to include a copy of the income tax
19 returns of the covered candidate for the 3 most
20 recent taxable years for which a return has
21 been filed with the Internal Revenue Service.

22 “(B) FAILURE TO DISCLOSE.—If an in-
23 come tax return is not disclosed under subpara-
24 graph (A) the Federal Election Commission
25 shall submit to the Secretary of the Treasury a

1 request that the Secretary of the Treasury pro-
2 vide the Federal Election Commission with the
3 income tax return.

4 “(C) PUBLICLY AVAILABLE.—Each income
5 tax return submitted under this paragraph shall
6 be filed with the Federal Election Commission
7 and made publicly available in the same manner
8 as the information described in section 102(b).

9 “(D) REDACTION OF CERTAIN INFORMA-
10 TION.—Before making any income tax return
11 submitted under this paragraph available to the
12 public, the Federal Election Commission shall
13 redact such information as the Federal Election
14 Commission, in consultation with the Secretary
15 of the Treasury (or a delegate of the Secretary)
16 and the Director of the Office of Government
17 Ethics, determines appropriate.

18 “(3) SPECIAL RULE FOR SITTING PRESI-
19 DENTS.—Not later than 30 days after the date of
20 the enactment of this section, the President shall
21 submit to the Director of the Office of Government
22 Ethics a copy of the income tax returns described in
23 paragraph (1)(A).”; and

24 (2) in section 104—

25 (A) in subsection (a)—

1 (i) in paragraph (1), in the first sen-
2 tence, by inserting “or any individual who
3 knowingly and willfully falsifies or who
4 knowingly and willfully fails to file an in-
5 come tax return that such individual is re-
6 quired to disclose pursuant to section
7 102A” before the period; and

8 (ii) in paragraph (2)(A)—

9 (I) in clause (i), by inserting “or
10 falsify any income tax return that
11 such person is required to disclose
12 under section 102A” before the semi-
13 colon; and

14 (II) in clause (ii), by inserting
15 “or fail to file any income tax return
16 that such person is required to dis-
17 close under section 102A” before the
18 period;

19 (B) in subsection (b), in the first sentence
20 by inserting “or willfully failed to file or has
21 willfully falsified an income tax return required
22 to be disclosed under section 102A” before the
23 period;

24 (C) in subsection (c), by inserting “or fail-
25 ing to file or falsifying an income tax return re-

quired to be disclosed under section 102A” before the period; and

(D) in subsection (d)(1)—

(i) in the matter preceding subparagraph (A), by inserting “or files an income tax return required to be disclosed under section 102A” after “title”; and

(ii) in subparagraph (A), by inserting “or such income tax return, as applicable,” after “report”.

(b) AUTHORITY TO DISCLOSE INFORMATION.—

(1) IN GENERAL.—Section 6103(l) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

“(23) DISCLOSURE OF RETURN INFORMATION OF PRESIDENTS AND CERTAIN PRESIDENTIAL CANDIDATES.—

“(A) DISCLOSURE OF RETURNS OF PRESIDENTS.—

“(i) IN GENERAL.—The Secretary shall, upon written request from the Director of the Office of Government Ethics pursuant to section 102A(b)(1)(B) of the Ethics in Government Act of 1978, provide to officers and employees of the Office of

1 Government Ethics a copy of any income
2 tax return of the President which is re-
3 quired to be filed under section 102A of
4 such Act.

5 “(ii) DISCLOSURE TO PUBLIC.—The
6 Director of the Office of Government Eth-
7 ics may disclose to the public the income
8 tax return of any President which is re-
9 quired to be filed with the Director pursu-
10 ant to section 102A of the Ethics in Gov-
11 ernment Act of 1978.

12 “(B) DISCLOSURE OF RETURNS OF CER-
13 TAIN CANDIDATES FOR PRESIDENT.—

14 “(i) IN GENERAL.—The Secretary
15 shall, upon written request from the Chair-
16 man of the Federal Election Commission
17 pursuant to section 102A(b)(2)(B) of the
18 Ethics in Government Act of 1978, provide
19 to officers and employees of the Federal
20 Election Commission copies of the applica-
21 ble returns of any person who has been
22 nominated as a candidate of a major party
23 (as defined in section 9002(a)) for the of-
24 fice of President.

1 “(ii) DISCLOSURE TO PUBLIC.—The
2 Federal Election Commission may disclose
3 to the public applicable returns of any per-
4 son who has been nominated as a can-
5 didate of a major party (as defined in sec-
6 tion 9002(6)) for the office of President
7 and which is required to be filed with the
8 Commission pursuant to section 102A of
9 the Ethics in Government Act.

10 “(C) APPLICABLE RETURNS.—For pur-
11 poses of this paragraph, the term ‘applicable re-
12 turns’ means, with respect to any candidate for
13 the office of President, income tax returns for
14 the 3 most recent taxable years for which a re-
15 turn has been filed as of the date of the nomi-
16 nation.”.

17 (2) CONFORMING AMENDMENTS.—Section
18 6103(p)(4) of such Code, in the matter preceding
19 subparagraph (A) and in subparagraph (F)(ii), is
20 amended by striking “or (22)” and inserting “(22),
21 or (23)” each place it appears.

Subtitle D—White House Open Data

SEC. 231. SHORT TITLE.

This subtitle may be cited as the “White House Open Data Act”.

SEC. 232. WHITE HOUSE VISITOR LOG AND EMPLOYEE INFORMATION.

(a) REQUIREMENT TO PUBLISH.—Except as provided in subsection (b), not later than 90 days after the date of the enactment of this Act, the Executive Office of the President shall make available on a publicly available website in an easily searchable and downloadable format the following information:

(1) Visitor records for any location where the President or Vice President regularly conducts official business, which shall—

(A) include the name of each visitor, the name of each individual with whom the visitor met, and the purpose of the visit; and

(B) shall be updated every 30 days.

(2) The annual salary of each White House employee, which shall be updated quarterly.

(3) The most recent financial disclosure statement for each White House employee filed pursuant

1 to the Ethics in Government Act of 1978 (5 U.S.C.
2 App.), which shall be updated annually.

3 (b) EXCEPTIONS.—Except as provided in subsection
4 (c)(3), the requirement described in subsection (a) does
5 not apply to any visitor record that relates to—

6 (1) the social security number, taxpayer identi-
7 fication number, birth date, home address, or per-
8 sonal phone number of an individual, the name of an
9 individual who is less than 18 years old, or a finan-
10 cial account number;

11 (2) a law enforcement concern;

12 (3) a national security threat;

13 (4) the personal safety of an employee of the
14 Executive Office of the President; or

15 (5) personal visits that do not involve any offi-
16 cial or political business.

17 (c) RECORDS WITHHELD.—With respect to a visitor
18 record excepted under subsection (b), the Executive Office
19 of the President shall—

20 (1) disclose the number of records withheld
21 every 30 days;

22 (2) post any such excepted record on the
23 website described under subsection (a) if the Execu-
24 tive Office of the President determines that the

1 record is no longer subject to an exception described
 2 in subsection (b); and

3 (3) notwithstanding subsection (b), post any
 4 reasonably segregable portion that is not covered by
 5 an exception described in subsection (b) of any such
 6 excepted record on the website described under sub-
 7 section (a).

8 **Subtitle E—Prohibitions on Mak-**
 9 **ing Certain Contracts with Fed-**
 10 **eral Government or receiving**
 11 **Federal funds**

12 **SEC. 241. PROHIBITIONS ON MAKING CERTAIN CONTRACTS**
 13 **WITH FEDERAL GOVERNMENT OR RECEIVING**
 14 **FEDERAL FUNDS.**

15 (a) CONTRACTS WITH FEDERAL GOVERNMENT.—

16 (1) PROHIBITION.—The following may not
 17 enter into or benefit from a contract or agreement
 18 with the Federal Government, or any part thereof:

19 (A) The President.

20 (B) The Vice President.

21 (C) An immediate family member of the
 22 President.

23 (D) An immediate family member of the
 24 Vice President.

25 (E) A covered significant business interest.

1 (2) EXCEPTION.—Paragraph (1) does not apply
2 to the following:

3 (A) A contract or agreement with the Fed-
4 eral Government entered into or negotiated be-
5 fore or after the period in which the President
6 or the Vice President, as applicable, serves in
7 office.

8 (B) A contract for employment with the
9 Federal Government or a contract for service in
10 the Armed Forces, or any benefits provided
11 under such employment or service.

12 (b) RECEIPT OF FEDERAL FUNDS.—

13 (1) PROHIBITION.—Except as provided in para-
14 graph (2), the Federal Government may not obligate
15 or expend Federal funds with the President, the Vice
16 President, or a covered significant business interest.

17 (2) EXCEPTIONS.—

18 (A) ENTITLEMENTS.—The Federal Gov-
19 ernment may obligate or expend Federal funds
20 the President or the Vice President is entitled
21 to by law for discharging an official duty, in-
22 cluding annual salary.

23 (B) OBLIGATIONS.—Paragraph (1) does
24 not apply to Federal funds obligated or ex-
25 pended before or after the period in which the

1 President or the Vice President, as applicable,
2 serves in office.

3 (c) RULE OF CONSTRUCTION.—Nothing in this Act
4 may be construed to limit any payment to the President,
5 the Vice President, an immediate family member of the
6 President or Vice President, or covered significant busi-
7 ness interest of any Federal benefit for which the Presi-
8 dent, the Vice President, an immediate family member of
9 the President or Vice President, or covered significant
10 business interest would otherwise be eligible.

11 (d) DEFINITIONS.—In this section:

12 (1) CONTRACT OR AGREEMENT WITH FEDERAL
13 GOVERNMENT.—The term “contract or agreement
14 with the Federal Government” means a procurement
15 contract or grant, a land use contract, or a lease
16 created, funded, or controlled by the Federal Gov-
17 ernment, respectively.

18 (2) COVERED SIGNIFICANT BUSINESS INTER-
19 EST.—The term “covered significant business inter-
20 est” means any corporation, company, association,
21 firm, partnership, proprietorship, or any other busi-
22 ness entity of which the President, the Vice Presi-
23 dent, an immediate family member of the President,
24 or an immediate family member of the Vice Presi-
25 dent is—

- 1 (A) a trustee;
- 2 (B) a partner;
- 3 (C) an officer;
- 4 (D) a director; or
- 5 (E) a shareholder who holds more than 10
- 6 percent of any class of equity securities.

7 (3) IMMEDIATE FAMILY MEMBER.—The term
8 “immediate family member” means a spouse, par-
9 ent, sibling, child, or dependent relative.

10 (e) APPLICATION.—

11 (1) CONTRACT OR AGREEMENT WITH FEDERAL
12 GOVERNMENT.—The prohibition under subsection
13 (a)(1) applies to contracts or agreements with the
14 Federal Government entered into, revised, or re-
15 newed after the date of the enactment of this Act.

16 (2) FEDERAL FUNDS.—The prohibition under
17 subsection (a)(2) applies to Federal funds obligated
18 after the date of the enactment of this Act.

1 **TITLE III—INCREASED OVER-**
2 **SIGHT AND STRENGTHENING**
3 **AGENCIES RESPONSIBLE FOR**
4 **ROOTING OUT CORRUPTION**

5 **SEC. 301. CONGRESSIONAL NOTIFICATION OF CHANGE IN**
6 **STATUS OF INSPECTOR GENERAL.**

7 (a) CHANGE IN STATUS OF INSPECTOR GENERAL OF
8 OFFICES.—Section 3(b) of the Inspector General Act of
9 1978 (5 U.S.C. App.) is amended—

10 (1) by inserting “, is placed on paid or unpaid
11 non-duty status,” after “is removed from office”;

12 (2) by inserting “, change in status,” after
13 “any such removal”; and

14 (3) by inserting “, change in status,” after “be-
15 fore the removal”.

16 (b) CHANGE IN STATUS OF INSPECTOR GENERAL OF
17 DESIGNATED FEDERAL ENTITIES.—Section 8G(e)(2) of
18 the Inspector General Act of 1978 (5 U.S.C. App.) is
19 amended—

20 (1) by inserting “, is placed on paid or unpaid
21 non-duty status,” after “office”;

22 (2) by inserting “, change in status,” after
23 “any such removal”; and

24 (3) by inserting “, change in status,” after “be-
25 fore the removal”.

1 (c) EFFECTIVE DATE.—The amendments made by
 2 this section shall take effect 30 days after the date of the
 3 enactment of this Act.

4 **SEC. 302. PRESIDENTIAL EXPLANATION OF FAILURE TO**
 5 **NOMINATE AN INSPECTOR GENERAL.**

6 (a) IN GENERAL.—Subchapter III of chapter 33 of
 7 title 5, United States Code, is amended by inserting after
 8 section 3349d the following new section:

9 **“§ 3349e. Presidential explanation of failure to nomi-**
 10 **nate an Inspector General**

11 “If the President fails to make a formal nomination
 12 for a vacant Inspector General position within the period
 13 beginning on the date on which the vacancy occurred and
 14 ending on the day that is 210 days after that date, the
 15 President shall communicate, within 30 days after the end
 16 of such period, to Congress in writing —

17 “(1) the reasons why the President has not yet
 18 made a formal nomination; and

19 “(2) a target date for making a formal nomina-
 20 tion.”.

21 (b) CLERICAL AMENDMENT.—The table of sections
 22 for chapter 33 of title 5, United States Code, is amended
 23 by inserting after the item relating to 3349d the following
 24 new item:

“3349e. Presidential explanation of failure to nominate an Inspector General.”.

1 (c) EFFECTIVE DATE.—The amendment made by
2 subsection (a) shall take effect on the date of the enact-
3 ment of this Act and shall apply to any vacancy first oc-
4 ccurring on or after that date.

○