

115TH CONGRESS
1ST SESSION

H. R. 4504

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

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 30, 2017

Mr. QUIGLEY introduced the following bill; which was referred to the Committee on Oversight and Government Reform, and in addition to the Committees on Rules, House Administration, the Judiciary, Ethics, Ways and Means, and Financial Services, 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 exec-

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 2017”.

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

7 The table of contents 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 committee schedules through the Clerk.
- Sec. 203. Increased transparency of recorded votes.
- Sec. 204. Electronic format.
- Sec. 205. Congressional Data Task Force.
- Sec. 206. Use of data standards by congressional support offices.
- Sec. 207. Inclusion of digital version of funding tables in reports accompanying appropriations bills.

Subtitle B—Access to Congressionally Mandated Reports

- Sec. 211. Short title.
- Sec. 212. Definitions.
- Sec. 213. Establishment of website for congressionally mandated reports.
- Sec. 214. Federal agency responsibilities.
- Sec. 215. Removing and altering reports.
- Sec. 216. Relationship to the Freedom of Information Act.
- Sec. 217. Funding.

Sec. 218. Implementation.

TITLE III—EQUAL ACCESS TO CONGRESSIONAL RESEARCH SERVICE REPORTS

Sec. 301. Short title.

Sec. 302. Definitions.

Sec. 303. Availability of CRS reports through GPO website.

Sec. 304. Website contents.

Sec. 305. Conforming amendment to duties of CRS.

Sec. 306. Rules of construction.

Sec. 307. 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

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. Improving access to budget justifications by the Office of Management and Budget.

Sec. 604. Improving rulemaking disclosure for the Office of Information and Regulatory Affairs.

Sec. 605. Improving E-filing data collection and distribution for non-profits.

Sec. 606. Improving registration information from agents of foreign principals.

Sec. 607. Agency defined.

Sec. 608. Government-wide entity identifier.

Sec. 609. Grants transparency requirements.

Sec. 610. Availability of opinions of the Office of Legal Counsel of the Department of Justice.

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.

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:

1 “(v) greater than \$25,000 but not
2 more than \$100,000, rounded to the near-
3 est \$10,000,

4 “(vi) greater than \$100,000 but not
5 more than \$1,000,000, rounded to the
6 nearest \$100,000, or

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

9 (2) Section 102(d)(1) of such Act (5 U.S.C. App.
10 102(d)(1)) is amended by striking “(3), (4), (5), and (8)”
11 and inserting “(5) and (8)”.

12 (3) Section 102(d) of such Act (5 U.S.C. App.
13 102(d)) is amended by redesignating paragraph (2) as
14 paragraph (3) and by inserting after paragraph (1) the
15 following new paragraph:

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

19 “(A) Not more than \$15,000.

20 “(B) Greater than \$15,000 but not more than
21 \$25,000.

22 “(C) Greater than \$25,000 but not more than
23 \$100,000, rounded to the nearest \$10,000.

24 “(D) Greater than \$100,000 but not more than
25 \$1,000,000, rounded to the nearest \$100,000.

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

3 (b) MORE FREQUENT DISCLOSURE OF FINANCIAL
4 TRANSACTIONS INVOLVING LARGE SUMS OF MONEY.—

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

7 “(j) In addition to any other report required to be
8 filed by a Member of Congress or officer or employee of
9 the Congress, each such individual is required to file a
10 quarterly report on April 30, July 30, October 30, and
11 January 30 of each year covering the preceding calendar
12 quarter if that individual (or the spouse or any dependent
13 child of that individual) purchased, sold, or exchanged any
14 property described in subsection (a)(5) valued at not less
15 than \$250,000 during that calendar quarter. For any such
16 transaction of not less than \$250,000, such report shall
17 contain all of the information required under subsection
18 (a)(5).”.

19 (2)(A) Clause 1 of rule XXVI of the Rules of the
20 House of Representatives is amended by inserting “(a)”
21 after “1.” and by adding at the end the following new
22 paragraphs:

23 “(b) If any report is filed with the Clerk for a
24 calendar quarter pursuant to section 101(i) of the
25 Ethics in Government Act of 1978, the Clerk shall

1 compile all such reports sent to the Clerk by Mem-
2 bers and have them printed as a House document,
3 which shall be made available to the public, as soon
4 as practicable.

5 “(e) Each individual required to file a report
6 with the Clerk under title I under the Ethics in Gov-
7 ernment Act of 1978 shall file and maintain such re-
8 port in electronic form.”.

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

10 (c) AVAILABILITY ON THE INTERNET OF REPORTS
11 FILED UNDER THIS TITLE WITH THE CLERK OF THE
12 HOUSE OR THE SECRETARY OF THE SENATE.—Section
13 103 of the Ethics in Government Act of 1978 (5 U.S.C.
14 App. 103) is amended by adding at the end the following
15 new subsection:

16 “(m) The Clerk of the House of Representatives and
17 the Secretary of the Senate shall each make available any
18 report filed with them under this title (whether the report
19 is filed in paper or electronic form) within 48 hours of
20 the applicable submission deadline on the website of the
21 Clerk or the Secretary, as applicable, in a searchable, sort-
22 able, downloadable, machine-readable format.”.

23 (d) EFFECTIVE DATE.—The amendments made by
24 this section shall apply to reports filed for calendar years

1 or calendar quarters beginning after the date of enactment
2 of this Act.

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

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

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

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

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

19 (A) by striking “shall make available” and
20 inserting “shall post on the public Internet site
21 of the Clerk and otherwise make available”; and

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

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

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

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

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

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

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

15 “(A) the name and address of the intended
16 recipient;

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

19 “(C) the requested amount (only in the
20 case of congressional earmarks); and

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

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

4 “(3) identify each request as having been sub-
5 mitted to the committee of subject-matter jurisdic-
6 tion; and

7 “(4) display on the homepage of such website a
8 hypertext link that contains the words ‘Earmarks’,
9 ‘Appropriations Requests’, ‘Limited Tax Benefits’,
10 or ‘Limited Tariff Benefits’ and that directs to such
11 webpage address, and maintain that link for at least
12 30 calendar days after the last such request is made
13 during the Congress.”.

14 (2) The last sentence of clause 16 of rule XXIII of
15 the Rules of the House of Representatives is amended by
16 striking “and clause 17” and inserting “, clause 17, and
17 clause 18”.

18 (b) ELECTRONIC DISCLOSURE BY COMMITTEES.—
19 Rule XI of the Rules of the House of Representatives is
20 amended by adding at the end the following new clause:
21 **“Earmark disclosure websites**

22 “(s)(1) Any committee that accepts any request of
23 a Member, Delegate, or Resident Commissioner for a con-
24 gressional earmark, a limited tax benefit, or a limited tar-
25 iff benefit shall maintain a public website with an earmark

1 disclosure webpage that contains the following for each
2 such request—

3 “(A) the bill name;

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

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

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

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

12 “(F) a brief description; and

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

16 and is in a downloadable format that is searchable and
17 sortable by such characteristics.

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

21 “(3) The earmark disclosure webpage of a committee
22 shall list the names of any Member, Delegate, and Resi-
23 dent Commissioner who requests a congressional earmark,
24 a limited tax benefit, or a limited tariff benefit and link

1 directly to their webpage addresses referred to in clause
2 18(2) of rule XXIII.

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

8 “(5) For purposes of this paragraph, the terms ‘con-
9 gressional earmark’, ‘limited tax benefit’, and ‘limited tar-
10 iff benefit’ shall have the meaning given them in clause
11 9 of rule XXI.”

12 (c) POINT OF ORDER.—Clause 9 of rule XXI of the
13 Rules of the House of Representatives is amended by re-
14 designating paragraphs (e), (f), and (g) as paragraphs (f),
15 (g), and (h), respectively, and by inserting after paragraph
16 (d) the following:

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

24 (d) EFFECTIVE DATE.—The amendments made by
25 this section shall apply to requests for congressional ear-

1 marks, limited tax benefits, and limited tariff benefits
2 made after the date this resolution is agreed to.

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

5 (1) The Clerk of the House of Representatives, the Sec-
6 retary of the Senate, and the chairs of the Committee on
7 Appropriations of the House of Representatives and the
8 Senate shall collaborate to create one centralized database
9 where all requests for earmark, limited tax benefits, and
10 limited tariff benefits are available on the Internet in a
11 searchable, sortable, downloadable format to the public.
12 The data available to the public for each earmark should
13 include—

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

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

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

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

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

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

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

7 **SEC. 105. GAO STUDY AND REPORT ON EFFECTS OF WRIT-**
8 **TEN REQUESTS BY MEMBERS OF CONGRESS**
9 **FOR FUNDING OF PROJECTS.**

10 (a) **STUDY.**—The Comptroller General of the United
11 States shall conduct a study of the effect of written re-
12 quests to carry out and provide funding for projects and
13 activities which are submitted to offices of the executive
14 branch by Members of Congress on the decisions made
15 by such offices regarding the funding of those projects and
16 activities.

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

1 **TITLE II—ENHANCING PUBLIC**
2 **ACCESS TO THE WORK OF**
3 **CONGRESSIONAL COMMIT-**
4 **TEES, LEGISLATION, AND**
5 **VOTES**

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

8 **SEC. 201. INCREASED TRANSPARENCY OF COMMITTEE**
9 **WORK.**

10 (a) IN THE HOUSE OF REPRESENTATIVES.—Clause
11 1 of rule XI of the Rules of the House of Representatives
12 is amended by adding at the end the following new para-
13 graph:

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

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

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

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

11 **SEC. 202. INCREASED TRANSPARENCY OF COMMITTEE**
12 **SCHEDULES THROUGH THE CLERK.**

13 Clause 2 of rule II of the Rules of the House of Rep-
14 resentatives is amended by adding at the end the following
15 new paragraph:

16 “(1) The House Committees shall provide to the
17 Clerk, in a structured data format, a complete list
18 of all public hearing and markup schedules of com-
19 mittees and subcommittees as soon as publically
20 available; and the Clerk shall post this information
21 on its Web site, including links to committee
22 websites.”.

1 **SEC. 203. INCREASED TRANSPARENCY OF RECORDED**
2 **VOTES.**

3 (a) **ADDITIONAL DUTIES OF THE CLERK OF THE**
4 **HOUSE AND THE SECRETARY OF THE SENATE.**—The
5 Clerk of the House of Representatives and the Secretary
6 of the Senate shall post on the public Internet site of the
7 Office of the Clerk or of the Secretary, respectively, a
8 record, organized by the name of each Member or Senator,
9 in a structured data format, of the recorded votes of that
10 Member or Senator, including the roll, date, issue, ques-
11 tion, result, and title or description of the vote, and any
12 cost estimate of the Congressional Budget Office related
13 to the vote.

14 (b) **WEB LINK.**—Each Member shall provide a link
15 to the Clerk of the House of Representatives of a list of
16 recorded votes from that Member’s website, and each Sen-
17 ator shall provide a link to the Secretary of the Senate
18 of a list of recorded votes from that Senator’s website.

19 (c) **DEFINITION.**—As used in this section, the term
20 “Member” means a Representative in Congress, a delegate
21 to Congress, or the Resident Commissioner from Puerto
22 Rico.

23 (d) **EFFECTIVE DATE.**—This section shall apply to
24 recorded votes occurring after the date of enactment of
25 this Act.

1 **SEC. 204. ELECTRONIC FORMAT.**

2 (a) IN GENERAL.—Chapter 2 of title 1 of the United
3 States Code is amended by adding, after section 107, the
4 following new section:

5 **“§ 107a. Electronic format**

6 “To the extent practicable, all bills, resolutions, or-
7 ders, and votes shall be created, exchanged, and published
8 in searchable electronic formats, consistent with data
9 standards recommended by such advisory bodies as Con-
10 gress may establish.”.

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

“107a. Electronic format.”.

15 **SEC. 205. CONGRESSIONAL DATA TASK FORCE.**

16 (a) ESTABLISHMENT.—The Clerk of the House and
17 the Secretary of the Senate shall establish an advisory
18 Congressional Data Task Force to recommend data stand-
19 ards for the creation, exchange, and publication of con-
20 gressional information.

21 (b) COMPOSITION.—The Congressional Data Task
22 Force shall be composed of staff representatives of the
23 Clerk of the House, the Secretary of the Senate, the Li-
24 brary of Congress, the Congressional Research Service,
25 the Government Printing Office, the Center for Legislative

1 Archives, such other congressional offices and agencies
2 may be necessary, and representatives of the public.

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

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

11 **SEC. 206. USE OF DATA STANDARDS BY CONGRESSIONAL**
12 **SUPPORT OFFICES.**

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

17 **SEC. 207. INCLUSION OF DIGITAL VERSION OF FUNDING**
18 **TABLES IN REPORTS ACCOMPANYING APPRO-**
19 **PRIATIONS BILLS.**

20 (a) INCLUSION.—The Clerk of the House of Rep-
21 resentatives and the Secretary of the Senate shall ensure
22 that each report accompanying any appropriations bill re-
23 ported by the Committees on Appropriations of the House
24 or Senate (as the case may be) includes a formatted
25 spreadsheet showing the amounts made available by the

1 bill, in a tabular, digital format that shows separate en-
2 tries for each fiscal year covered by the bill.

3 (b) EFFECTIVE DATE.—Subsection (a) shall apply
4 with respect to any appropriations bill making funds avail-
5 able for fiscal year 2019 or any succeeding fiscal year.

6 **Subtitle B—Access to** 7 **Congressionally Mandated Reports**

8 **SEC. 211. SHORT TITLE.**

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

11 **SEC. 212. DEFINITIONS.**

12 In this subtitle:

13 (1) CONGRESSIONALLY MANDATED REPORT.—

14 The term “congressionally mandated report”—

15 (A) means a report that is required to be
16 submitted to either House of Congress or any
17 committee of Congress, or subcommittee there-
18 of, by a statute, resolution, or conference report
19 that accompanies legislation enacted into law;
20 and

21 (B) does not include a report required
22 under part B of subtitle II of title 36, United
23 States Code.

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

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

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

8 (A) is not encumbered by any restrictions
9 that would impede reuse; and

10 (B) is based on an underlying open data
11 standard that is maintained by a standards or-
12 ganization.

13 (5) REPORTS WEBSITE.—The term “reports
14 website” means the website established under section
15 213(a).

16 **SEC. 213. ESTABLISHMENT OF WEBSITE FOR CONGRES-**
17 **SIONALLY MANDATED REPORTS.**

18 (a) REQUIREMENT TO ESTABLISH WEBSITE.—

19 (1) IN GENERAL.—Not later than 1 year after
20 the date of enactment of this subtitle, the Director
21 shall establish and maintain a website accessible by
22 the public that allows the public to obtain electronic
23 copies of all congressionally mandated reports in one
24 place. The Director may publish other reports on the
25 website.

1 (2) EXISTING FUNCTIONALITY.—To the extent
2 possible, the Director shall meet the requirements
3 under paragraph (1) by using existing websites and
4 functionality under the authority of the Director.

5 (3) CONSULTATION.—In carrying out this sub-
6 title, the Director shall consult with the Clerk of the
7 House of Representatives and the Secretary of the
8 Senate regarding the requirements for and mainte-
9 nance of congressionally mandated reports on the re-
10 ports website.

11 (b) CONTENT AND FUNCTION.—The Director shall
12 ensure that the reports website includes the following:

13 (1) Subject to subsection (c), with respect to
14 each congressionally mandated report, each of the
15 following:

16 (A) A citation to the statute or conference
17 report requiring the report.

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

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

4 (i) The title of the report.

5 (ii) The reporting Federal agency.

6 (iii) The date of publication.

7 (iv) Each congressional committee re-
8 ceiving the report, if applicable.

9 (v) The statute, resolution, or con-
10 ference report requiring the report.

11 (vi) Subject tags.

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

16 (viii) Key words.

17 (ix) Full text search.

18 (x) Any other relevant information
19 specified by the Director.

20 (D) The time and date when the report
21 was required to be submitted, and when the re-
22 port was submitted, to the reports website.

23 (E) Access to the report not later than 30
24 calendar days after the date of submission to
25 Congress.

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

3 (2) A means for bulk download of all congress-
4 sionally mandated reports or a selection of reports
5 retrieved using a search.

6 (3) An electronic means for the head of each
7 Federal agency to submit to the reports website each
8 congressionally mandated report of the agency, as
9 required by section 214.

10 (4) A list form for all congressionally mandated
11 reports that can be searched, sorted, and
12 downloaded by—

13 (A) reports submitted within the required
14 time;

15 (B) reports submitted after the date on
16 which such reports were required to be sub-
17 mitted; and

18 (C) reports not submitted.

19 (c) FEDERAL AGENCY ACTION.—

20 (1) REPORTS NOT SUBMITTED.—If a Federal
21 agency does not submit a congressionally mandated
22 report to the Director, the Director shall—

23 (A) include on the reports website the in-
24 formation required under clauses (i) through
25 (v) of subsection (b)(1)(C); and

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

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

9 (d) FREE ACCESS.—The Director may not charge a
10 fee, require registration, or impose any other limitation
11 in exchange for access to the reports website.

12 (e) UPGRADE CAPABILITY.—The reports website
13 shall be enhanced and updated as necessary to carry out
14 the purposes of this subtitle.

15 **SEC. 214. FEDERAL AGENCY RESPONSIBILITIES.**

16 (a) SUBMISSION OF ELECTRONIC COPIES OF RE-
17 PORTS.—The head of each Federal agency shall submit
18 to the Director the information required under subpara-
19 graphs (A) through (D) of section 213(b)(1) with respect
20 to each congressionally mandated report that the Federal
21 agency is responsible for creating. Nothing in this sub-
22 section shall relieve a Federal agency of any other require-
23 ment to publish the congressionally mandated report on
24 the website of the Federal agency or otherwise submit the

1 congressionally mandated report to Congress or specific
2 committees of Congress, or subcommittees thereof.

3 (b) GUIDANCE.—Not later than 8 months after the
4 date of enactment of this subtitle, the Director of the Of-
5 fice of Management and Budget, in consultation with the
6 Director, shall issue guidance to agencies on the imple-
7 mentation of this subtitle.

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

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

16 **SEC. 215. REMOVING AND ALTERING REPORTS.**

17 A report submitted to be published to the reports
18 website may only be changed or removed, with the excep-
19 tion of technical changes, by the head of the Federal agen-
20 cy concerned if—

21 (1) the head of the Federal agency consults
22 with each congressional committee to which the re-
23 port is submitted; and

24 (2) Congress enacts a joint resolution author-
25 izing the changing or removal of the report.

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

3 (a) IN GENERAL.—Nothing in this subtitle shall be
4 construed to require the disclosure of information or
5 records that are exempt from public disclosure under sec-
6 tion 552 of title 5, United States Code, or to impose any
7 affirmative duty on the Director to review congressionally
8 mandated reports submitted for publication to the reports
9 website for the purpose of identifying and redacting such
10 information or records.

11 (b) REDACTION OF REPORT.—With respect to each
12 congressionally mandated report, the head of each relevant
13 Federal agency shall redact any information that may not
14 be publicly released under section 552(b) of title 5, United
15 States Code, before submission for publication on the re-
16 ports website, and shall—

17 (1) redact only such information from the re-
18 port;

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

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

23 (c) WITHHOLDING INFORMATION.—

24 (1) IN GENERAL.—A Federal agency—

1 (A) may withhold information otherwise re-
2 quired to be disclosed under this subtitle only
3 if—

4 (i) the Federal agency reasonably
5 foresees that disclosure would harm an in-
6 terest protected by an exemption described
7 in section 552(b) of title 5, United States
8 Code; or

9 (ii) disclosure is prohibited by law;
10 and

11 (B) shall—

12 (i) consider whether partial disclosure
13 of information otherwise required to be dis-
14 closed under this subtitle is possible when-
15 ever the Federal agency determines that a
16 full disclosure of the information is not
17 possible; and

18 (ii) take reasonable steps necessary to
19 segregate and release nonexempt informa-
20 tion.

21 (2) RULE OF CONSTRUCTION.—Nothing in this
22 subsection requires disclosure of information that is
23 otherwise prohibited from disclosure by law, or oth-
24 erwise exempted from disclosure under section
25 552(b)(3) of title 5, United States Code.

1 **SEC. 217. FUNDING.**

2 (a) RESTRICTIONS ON DISTRIBUTION OF FREE
3 PRINTED COPIES OF FEDERAL REGISTER TO MEMBERS
4 OF CONGRESS AND FEDERAL EMPLOYEES.—Section 1506
5 of title 44, United States Code, is amended—

6 (1) by striking “The Administrative Com-
7 mittee” and inserting “(a) COMPOSITION; DUTIES.—
8 The Administrative Committee”;

9 (2) in subsection (a)(4), by striking “the num-
10 ber of copies” and inserting “subject to subsection
11 (b), the number of copies”; and

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

13 “(b) RESTRICTIONS ON DISTRIBUTION OF FREE
14 PRINTED COPIES TO MEMBERS OF CONGRESS AND OFFI-
15 CERS AND EMPLOYEES OF THE UNITED STATES.—Under
16 the regulations prescribed to carry out subsection (a)(4),
17 the Director of the Government Publishing Office may not
18 provide a printed copy of the Federal Register without
19 charge to any Member of Congress or any other office of
20 the United States during a year unless—

21 “(1) the Member or office requests a printed
22 copy of a specific issue of the Federal Register; or

23 “(2) during that year or during the previous
24 year, the Member or office requested a subscription
25 to printed copies of the Federal Register for that
26 year.”.

1 (b) SENSE OF CONGRESS ON USE OF SAVINGS.—It
2 is the sense of Congress that—

3 (1) the savings attributable to the amendments
4 made by subsection (a) are not less than the amount
5 that will be required to carry out the other provi-
6 sions of this subtitle; and

7 (2) the amount of such savings should be made
8 available to the Director to carry out this subtitle.

9 (c) EFFECTIVE DATE.—The amendments made by
10 subsection (a) shall take effect on the date of enactment
11 of this subtitle and apply on and after the date on which
12 the Director prescribes regulations to carry out section
13 1506(b) of title 44, United States Code.

14 **SEC. 218. IMPLEMENTATION.**

15 Except as provided in sections 214(b) and 217(e),
16 this subtitle shall—

17 (1) be implemented not later than 1 year after
18 the date of enactment of this subtitle; and

19 (2) apply with respect to congressionally man-
20 dated reports submitted to Congress on or after the
21 date that is 1 year after the date of enactment of
22 this subtitle.

1 **TITLE III—EQUAL ACCESS TO**
2 **CONGRESSIONAL RESEARCH**
3 **SERVICE REPORTS**

4 **SEC. 301. SHORT TITLE.**

5 This title may be cited as the “Equal Access to Con-
6 gressional Research Service Reports Act of 2017”.

7 **SEC. 302. DEFINITIONS.**

8 (a) CRS PRODUCT.—In this title, the term “CRS
9 product” means any final work product of CRS in any
10 format.

11 (b) CRS REPORT.—

12 (1) IN GENERAL.—In this title, the term “CRS
13 Report” means any written CRS product, including
14 an update to a previous written CRS product, con-
15 sisting of—

16 (A) a Congressional Research Service Re-
17 port;

18 (B) a Congressional Research Service Au-
19 thorization of Appropriations Product and Ap-
20 propriations Product; or

21 (C) subject to paragraph (2)(C), any other
22 written CRS product containing CRS research
23 or CRS analysis which is available for general
24 congressional access on the CRS Congressional
25 Intranet.

1 (2) EXCLUSIONS.—The term “CRS Report”
2 does not include—

3 (A) any CRS product that is determined
4 by the CRS Director to be a custom product or
5 service because it was prepared in direct re-
6 sponse to a request for custom analysis or re-
7 search and is not available for general congress-
8 sional access on the CRS Congressional
9 Intranet;

10 (B) any Congressional Research Service
11 Report or any Congressional Research Service
12 Authorization of Appropriations Product and
13 Appropriations Product which, as of the effec-
14 tive date of this title, is not available for gen-
15 eral congressional access on the CRS Congres-
16 sional Intranet; or

17 (C) a written CRS product that has been
18 made available by CRS for publication on a
19 public website maintained by the GPO Director
20 (other than the Website) or the Library of Con-
21 gress.

22 (c) OTHER DEFINITIONS.—In this title—

23 (1) the term “CRS” means the Congressional
24 Research Service;

1 (2) the term “CRS Congressional Intranet”
2 means any of the websites maintained by CRS for
3 the purpose of providing to Members and employees
4 of Congress access to information from CRS;

5 (3) the term “CRS Director” means the Direc-
6 tor of CRS;

7 (4) the term “GPO Director” means the Direc-
8 tor of the Government Publishing Office;

9 (5) the term “Member of Congress” includes a
10 Delegate or Resident Commissioner to Congress; and

11 (6) the term “Website” means the website es-
12 tablished and maintained under section 303.

13 **SEC. 303. AVAILABILITY OF CRS REPORTS THROUGH GPO**
14 **WEBSITE.**

15 (a) WEBSITE.—

16 (1) ESTABLISHMENT AND MAINTENANCE.—The
17 GPO Director, in consultation with the CRS Direc-
18 tor, shall establish and maintain a public website
19 containing CRS Reports and an index of all CRS
20 Reports contained on the website, in accordance with
21 this section.

22 (2) FORMAT.—On the Website, CRS Reports
23 shall be searchable, sortable, and downloadable, in-
24 cluding downloadable in bulk.

1 (3) FREE ACCESS.—Notwithstanding section
2 4102 of title 44, United States Code, the GPO Di-
3 rector may not charge a fee for access to the
4 Website.

5 (b) UPDATES; DISCLAIMER.—The GPO Director, in
6 consultation with the CRS Director, shall ensure that the
7 Website—

8 (1) is updated contemporaneously, automati-
9 cally, and electronically to include each new or up-
10 dated CRS Report released on or after the effective
11 date of this title;

12 (2) shows the status of each CRS Report as
13 new, updated, or withdrawn; and

14 (3) displays the following statement in reference
15 to the CRS Reports included on the Website: “These
16 documents were prepared by the Congressional Re-
17 search Service (CRS). CRS serves as nonpartisan
18 shared staff to congressional committees and Mem-
19 bers of Congress. It operates solely at the behest of
20 and under the direction of Congress. Information in
21 a CRS Report should not be relied upon for pur-
22 poses other than public understanding of informa-
23 tion that has been provided by CRS to Members of
24 Congress in connection with CRS’s institutional role.
25 CRS Reports, as a work of the United States Gov-

1 ernment, are not subject to copyright protection in
2 the United States. Any CRS Report may be repro-
3 duced and distributed in its entirety without permis-
4 sion from CRS. However, as a CRS Report may in-
5 clude copyrighted images or material from a third
6 party, you may need to obtain the permission of the
7 copyright holder if you wish to copy or otherwise use
8 copyrighted material.”.

9 (c) FURNISHING OF NECESSARY INFORMATION AND
10 TECHNOLOGY.—The CRS Director shall consult with and
11 provide assistance to the GPO Director to ensure—

12 (1) that the GPO Director is provided with all
13 of the information necessary to carry out this title,
14 including all of the information described in sub-
15 paragraphs (A) through (E) of section 304(a)(1), in
16 such format and manner as the GPO Director con-
17 siders appropriate; and

18 (2) that CRS makes available and implements
19 such technology as may be necessary to facilitate the
20 contemporaneous, automatic, and electronic provi-
21 sion of CRS Reports to the GPO Director as re-
22 quired under this title.

23 (d) NONEXCLUSIVITY.—The GPO Director may pub-
24 lish other information on the Website.

1 (e) ADDITIONAL TECHNIQUES.—The GPO Director
2 and the CRS Director may use additional techniques to
3 make CRS Reports available to the public, if such tech-
4 niques are consistent with this title and any other applica-
5 ble laws.

6 (f) ADDITIONAL INFORMATION.—The CRS Director
7 is encouraged to make additional CRS products that are
8 not custom products or services available to the GPO Di-
9 rector for publication on the Website, and the GPO Direc-
10 tor is encouraged to publish such CRS products on the
11 Website.

12 (g) EXPANSION OF CONTENTS OF ANNUAL REPORT
13 TO CONGRESS TO INCLUDE INFORMATION ON EFFORTS
14 TO MAKE ADDITIONAL PRODUCTS AVAILABLE ON
15 WEBSITE.—Section 203(i) of the Legislative Reorganiza-
16 tion Act of 1946 (2 U.S.C. 166(i)) is amended by striking
17 the period at the end and inserting the following: “, and
18 shall include in the report a description of the efforts made
19 by the Director to make additional Congressional Re-
20 search Service products that are not custom products or
21 services available to the Director of the Government Pub-
22 lishing Office for publication on the website established
23 and maintained under the Equal Access to Congressional
24 Research Service Reports Act of 2017.”.

1 **SEC. 304. WEBSITE CONTENTS.**

2 (a) SPECIFIC REQUIREMENTS FOR REPORTS POSTED
3 ON WEBSITE.—

4 (1) RESPONSIBILITIES OF GPO DIRECTOR.—

5 With respect to each CRS Report included on the
6 Website, the GPO Director shall include—

7 (A) the name and identification number of
8 the CRS Report;

9 (B) an indication as to whether the CRS
10 Report is new, updated, or withdrawn;

11 (C) the date of release of the CRS Report;

12 (D) the division or divisions of CRS that
13 were responsible for the production of the CRS
14 Report; and

15 (E) any other information the GPO Direc-
16 tor, in consultation with the CRS Director, con-
17 siderers appropriate.

18 (2) RESPONSIBILITIES OF CRS DIRECTOR.—

19 With respect to each CRS Report included on the
20 Website, the CRS Director shall, prior to transmit-
21 ting the Report to the GPO Director—

22 (A) at the discretion of the CRS Director,
23 remove the name of and any contact informa-
24 tion for any employee of CRS; and

25 (B) include in the CRS Report the fol-
26 lowing written statement: “This document was

1 prepared by the Congressional Research Service
2 (CRS). CRS serves as nonpartisan shared staff
3 to congressional committees and Members of
4 Congress. It operates solely at the behest of and
5 under the direction of Congress. Information in
6 a CRS Report should not be relied upon for
7 purposes other than public understanding of in-
8 formation that has been provided by CRS to
9 Members of Congress in connection with CRS's
10 institutional role. CRS Reports, as a work of
11 the United States Government, are not subject
12 to copyright protection in the United States.
13 Any CRS Report may be reproduced and dis-
14 tributed in its entirety without permission from
15 CRS. However, as this CRS Report may in-
16 clude copyrighted images or material from a
17 third party, you may need to obtain the permis-
18 sion of the copyright holder if you wish to copy
19 or otherwise use copyrighted material.”.

20 (b) SPECIFIC REQUIREMENTS FOR INDEX ON
21 WEBSITE.—The GPO Director shall ensure that the index
22 of all CRS Reports published on the Website is—

- 23 (1) comprehensive;
- 24 (2) contemporaneously updated;
- 25 (3) searchable;

- 1 (4) sortable;
- 2 (5) maintained in a human-readable format;
- 3 (6) maintained in a structured data format;
- 4 (7) downloadable; and
- 5 (8) inclusive of each item of information de-
- 6 scribed in subsection (a)(1) with respect to each
- 7 CRS Report.

8 **SEC. 305. CONFORMING AMENDMENT TO DUTIES OF CRS.**

9 Section 203(d) of the Legislative Reorganization Act
10 of 1946 (2 U.S.C. 166(d)) is amended—

11 (1) by striking “and” at the end of paragraph
12 (7);

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

15 (3) by adding at the end the following new
16 paragraph:

17 “(9) to comply with the requirements of, and
18 provide information and technological assistance
19 consistent with, the Equal Access to Congressional
20 Research Service Reports Act of 2017.”.

21 **SEC. 306. RULES OF CONSTRUCTION.**

22 (a) **NO EFFECT ON SPEECH OR DEBATE CLAUSE.**—
23 Nothing in this title may be construed to diminish, qualify,
24 condition, waive, or otherwise affect the applicability of
25 clause 1 of section 6 of article I of the Constitution of

1 the United States (commonly known as the “Speech or
2 Debate Clause”) or any other privilege available to Con-
3 gress or Members, offices, or employees of Congress with
4 respect to any CRS Report made available online under
5 this title.

6 (b) CONFIDENTIAL COMMUNICATIONS.—Nothing in
7 this title may be construed to waive the requirement that
8 any confidential communication by CRS to a Member, of-
9 fice, or committee of Congress shall remain under the cus-
10 tody and control of Congress and may be released only
11 by Congress and its Houses, Members, offices, and com-
12 mittees, in accordance with the rules and privileges of each
13 House and the requirements of this title.

14 (c) DISSEMINATION OF CRS PRODUCTS.—Nothing in
15 this title may be construed to limit or otherwise affect the
16 ability of a Member, office, or committee of Congress to
17 disseminate CRS products on a website of the Member,
18 office, or committee or to otherwise provide CRS products
19 to the public, including as part of constituent service ac-
20 tivities.

21 **SEC. 307. EFFECTIVE DATE.**

22 (a) IN GENERAL.—Except as provided in subsection
23 (b), this title and the amendments made by this title shall
24 take effect 90 days after the date on which the GPO Di-

1 rector submits the certification described in subsection
2 (b)(2).

3 (b) PROVISION OF INFORMATION AND TECH-
4 NOLOGY.—

5 (1) CRS DEADLINE.—Not later than 90 days
6 after the date of enactment of this Act, the CRS Di-
7 rector shall provide the GPO Director with the infor-
8 mation and technology necessary for the GPO Direc-
9 tor to begin the initial operation of the Website.

10 (2) CERTIFICATION.—Upon provision of the in-
11 formation and technology described in paragraph
12 (1), the GPO Director shall submit to Congress a
13 certification that the CRS Director has provided the
14 information and technology necessary for the GPO
15 Director to begin the initial operation of the
16 Website.

17 **TITLE IV—LOBBYING** 18 **DISCLOSURE**

19 **SEC. 401. SHORT TITLE.**

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

22 **SEC. 402. MODIFICATIONS TO ENFORCEMENT.**

23 (a) LOBBYING DISCLOSURE ACT TASK FORCE.—

24 (1) ESTABLISHMENT.—The Attorney General
25 shall establish the Lobbying Disclosure Act Enforce-

1 ment Task Force (in this subsection referred to as
2 the “Task Force”).

3 (2) FUNCTIONS.—The Task Force—

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

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

13 (C) shall audit, at a minimum on an an-
14 nual basis, and as frequently as deemed nec-
15 essary by the Task Force, the extent of compli-
16 ance or noncompliance with the requirements of
17 the Lobbying Disclosure Act of 1995 by lobby-
18 ists, lobbying firms, and registrants under that
19 Act through a random sampling of lobbying
20 registrations and reports filed under that Act
21 during each calendar year; and

22 (D) shall establish, publicize, and operate a
23 toll-free telephone number to serve as a hotline
24 for members of the public to report noncompli-
25 ance with lobbyist disclosure requirements

1 under the Lobbying Disclosure Act of 1995,
2 and shall develop a mechanism to allow mem-
3 bers of the public to report such noncompliance
4 online.

5 (b) REFERRAL OF CASES TO THE ATTORNEY GEN-
6 ERAL.—Section 6(a) of the Lobbying Disclosure Act of
7 1995 (2 U.S.C. 1605(a)) is amended—

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

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

14 (c) RECOMMENDATIONS FOR IMPROVED ENFORCE-
15 MENT.—The Attorney General may make recommenda-
16 tions to Congress with respect to—

17 (1) the enforcement of and compliance with the
18 Lobbying Disclosure Act of 1995; and

19 (2) the need for resources available for the en-
20 hanced enforcement of the Lobbying Disclosure Act
21 of 1995.

22 (d) INFORMATION IN ENFORCEMENT REPORTS.—
23 Section 6(b)(1) of the Lobbying Disclosure Act of 1995
24 (2 U.S.C. 1605(b)(1)) is amended by striking “by case”
25 and all that follows through “public record” and inserting

1 “by case and name of the individual lobbyists or lobbying
2 firms involved, any sentences imposed”.

3 **SEC. 403. DEFINITION OF LOBBYIST.**

4 Section 3(10) of the Lobbying Disclosure Act of 1995
5 (2 U.S.C. 1602(10)) is amended by striking “, other than
6 an individual” and all that follows through “period”.

7 **SEC. 404. EXPEDITED ONLINE REGISTRATION OF LOBBY-**
8 **ISTS; EXPANSION OF REGISTRANTS.**

9 Section 4(a) of the Lobbying Disclosure Act of 1995
10 (2 U.S.C. 1603(a)) is amended—

11 (1) in paragraph (1)—

12 (A) by striking “45 days” and inserting
13 “10 days”;

14 (B) by striking “, or on the first business
15 day after such 45th day if such 45th day is not
16 a business day,” and inserting “, or on the first
17 business day occurring after such 10th day if
18 such 10th day does not occur on a business
19 day,”; and

20 (C) by inserting “online” after “shall reg-
21 ister”; and

22 (2) in paragraph (2)—

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

1 “(A) IN GENERAL.—Subject to subpara-
2 graph (B), any organization”;

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

4 “(B) THRESHOLD FOR CERTAIN ORGANI-
5 ZATIONS.—In the case of an organization whose
6 employees who are lobbyists engage in lobbying
7 activities only on behalf of the organization, the
8 organization is required to register under this
9 subsection only if the lobbying activities of each
10 such employee includes or is expected to include
11 more than one lobbying contact.”.

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

13 Section 5(d)(1) of the Lobbying Disclosure Act of
14 1995 (2 U.S.C. 1604(d)(1)) is amended—

15 (1) in the matter preceding subparagraph (A),
16 by striking “30 days after” and all that follows
17 through “30th day is not” and inserting “20 days
18 after the end of the quarterly period beginning on
19 the first day of January, April, July, and October of
20 each year, or on the first business day after such
21 20th day if such 20th day is not”;

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

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

2 Section 6(a)(3) of the Lobbying Disclosure Act of
3 1995 (2 U.S.C. 1605(a)(3)) is amended—

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

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

8 (3) by adding after subparagraph (B) the fol-
9 lowing:

10 “(C) a system that assigns an identifica-
11 tion number for each lobbyist for whom a reg-
12 istration or report is filed under this Act;”.

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

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

18 (1) complete ethics training described in sub-
19 section (b)—

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

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

1 (2) submit to the Clerk of the House of Rep-
2 representatives and the Secretary of the Senate certifi-
3 cation of the training completed under paragraph
4 (1).

5 (b) QUALIFIED TRAINING.—The Ethics Committee
6 of the House of Representatives and the Select Committee
7 on Ethics of the Senate shall jointly—

8 (1) determine the curriculum and certification
9 requirements for the ethics training for individuals
10 described in subsection (a);

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

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

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

20 (c) RESPONSIBILITIES OF CLERK AND SEC-
21 RETARY.—The Clerk of the House of Representatives and
22 the Secretary of the Senate shall—

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

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

4 (A) whether the individual has complied
5 with such requirement; and

6 (B) the certifications submitted by the in-
7 dividual under subsection (a)(2).

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

9 Section 15 of the Lobbying Disclosure Act of 1995
10 (2 U.S.C. 1610) is repealed.

11 **SEC. 409. EFFECTIVE DATE.**

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

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

22 (c) SECTION 406.—The amendments made by section
23 406 shall apply to any registration or report that is filed
24 under section 4 or 5 of the Lobbying Disclosure Act of
25 1995—

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

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

7 (d) SECTION 407.—

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

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

1 **TITLE V—TRANSPARENCY IN**
2 **FEDERAL CONTRACTING**

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

5 (a) IN GENERAL.—Section 2 of the Federal Funding
6 Accountability and Transparency Act of 2006 (Public Law
7 109–282; 31 U.S.C. 6101 note) is amended—

8 (1) in subsection (a)—

9 (A) in paragraph (4)(A)(ii), by striking
10 “and delivery orders” and inserting “lease
11 agreements and assignments, and delivery or-
12 ders”;

13 (B) in paragraph (7)—

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

17 (ii) in subparagraph (C)—

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

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

23 (iii) in subparagraph (D), by striking
24 the period at the end and inserting “;
25 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, 2018, 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, 2018, 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, 2018.

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) DATABASE REQUIRED.—The Adminis-
19 trator of General Services shall establish and main-
20 tain an online database that—

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

23 “(B) contains information disclosed pursu-
24 ant to this subsection; and

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

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

8 **SEC. 508. INCLUSION OF NARRATIVES ON**
9 **USASPENDING.GOV.**

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

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

18 **TITLE VI—EXECUTIVE BRANCH**
19 **TRANSPARENCY**

20 **SEC. 601. REQUIREMENT FOR DISCLOSURE OF FEDERAL**
21 **SPONSORSHIP OF ALL FEDERAL ADVER-**
22 **TISING OR OTHER COMMUNICATIONS.**

23 (a) REQUIREMENT.—Except as provided for in sub-
24 section (b), each advertisement or other communication
25 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. IMPROVING ACCESS TO BUDGET JUSTIFICATIONS**

12 **BY THE OFFICE OF MANAGEMENT AND BUDG-**
13 **ET.**

14 (a) **IN GENERAL.**—Beginning with the budget for fis-
15 cal year 2019, not later than 24 hours after the date on
16 which the President submits the budget under section
17 1105 of title 31, United States Code, the Director of the
18 Office of Management and Budget shall make all budget
19 justifications available online in a searchable, sortable,
20 machine readable, and downloadable format and any elec-
21 tronic version of the budget shall provide a link to each
22 budget justification by the Office of Management and
23 Budget.

24 (b) **DEFINITION.**—As used in this section, the term
25 “budget justifications” refers to the documents an agency

1 submits to the Committees on Appropriations of the
2 House of Representatives and Senate in support of its
3 budget request. The Office of Management and Budget
4 prescribes justification materials, which typically explain
5 changes between the current appropriations and the
6 amounts requested for the next fiscal year and may be
7 referred to in the budget submission of the President
8 under section 1105(a) of title 31, United States Code.

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

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

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

23 (2) A copy of the draft proposed or draft final
24 rule that incorporates substantive changes, if any,

1 made to the rule as part of implementing centralized
2 regulatory review.

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

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

15 (A) The agency responsible for the rule.

16 (B) The Office of Information and Regu-
17 latory Affairs.

18 (C) Any other office or entity within the
19 Executive Office of the President.

20 (D) An agency that is not the agency re-
21 sponsible for the rule.

22 (E) An individual who is not employed
23 by—

24 (i) the executive branch of the Federal
25 Government; or

1 (ii) an agency that is not the agency
2 responsible for the rule.

3 (b) DEFINITIONS.—In this section:

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

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

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

19 **SEC. 605. IMPROVING E-FILING DATA COLLECTION AND**
20 **DISTRIBUTION FOR NON-PROFITS.**

21 (a) MANDATORY ELECTRONIC FILING.—Section
22 6033 of the Internal Revenue Code of 1986 is amended
23 by redesignating subsection (n) as subsection (o) and by
24 inserting after subsection (m) the following new sub-
25 section:

1 “(n) MANDATORY ELECTRONIC FILING.—Any orga-
2 nization required to file a return under this section shall
3 file such return in electronic form, using a nonproprietary
4 machine-readable data format.”.

5 (b) INSPECTION OF ELECTRONICALLY FILED AN-
6 NUAL RETURNS.—Subsection (b) of section 6104 of such
7 Code is amended by adding at the end the following: “Any
8 annual return required to be filed electronically under sec-
9 tion 6033(n) shall be made available by the Secretary to
10 the public, in a nonproprietary machine-readable data for-
11 mat, in a database that is searchable, sortable, and
12 downloadable.”.

13 (c) EFFECTIVE DATE.—The amendments made by
14 this section shall apply to taxable years beginning after
15 the date of the enactment of this Act.

16 **SEC. 606. IMPROVING REGISTRATION INFORMATION FROM**
17 **AGENTS OF FOREIGN PRINCIPALS.**

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

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

9 (c) EFFECTIVE DATE.—The amendments made by
10 this section shall take effect upon the expiration of the
11 30-day period which begins on the date of the enactment
12 of this Act.

13 **SEC. 607. AGENCY DEFINED.**

14 In this title (except for section 608), the term “agen-
15 cy” has the meaning given that term under section 551
16 of title 5, United States Code.

17 **SEC. 608. GOVERNMENT-WIDE ENTITY IDENTIFIER.**

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

21 (b) REQUIREMENT FOR ALL AGENCIES TO USE A
22 GOVERNMENT-WIDE ENTITY IDENTIFIER.—(1) Each
23 agency shall, to the extent practicable, require all private
24 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. 609. 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 Grant Reform and New Transparency Act of
 5 2016, 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 **SEC. 610. AVAILABILITY OF OPINIONS OF THE OFFICE OF**
2 **LEGAL COUNSEL OF THE DEPARTMENT OF**
3 **JUSTICE.**

4 (a) INDEX OF OPINIONS PROVIDED TO CONGRESS.—

5 (1) IN GENERAL.—Not later than 90 days after
6 the date of the enactment of this Act, the Assistant
7 Attorney General for the Office of Legal Counsel
8 (referred to in this section as the “Assistant Attor-
9 ney General”) shall submit to Congress an index
10 which contains, for each opinion of the Office of
11 Legal Counsel which has been published prior to the
12 date of the enactment of this Act and except as pro-
13 vided in paragraph (3), the following information:

14 (A) The title of the opinion.

15 (B) The date on which the opinion was
16 issued, and any date on which the opinion was
17 updated, if applicable.

18 (C) The name of the author and the recipi-
19 ent of the opinion.

20 (D) The unique identifier assigned to the
21 opinion, including such an identifier for any up-
22 date to the opinion, if applicable.

23 (E) Whether an opinion has been with-
24 drawn.

25 (F) Whether the opinion has been released
26 to the public (in whole or in part), and a

1 hyperlink to where it can be found, if applica-
2 ble.

3 (2) UPDATES.—The Assistant Attorney General
4 shall provide an update of the index described in
5 paragraph (1) to any Member of Congress who re-
6 quests such an update, not later than 90 days after
7 receiving such a request.

8 (3) EXCEPTION.—The Assistant Attorney Gen-
9 eral may withhold the information described in sub-
10 paragraphs (A) and (C) of paragraph (1) in the case
11 of an opinion for which the President has deter-
12 mined that it is essential to limit access to a covert
13 action finding under section 503(c)(2) of the Na-
14 tional Security Act of 1947 (50 U.S.C. 3093(c)(2)),
15 except that such information shall be provided to
16 any Member of Congress who has been granted ac-
17 cess to such findings under such section.

18 (b) INDEX OF OPINIONS MADE PUBLICLY AVAIL-
19 ABLE.—

20 (1) IN GENERAL.—Not later than 90 days after
21 the date of the enactment of this Act, the Assistant
22 Attorney General shall make publicly available on-
23 line, for each opinion of the Office of Legal Counsel
24 which has been published prior to the date of the en-
25 actment of this Act and except as provided in para-

1 graph (3), the information described in subpara-
2 graphs (A) through (F) of subsection (a)(1).

3 (2) UPDATES.—Not later than 5 days after the
4 issuance of an opinion of the Office of Legal Counsel
5 of the Department of Justice, the Assistant Attorney
6 General shall make publicly available the informa-
7 tion described in subparagraphs (A) through (F) of
8 subsection (a)(1), except as provided in paragraph
9 (3).

10 (3) EXCEPTION.—The Assistant Attorney Gen-
11 eral may withhold the information described in sub-
12 paragraphs (A) and (C) of subsection (a)(1) when
13 the agency interest in protecting such record or in-
14 formation is outweighed by public interest in disclo-
15 sure, but only to the extent that one of the following
16 applies to the information to be withheld:

17 (A) The withholding of such information is
18 authorized under criteria established by an Ex-
19 ecutive order in the interest of national defense
20 or foreign policy, and the Assistant Attorney
21 General has determined that such information
22 meets the criteria established pursuant to the
23 Executive order.

24 (B) The information concerns the appoint-
25 ment to a Federal office prior to the appoint-

1 ment, except in the case of an opinion that is
2 cited in another opinion which is not excepted
3 from disclosure under this paragraph.

4 (C) The information is specifically exempted
5 from disclosure by statute (other than sec-
6 tions 552 and 552b of title 5, United States
7 Code).

8 (D) The information includes trade secrets,
9 or commercial or financial information obtained
10 from a person, which is privileged or confiden-
11 tial.

12 (E) The information includes personnel,
13 medical, or similar files, the disclosure of which
14 would constitute a clearly unwarranted invasion
15 of personal privacy.

16 (F) The President has determined it is es-
17 sential to limit access to a covert action finding
18 under section 503(c)(2) of the National Secu-
19 rity Act of 1947 (50 U.S.C. 3093(c)(2)).

20 (4) NO FEE FOR ACCESS.—The Assistant At-
21 torney General may not charge a fee for access to
22 the information required to be made publicly avail-
23 able under this subsection.

24 (c) SUMMARY OF OPINIONS PROVIDED TO CON-
25 GRESS.—

1 (1) IN GENERAL.—Not later than 10 days after
2 receiving a request from a Member of Congress or
3 an officer or employee of the Legislative Branch for
4 a summary of an opinion, the Assistant Attorney
5 General shall provide such a summary, which shall
6 include legal analysis related to the opinion, except
7 as provided in paragraph (3).

8 (2) CLASSIFIED INFORMATION.—The summary
9 provided under paragraph (1) may only include clas-
10 sified information which the requesting individual is
11 authorized, pursuant to a security clearance, to re-
12 ceive.

13 (3) EXCEPTION.—The Assistant Attorney Gen-
14 eral may refrain from providing a summary de-
15 scribed in paragraph (1) in the case of an opinion
16 for which the President has determined that it is es-
17 sential to limit access to a covert action finding
18 under section 503(c)(2) of the National Security Act
19 of 1947 (50 U.S.C. 3093(c)(2)), except that such in-
20 formation shall be provided to any Member of Con-
21 gress who has been granted access to such findings
22 under such section.

23 (d) RULE OF CONSTRUCTION.—To the extent other-
24 wise permitted by law, this section does not preclude the
25 Assistant Attorney General from disclosing opinions, or in-

1 formation relating to opinions, to any person, in addition
2 to the requirements of this section.

3 **TITLE VII—STRENGTHENING**
4 **THE FREEDOM OF INFORMA-**
5 **TION ACT**

6 **SEC. 701. AGENCY DEFINED.**

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

10 **SEC. 702. DIGITAL ACCESS TO COMPLETED RESPONSES TO**
11 **THE FREEDOM OF INFORMATION ACT.**

12 (a) REQUIREMENT.—

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

22 (2) ELECTRONIC FORMAT.—All information is
23 presumed to be available in an electronic format as
24 described in paragraph (1) unless the agency dem-

1 onstrates that excessive cost would place an undue
2 burden on the agency.

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

7 **SEC. 703. FOIAONLINE FOR AGENCIES.**

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

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

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

17 (b) PRESUMPTION OF OPENNESS.—

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

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

23 (B) in paragraph (5), by inserting before
24 the semicolon at the end the following: “and ex-
25 cluding—

1 “(A) opinions that are controlling interpre-
2 tations of law;

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

8 “(C) guidance documents used by the
9 agency to respond to the public;”;

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

14 (D) in the matter following paragraph
15 (9)—

16 (i) by inserting before “Any reason-
17 ably segregable portion” the following: “An
18 agency may not withhold information
19 under this subsection unless such agency
20 reasonably foresees that disclosure would
21 cause specific identifiable harm to an inter-
22 est protected by an exemption, or if disclo-
23 sure is prohibited by law.”; and

24 (ii) by inserting before “If technically
25 feasible,” the following: “For each record

1 withheld in whole or in part under para-
2 graph (3), the agency shall identify the
3 statute that exempts the record from dis-
4 closure.”.

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

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

17 “(i) The Government Accountability Office shall—

18 “(1) conduct audits of administrative agencies
19 on compliance with and implementation of the re-
20 quirements of this section and issue reports detailing
21 the results of such audits;

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

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

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

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

19 **TITLE VIII—IMPROVING TRANS-**
20 **PARENCY WITHIN THE JUDI-**
21 **CIAL SYSTEM**

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

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

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

2 “The Supreme Court shall permit television coverage
3 of all open sessions of the Court unless the Court decides,
4 by a vote of the majority of justices, that allowing such
5 coverage in a particular case would constitute a violation
6 of the due process rights of one or more of the parties
7 before the Court.”.

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

“678. Televising Supreme Court proceedings.”.

11 **SEC. 802. AUDIO RECORDING OF SUPREME COURT PRO-**
12 **CEEDINGS.**

13 The Chief Justice of the United States shall ensure
14 that the audio of an oral argument before the Supreme
15 Court of the United States is recorded and is made pub-
16 licly available on the Internet website of the Supreme
17 Court at the same time that it is recorded.

18 **SEC. 803. AVAILABILITY ON THE INTERNET OF FINANCIAL**
19 **DISCLOSURE REPORTS OF JUDICIAL OFFI-**
20 **CERS.**

21 Section 103 of the Ethics in Government Act of 1978
22 (5 U.S.C. App. 103), as amended by this Act, is further
23 amended by inserting at the end the following:

24 “(n) The Judicial Conference shall make available
25 any report filed with it under this title by a judicial officer

1 within 48 hours of the applicable submission deadline on
2 the website of the Judicial Conference in a searchable,
3 sortable, downloadable, machine-readable format.”.

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

5 Not later than one year after the date of the enact-
6 ment of this Act, the Comptroller General of the United
7 States shall conduct an audit of the public access to court
8 electronic records system maintained by the Administra-
9 tive Office of the United States Courts, and shall submit
10 to Congress, the Administrative Office of the United
11 States Courts, and any other appropriate Federal agency
12 or office, a report that contains the results of the audit,
13 along with any recommendations for improving the public
14 access to court electronic records system.

15 **TITLE IX—ENFORCEMENT**

16 **SEC. 901. AUDITS BY THE GOVERNMENT ACCOUNTABILITY**
17 **OFFICE.**

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

1 (b) MATTERS COVERED BY AUDITS.—Audits con-
2 ducted under this section shall address whether the con-
3 gressional and executive branch data that is required to
4 be provided to the public through the Internet is each of
5 the following:

6 (1) COMPLETE.—Made available, except for
7 data that is subject to privacy, security, or privilege
8 exemptions.

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

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

14 (4) ACCESSIBLE.—Available to the widest range
15 of users for the widest range of purposes.

16 (5) MACHINE PROCESSABLE.—Reasonably
17 structured to allow automated processing.

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

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

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

1 (c) CURRENT STANDARDS.—Audits conducted under
2 this section shall also address whether the data provided
3 to the public under this Act is produced and maintained
4 using current standards for data publication.

5 **TITLE X—MISCELLANEOUS**

6 **SEC. 1001. TRANSFER OF CERTAIN RECORDS TO ARCHIVIST** 7 **OF UNITED STATES.**

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

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

14 (2) subject to Item 7 of Records Schedule N1–
15 60–10–31 of the National Archives and Records Ad-
16 ministration.

17 (b) RETENTION.—

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

1 deny each such request not later than 60 days after
2 receiving the request.

3 (2) TRANSFER OF RECORDS AFTER DENIAL.—

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

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

14 **SEC. 1002. DATA STANDARDS.**

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

18 **“SEC. 124. DATA STANDARDS.**

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

24 “(b) STANDARDIZATION.—Member agencies, in con-
25 sultation with the Secretary of the Treasury, shall imple-

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

12 “(c) DATA STANDARDS.—

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

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

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

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

4 “(A) render information fully searchable
5 and machine-readable;

6 “(B) be nonproprietary;

7 “(C) incorporate standards developed and
8 maintained by voluntary consensus standards
9 bodies; and

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

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

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

22 (b) CLERICAL AMENDMENT.—The table of contents
23 under section 1(b) of the Dodd-Frank Wall Street Reform

- 1 and Consumer Protection Act is amended by inserting
- 2 after the item relating to section 123 the following:

“Sec. 124. Data standards.”.

