

115TH CONGRESS
1ST SESSION

H. R. 3295

To require the President, the Vice President, and certain high-level officials to file a report with the Office of Government Ethics, when selling real property, disclosing each natural person who is a beneficial owner of the real property upon completion of the sale, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 19, 2017

Ms. MAXINE WATERS of California (for herself, Mr. CONYERS, and Ms. VELÁZQUEZ) introduced the following bill; which was referred to the Committee on Oversight and Government Reform

A BILL

To require the President, the Vice President, and certain high-level officials to file a report with the Office of Government Ethics, when selling real property, disclosing each natural person who is a beneficial owner of the real property upon completion of the sale, 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 “End Secret Holdings
5 and Ethical and Legal Loopholes Act of 2017” or the
6 “End SHELLs Act”.

1 **SEC. 2. BENEFICIAL OWNERSHIP REPORTING REQUIRE-**
2 **MENT.**

3 (a) IN GENERAL.—Section 103 of the Ethics in Gov-
4 ernment Act of 1978 (5 U.S.C. App. 103) is amended by
5 adding at the end the following:

6 “(m)(1) Not later than 30 days after the sale of real
7 property by the President, the Vice President, or any high-
8 level official (whether such sale is made directly or indi-
9 rectly through a trust, corporation, or other legal entity
10 or through a nominee, agent, spouse, or minor child), the
11 President, Vice President, or high-level official, as applica-
12 ble, shall file a report with the Director of the Office of
13 Government Ethics with respect to such sale, identifying
14 the name and current residential or business street ad-
15 dress of each natural person who is a beneficial owner of
16 the real property upon completion of the sale.

17 “(2) The Director of the Office of Government Ethics
18 shall make all reports filed pursuant to this subsection
19 available to the public, including on the website of the Of-
20 fice of Government Ethics.

21 “(3) For purposes of this subsection—

22 “(A) with respect to real property, the term
23 ‘beneficial owner’—

24 “(i) except as provided under clause (ii),
25 means a natural person who, directly or indi-
26 rectly—

1 “(I) exercises substantial control over
2 the real property, through ownership inter-
3 ests, voting rights, agreement, or other-
4 wise; or

5 “(II) has a substantial interest in or
6 receives substantial economic benefits from
7 the real property; and

8 “(ii) does not include—

9 “(I) a minor child;

10 “(II) a natural person acting as a
11 nominee, intermediary, custodian, or agent
12 on behalf of another person;

13 “(III) a natural person acting solely
14 as an employee of a corporation or limited
15 liability company and whose control over or
16 receipt of economic benefits from the real
17 property derives solely from the employ-
18 ment status of the person;

19 “(IV) a natural person whose only in-
20 terest in the real property is through a
21 right of inheritance, unless the natural
22 person also meets the requirements of
23 paragraph (1); or

1 “(V) a creditor of a person, unless the
 2 creditor also meets the requirements of
 3 paragraph (1); and

4 “(B) the term ‘high-level official’—

5 “(i) means—

6 “(I) any officer occupying a position
 7 listed in section 5312 or section 5313 of
 8 title 5, United States Code, having been
 9 nominated by the President and confirmed
 10 by the Senate to that position; and

11 “(II) any individual appointed by the
 12 President or Vice President to a full-time
 13 non-career position in the Executive Office
 14 of the President; and

15 “(ii) does not include any individual ap-
 16 pointed as a member of the Senior Foreign
 17 Service or solely as a uniformed service commis-
 18 sioned officer.”.

19 (b) FAILURE TO FILE OR FILING FALSE RE-
 20 PORTS.—Section 104 of the Ethics in Government Act of
 21 1978 (5 U.S.C. App. 104) is amended by striking “section
 22 102” each place such term appears and inserting “section
 23 102 or 103(m)”.

24 (c) EFFECTIVE DATE.—Section 103(m) of the Ethics
 25 in Government Act of 1978, as added by subsection (a),

1 shall apply to sales of real property occurring after the
2 date of the enactment of this Act.

