

116TH CONGRESS
2D SESSION

S. 4665

To require senior officials to report payments received from the Federal Government and to improve the filing and disclosure of financial disclosures by Members of Congress, congressional staff, and very senior employees.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 23, 2020

Mrs. GILLIBRAND introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To require senior officials to report payments received from the Federal Government and to improve the filing and disclosure of financial disclosures by Members of Congress, congressional staff, and very senior employees.

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. IMPROVED REPORTING OF PAYMENTS AND FI-**
4 **NANCIAL DISCLOSURES.**

5 (a) REPORTING OF APPLICATIONS FOR AND PAY-
6 MENTS RECEIVED FROM THE FEDERAL GOVERNMENT.—

1 (1) IN GENERAL.—Section 101 of the Ethics in
2 Government Act of 1978 (5 U.S.C. App.) is amend-
3 ed by adding at the end the following:

4 “(j)(1) In this subsection—

5 “(A) the term ‘covered payment’—

6 “(i) means a payment of money or any-
7 thing else of value made or promised to be by
8 the Federal Government, including a loan
9 agreement, contract, or grant (including relat-
10 ing to agricultural activity);

11 “(ii) includes any other type of payment of
12 money or anything else of value as the Sec-
13 retary of the Treasury, in consultation with the
14 Director of the Office of Government Ethics,
15 may by regulation establish; and

16 “(iii) does not include—

17 “(I) any salary or compensation for
18 service performed as, or reimbursement of
19 personal outlay by, an officer or employee
20 of the Federal Government; or

21 “(II) any tax refund (including a re-
22 fundable tax credit); and

23 “(B) the term ‘covered person’ means a person
24 described in paragraphs (1) through (10) of section
25 103(l).

1 “(2) Not later than 30 days after receiving notifica-
 2 tion of any application for or receipt of a covered payment
 3 by a covered person, the spouse of the covered person, or
 4 a dependent child of the covered person (including any
 5 business owned and controlled by the covered person, the
 6 spouse of the covered person, or a dependent child of the
 7 covered person), but in no case later than 45 days after
 8 the covered payment is made or promised to be made, the
 9 covered person shall file a report of the covered payment.”.

10 (2) CONTENTS.—Section 102 of the Ethics in
 11 Government Act of 1978 (5 U.S.C. App.) is amend-
 12 ed by adding at the end the following:

13 “(j) A report filed pursuant to section 101(j) shall—

14 “(1) identify the type of payment or thing of
 15 value applied for or received;

16 “(2) include the name of the recipient and the
 17 relation to the person required to file the report;

18 “(3) provide the date of the application for and
 19 the date of receipt of the payment or thing of value;
 20 and

21 “(4) indicate the amount of the payment or
 22 thing of value.”.

23 (3) EFFECTIVE DATE.—The amendments made
 24 by paragraphs (1) and (2) shall apply to payments
 25 made or promised to be made on or after the date

1 that is 90 days after the date of enactment of this
2 Act.

3 (b) UPDATING THE PUBLIC FILING AND DISCLO-
4 SURE OF FINANCIAL DISCLOSURE FORMS.—

5 (1) MEMBERS OF CONGRESS AND CONGRES-
6 SIONAL STAFF.—Section 8(b)(1)(B) of the STOCK
7 Act (5 U.S.C. App. 105 note) is amended to read as
8 follows:

9 “(B) public access—

10 “(i) through databases that are main-
11 tained on the official websites of the House
12 of Representatives and the Senate;

13 “(ii) to—

14 “(I) each financial disclosure re-
15 port filed by a Member of Congress or
16 a candidate for Congress;

17 “(II) each report filed by a Mem-
18 bers of Congress or a candidate for
19 Congress of a transaction disclosure
20 required by section 103(l) of the Eth-
21 ics in Government Act of 1978 (5
22 U.S.C. App); and

23 “(III) notice of any extension,
24 amendment, or blind trust, with re-
25 spect to a report described in sub-

1 clause (I) or (II), pursuant to title I
2 of the Ethics in Government Act of
3 1978 (5 U.S.C. App.); and

4 “(iii) in a manner that—

5 “(I) allows the public to search,
6 sort, and download data contained in
7 the reports described in subclause (I)
8 or (II) of clause (ii) by criteria re-
9 quired to be reported, including by
10 filer name, asset, transaction type,
11 ticker symbol, notification date,
12 amount of transaction, and date of
13 transaction;

14 “(II) allows access through an
15 application programming interface;
16 and

17 “(III) is fully compliant with sec-
18 tion 508 of the Rehabilitation Act of
19 1973 (29 U.S.C. 794d) and the most
20 recent Web Content Accessibility
21 Guidelines, or successor guidelines.”.

22 (2) VERY SENIOR EXECUTIVE BRANCH EMPLOY-
23 EES.—Section 11(b)(1)(B) of the STOCK Act (5
24 U.S.C. App. 105 note) is amended to read as fol-
25 lows:

1 “(B) public access—

2 “(i) through a database that is main-
3 tained on the official website of the Office
4 of Government Ethics;

5 “(ii) to—

6 “(I) each financial disclosure re-
7 port filed by the President, the Vice
8 President, or any officer occupying a
9 position listed in section 5312 or sec-
10 tion 5313 of title 5, United States
11 Code, having been nominated by the
12 President and confirmed by the Sen-
13 ate to that position;

14 “(II) each report filed by an indi-
15 vidual described in subclause (I) of a
16 transaction disclosure required by sec-
17 tion 103(l) of the Ethics in Govern-
18 ment Act of 1978 (5 U.S.C. App);
19 and

20 “(III) notice of any extension,
21 amendment, or blind trust, with re-
22 spect to a report described in sub-
23 clause (I) or (II), pursuant to title I
24 of the Ethics in Government Act of
25 1978 (5 U.S.C. App.); and

1 “(iii) in a manner that—

2 “(I) allows the public to search,
3 sort, and download data contained in
4 the reports described in subclause (I)
5 or (II) of clause (ii) by criteria re-
6 quired to be reported, including by
7 filer name, asset, transaction type,
8 ticker symbol, notification date,
9 amount of transaction, and date of
10 transaction;

11 “(II) allows access through an
12 application programming interface;
13 and

14 “(III) is fully compliant with sec-
15 tion 508 of the Rehabilitation Act of
16 1973 (29 U.S.C. 794d) and the most
17 recent Web Content Accessibility
18 Guidelines, or successor guidelines.”.

19 (3) APPLICABILITY.—The amendments made
20 by this subsection shall—

21 (A) take effect on the date of enactment of
22 this Act; and

23 (B) apply on and after the date that is 18
24 months after the date of enactment of this Act.

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