

PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 5314) TO PROTECT OUR DEMOCRACY BY PREVENTING ABUSES OF PRESIDENTIAL POWER, RESTORING CHECKS AND BALANCES AND ACCOUNTABILITY AND TRANSPARENCY IN GOVERNMENT, AND DEFENDING ELECTIONS AGAINST FOREIGN INTERFERENCE, AND FOR OTHER PURPOSES; PROVIDING FOR CONSIDERATION OF THE BILL (S. 1605) TO DESIGNATE THE NATIONAL PULSE MEMORIAL LOCATED AT 1912 SOUTH ORANGE AVENUE IN ORLANDO, FLORIDA, AND FOR OTHER PURPOSES; AND PROVIDING FOR CONSIDERATION OF THE BILL (S. 610) TO ADDRESS BEHAVIORAL HEALTH AND WELL-BEING AMONG HEALTH CARE PROFESSIONALS

DECEMBER 7, 2021.—Referred to the House Calendar and ordered to be printed

Ms. SCANLON, from the Committee on Rules,
submitted the following

R E P O R T

[To accompany H. Res. 838]

The Committee on Rules, having had under consideration House Resolution 838, by a record vote of 8 to 4, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for consideration of H.R. 5314, the Protecting Our Democracy Act, under a structured rule. The resolution provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Oversight and Reform or their respective designees. The resolution waives all points of order against consideration of the bill. The resolution provides that an amendment in the nature of a substitute consisting of the text of Rules Committee Print 117-20, modified by the amendment printed in part A of this report, shall be considered as adopted and the bill, as amended, shall be considered as read. The resolution waives all points of order against provisions in the bill, as amended. The resolution provides that following debate, each further amendment printed in part B of this report not earlier considered as part of amendments en bloc pursuant to section 3 shall be considered only in the order printed in this report, may be offered only by a Member designated in this report, shall be considered as read, shall be debatable for the time specified in this report equally divided and controlled by the proponent and an

opponent, may be withdrawn by the proponent at any time before the question is put thereon, shall not be subject to amendment, and shall not be subject to a demand for division of the question. The resolution provides that at any time after debate the chair of the Committee on Oversight and Reform or her designee may offer amendments en bloc consisting of further amendments printed in part B of this report not earlier disposed of. Amendments en bloc shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Oversight and Reform or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question. The resolution waives all points of order against the amendments printed in part B of this report and amendments en bloc described in section 3 of the resolution. The resolution provides one motion to recommit. The resolution provides for consideration of S. 1605, the National Defense Authorization Act for Fiscal Year 2022, under a closed rule. The resolution provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Armed Services or their respective designees. The resolution waives all points of order against consideration of the bill. The resolution provides that an amendment in the nature of a substitute consisting of the text of Rules Committee Print 117–21 shall be considered as adopted and the bill, as amended, shall be considered as read. The resolution waives all points of order against provisions in the bill, as amended. The resolution provides one motion to commit. The resolution provides that the chair of the Committee on Armed Services may insert in the Congressional Record not later than December 10, 2021, such material as he may deem explanatory of S. 1605. The resolution further provides for consideration of S. 610, the Protecting Medicare and American Farmers from Sequester Cuts Act, under a closed rule. The resolution provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means or their respective designees. The resolution waives all points of order against consideration of the bill. The resolution provides that an amendment in the nature of a substitute consisting of the text of Rules Committee Print 117–22 shall be considered as adopted and the bill, as amended, shall be considered as read. The resolution waives all points of order against provisions in the bill, as amended. The resolution provides one motion to commit. The resolution provides that at any time through the legislative day of Thursday, December 9, 2021, the Speaker may entertain motions offered by the Majority Leader or a designee that the House suspend the rules with respect to multiple measures that were the object of motions to suspend the rules on November 30, 2021, December 1, 2021, or December 8, 2021, and on which the yeas and nays were ordered and further proceedings postponed. The Chair shall put the question on any such motion without debate or intervening motion, and the ordering of the yeas and nays on postponed motions to suspend the rules with respect to such measures is vacated.

EXPLANATION OF WAIVERS

The waiver of all points of order against consideration of H.R. 5314 includes a waiver of clause 12 of rule XXI, which prohibits consideration of a bill pursuant to a special order of business reported by the Committee on Rules that has not been reported by a committee.

Although the resolution waives all points of order against provisions in H.R. 5314, as amended, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against the amendments printed in part B of this report and amendments en bloc described in section 3 of the resolution, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against consideration of S. 1605, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against provisions in S. 1605, as amended, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

The waiver of all points of order against consideration of S. 610 includes waivers of the following:

- Clause 10 of rule XXI, which prohibits consideration of a measure that has a net effect of increasing the deficit or reducing the surplus over the five- or 10-year period; however, the budgetary effects of the bill are fully offset over the 10-year period.
- Section 306 of the Congressional Budget Act, which prohibits consideration of legislation within the jurisdiction of the Committee on the Budget unless referred to or reported by the Budget Committee.

Although the resolution waives all points of order against provisions in S. 610, as amended, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

COMMITTEE VOTES

The results of each record vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

Rules Committee record vote No. 170

Motion by Mr. Burgess to provide for a division of the question for the House Amendment to S. 610. Defeated: 4–8

Majority Members	Vote	Minority Members	Vote
Mrs. Torres .....	.....	Mr. Cole	Yea
Mr. Perlmutter	Nay	Mr. Burgess	Yea
Mr. Raskin	Nay	Mr. Reschenthaler	Yea
Ms. Scanlon	Nay	Mrs. Fischbach	Yea
Mr. Morelle	Nay		
Mr. DeSaulnier	Nay		
Ms. Ross	Nay		
Mr. Neguse	Nay		
Mr. McGovern, Chairman	Nay		

Rules Committee record vote No. 171

Motion by Mr. Burgess to amend the rule to H.R. 5314 to make in order amendment #6, offered by Rep. Burgess (TX), which replaces Title VII Subtitle A of the bill with language to require a detailed rationale to be provided to Congress prior to the removal of an Inspector General. Defeated: 4–8

Majority Members	Vote	Minority Members	Vote
Mrs. Torres .....	.....	Mr. Cole	Yea
Mr. Perlmutter	Nay	Mr. Burgess	Yea
Mr. Raskin	Nay	Mr. Reschenthaler	Yea
Ms. Scanlon	Nay	Mrs. Fischbach	Yea
Mr. Morelle	Nay		
Mr. DeSaulnier	Nay		
Ms. Ross	Nay		
Mr. Neguse	Nay		
Mr. McGovern, Chairman	Nay		

Rules Committee record vote No. 172

Motion by Mr. Burgess to amend the rule to H.R. 5314 to make in order amendment #11, offered by Rep. Burgess (TX), which requires subpoenas to have approval of both the Chair and Ranking Member of the relevant committees or a two-thirds majority of such committees. Defeated: 4–8

Majority Members	Vote	Minority Members	Vote
Mrs. Torres .....	.....	Mr. Cole	Yea
Mr. Perlmutter	Nay	Mr. Burgess	Yea
Mr. Raskin	Nay	Mr. Reschenthaler	Yea
Ms. Scanlon	Nay	Mrs. Fischbach	Yea
Mr. Morelle	Nay		
Mr. DeSaulnier	Nay		
Ms. Ross	Nay		
Mr. Neguse	Nay		
Mr. McGovern, Chairman	Nay		

Rules Committee record vote No. 173

Motion by Mr. Reschenthaler to amend the rule to H.R. 5314 to make in order amendment #31, offered by Rep. Bergman (MI), which prohibits immediate family members of the President and Vice President from accepting foreign emoluments. Defeated: 4–8

Majority Members	Vote	Minority Members	Vote
Mrs. Torres .....	.....	Mr. Cole	Yea
Mr. Perlmutter	Nay	Mr. Burgess	Yea
Mr. Raskin	Nay	Mr. Reschenthaler	Yea
Ms. Scanlon	Nay	Mrs. Fischbach	Yea
Mr. Morelle	Nay		
Mr. DeSaulnier	Nay		
Ms. Ross	Nay		
Mr. Neguse	Nay		
Mr. McGovern, Chairman	Nay		

Rules Committee record vote No. 174

Motion by Ms. Scanlon to report the rule. Adopted: 8–4

Majority Members	Vote	Minority Members	Vote
Mrs. Torres	Mr. Cole	Nay

Majority Members	Vote	Minority Members	Vote
Mr. Perlmutter	Yea	Mr. Burgess	Nay
Mr. Raskin	Yea	Mr. Reschenthaler	Nay
Ms. Scanlon	Yea	Mrs. Fischbach	Nay
Mr. Morelle	Yea		
Mr. DeSaulnier	Yea		
Ms. Ross	Yea		
Mr. Neguse	Yea		
Mr. McGovern, Chairman	Yea		

SUMMARY OF THE AMENDMENT TO H.R. 5314 IN PART A CONSIDERED
AS ADOPTED

1. Maloney, Carolyn (NY): Strikes the bill’s applicability to the District of Columbia government, prohibits the practice of candidates compensating spouses for campaign-related services, and makes other technical changes.

SUMMARY OF THE AMENDMENTS TO H.R. 5314 IN PART B MADE IN
ORDER

1. Adams (NC): Requires the FEC to make an income tax return public and post online within 48 hours of receiving a return, including redactions. However, if an income tax return requires considerable, extensive, and significant time for the FEC to make redactions, the FEC may make the return available after 48 hours but not later than 30 days after receipt of return. (10 minutes)

2. Aguilar (CA): Requires that each state chief’s election official creates a database of election officials who have received threats against them and need their personally identifiable information (PII) protected to ensure safe and fair elections. Ensures these individuals can request their PII be removed from public websites. Revision removes provision concerning restrictions on data brokers. (10 minutes)

3. Burgess (TX): Strikes Title II. (10 minutes)

4. Cicilline (RI), Quigley (IL): Requires the White House to maintain a publicly accessible website that includes salary and financial disclosure information for White House employees. (10 minutes)

5. Clark, Katherine (MA): Adds the President, Vice President, and any Cabinet member to the current statutory prohibition on members of Congress contracting with the federal government. (10 minutes)

6. Cohen (TN): Changes the definition of a “covered offense” in Title I § 102 to include pardons issued to any third degree relative of the President, any member or former member of the President’s administration, any person who worked on the President’s presidential campaign as a paid employee, or any person or entity when the offense at issue is motivated by a direct and significant personal or pecuniary interest of any of the described individuals. (10 minutes)

7. Comer (KY): Strikes all sections of the bill and retitles as the “Inspector General Stability Act”, but preserves a modified Title VII Subtitle A (Requiring Cause for Removal) which instead requires Congressional notification and a detailed rationale prior to an IG’s removal, and also preserves Title VII Subtitle C (Congressional Notification) which previously passed the House as H.R. 23. (10 minutes)

8. Connolly (VA): Protects merit system principles by limiting federal employee reclassifications to the five excepted service schedules in use prior to fiscal year 2021 (based on the bipartisan Preventing a Patronage System Act). (10 minutes)

9. Correa (CA), Issa (CA): Closes the loophole that allows agencies to treat requests for information from members of Congress as FOIA requests by clarifying that the Freedom of Information Act prohibits executive branch agencies from responding to congressional requests for information with records that have been subject to FOIA redactions. This clarification would ensure that executive branch agencies are not using the law's exemptions to withhold information from elected officials conducting oversight. (10 minutes)

10. Correa (CA): Requires all Congressionally mandated reports from the executive branch to be transmitted to Congress in machine readable format. (10 minutes)

11. DelBene (WA): Directs the Federal Election Commission (FEC), in consultation with the National Institute of Standards and Technology (NIST), the Cybersecurity and Infrastructure Security Agency (CISA), and other appropriate offices, to issue guidance for political committees and vendors on cybersecurity risks and best practices. Requires the FEC to regularly update this guidance. (10 minutes)

12. Foxx (NC): Creates an Inspector General for the Office of Management and Budget to bring transparency and accountability to the agency. (10 minutes)

13. Foxx (NC): Creates parity in enforcement for Oversight and Reform Committee "Rule of 7" requests to protect minority party requests for information. (10 minutes)

14. Gallego (AZ): Requires the President-elect to report to Congress on individuals in an incoming administration that are seeking a security clearance and the status of that clearance, including interim clearances. Requires the President or relevant agency to report to Congress at any point when an immediate family member of the President seeks a security clearance and the status of that clearance, including interim clearances. (10 minutes)

15. Golden (ME): Expands President and other covered officials' emolument disclosures to cover emoluments received or expected by spouses and dependent children, in line with other financial disclosures for spouses and dependent children in 5a USC 102(e). (10 minutes)

16. Issa (CA): States that an incoming staffer in a Member office who already has a clearance shall not be counted against the two clearances per office that the current House rules allow. (10 minutes)

17. Kilmer (WA), Rice, Kathleen (NY), Sarbanes (MD), Crist (FL): Modernizes Federal Election Commission (FEC) disclosure requirements to ensure online political advertisements meet the same transparency and disclosure requirements that already apply to political ads sold on TV, radio, and satellite platforms. Also requires online platforms to take reasonable steps to ensure that foreign individuals and entities are not purchasing political advertisements in order to influence the American electorate, and directs the FEC to commission an independent study and report on media literacy with respect to online political content consumption among voting-age Americans. (10 minutes)

18. Lynch (MA): Prohibits the use of deepfakes within 60 days of a federal election and establishes corresponding criminal and civil penalties. (10 minutes)

19. Maloney, Sean (NY): Clarifies language in the Former Presidents Act to state that impeachment and conviction, regardless of removal, makes a former president ineligible for benefits. Imposes a new mandate on former presidents that if convicted of a felony for crimes committed during or after office, some benefits would be forfeited. (10 minutes)

20. McGovern (MA), Meijer (MI), DeFazio (OR): Strengthens safeguards in the bill against presidential abuse of emergency powers by prohibiting their use for purposes other than emergencies; providing expedited procedures for joint resolutions to end emergency declarations; and ending “permanent emergencies” through a five-year limit. (10 minutes)

21. Ocasio-Cortez (NY): Expands coverage of section 3110 of title 5 of the U.S. Code to prohibit nepotistic appointments to the Executive Office of the President. (10 minutes)

22. Ocasio-Cortez (NY), Lynch (MA): Codifies President Biden’s Executive Order on ethics commitments by executive branch personnel. (10 minutes)

23. Ocasio-Cortez (NY): Directs the Office of Government Ethics to promulgate regulations establishing ethics requirements for the establishment or operation of legal expense funds for the benefit of the President, Vice President, or any political appointee. (10 minutes)

24. Ocasio-Cortez (NY), Scanlon (PA): Imposes disclosure requirements on inaugural committees, prohibits committees from taking money from foreign nationals; shadow entities; and corporations; and prohibits conversion of committee resources for personal use or for personal benefit. (10 minutes)

25. Ocasio-Cortez (NY): Asserts the Government Accountability Office’s investigatory powers over the intelligence community. Requires the Director of National Intelligence to ensure that GAO personnel are provided with access to information in possession by the intelligence community that the Comptroller General determines necessary for analysis, evaluation, or investigation requested by the relevant committee of Congress. (10 minutes)

26. Omar (MN): Ensures agency interns are covered by whistleblower provisions. (10 minutes)

27. Pascrell (NJ), Quigley (IL): Amends Title X to clarify ability of federal officials to visit federal property prior to an election, requires disclosure of Hatch Act Investigations for certain employees, makes the Hatch Act applicable to the President and Vice President while conducting official duties on White House and White House grounds, strengthens Hatch Act violation penalties, grants the Office of Special Counsel rulemaking authority and ability to continue investigating certain employees, grants the Merit System Protection Board the ability to enforce subpoenas against certain employees, and conducts a GAO review of Hatch Act provisions. (10 minutes)

28. Phillips (MN): Explicitly prohibits conventions of national political parties for congressional, presidential, and vice-presidential candidates from being held on or in any federal property, including

the White House and surrounding grounds. Violations are subject to civil penalties, imprisonment, or both. (10 minutes)

29. Phillips (MN), Raskin (MD): Directs the Election Assistance Commission (EAC) to establish a program to support state and local governments in the transition to ranked choice voting (a system in which voters rank candidates in order of preference). (10 minutes)

30. Quigley (IL), Cicilline (RI), Ocasio-Cortez (NY): Requires the President to establish and periodically update a public database of White House visitor records, including the names of visitors, with whom visitors met, and the purpose of the visit. Allows for certain exceptions, including for particularly sensitive meetings and purely personal guests. (10 minutes)

31. Raskin (MD): Strengthens Title II of the Act to ensure that if a sitting President or Vice President is indicted while in office, a trial or other legal proceeding may only be delayed if it interferes with the defendant's official duties and ensures the burden to delay legal proceedings falls on the defendant. (10 minutes)

32. Ross (NC): Prohibits the President from requiring an officer or employee of the Executive Office of the President to enter into a nondisclosure agreement that is not related to the protection of classified or controlled unclassified information as a condition of employment or upon separation from the civil service. (10 minutes)

33. Ross (NC): Directs the Department of Justice (DOJ) to create an election threats task force to work with federal, state, and local partners to prioritize identifying, investigating, and prosecuting threats and acts of violence against election officials, workers, and their families. (10 minutes)

34. Scanlon (PA): Changes the frequency that the Inspector General of the Department of Justice must report to Congress improper communications between DOJ and the White House. The bill increases the requirement to report on the DOJ/White House communications logs from every six months to every three months. (10 minutes)

PART A—TEXT OF AMENDMENT TO H.R. 5314 CONSIDERED AS ADOPTED

Page 42, lines 15 through 16, strike “executive agency or the District of Columbia government” and insert “agency”.

Page 42, lines 19 through 20, strike “executive agency or the District of Columbia government” and insert “agency”.

Page 42, lines 24 through 25, strike “executive agency or the District of Columbia government” and insert “agency”.

Page 44, strike lines 7 through 9, and insert the following (re-numbering accordingly):

(1) by striking “If” and inserting “(a) If”;

(2) by inserting “or if the Comptroller General determines that an officer or employee of such entity violated section 1341(a) or 1342,” before “the head of the agency”;

Page 45, lines 2 through 3, strike “executive agency or District of Columbia government” and insert “entity filing the report”.

Page 45, lines 7 through 8, strike “executive agency or District of Columbia government, as applicable,” and insert “entity filing the report”.

Page 45, strike lines 14 through 17, and insert the following (re-numbering accordingly):

(1) by inserting “or if the Comptroller General determines that an officer or employee of such entity violated subsection (a),” before “the head of the executive agency”;

Page 46, lines 9 through 10, strike “executive agency or District of Columbia government” and insert “entity filing the report”.

Page 46, lines 14 through 15, strike “executive agency or District of Columbia government, as applicable,” and insert “entity filing the report”.

Page 47, lines 2 through 4, strike “If an executive agency or the District of Columbia reports, under section 1351, a violation” and insert “If a report is made under section 1351 of a violation”.

Page 47, lines 16 through 17, strike “executive agency and the District of Columbia government” and insert “reporting entity”.

Page 47, line 25 through page 48, line 1, strike “of the United States Government or of the District of Columbia government”.

Page 48, lines 7 through 8, strike “of the United States Government or of the District of Columbia government”.

Page 48, lines 17 through 19, strike “If an executive agency or the District of Columbia reports, under section 1517(b), a violation” and insert “If a report is made under section 1517(b) of a violation”.

Page 49, lines 6 through 7, strike “executive agency and the District of Columbia government” and insert “reporting entity”.

Page 49, lines 15 through 16, strike “of the United States Government or of the District of Columbia government”.

Page 49, lines 22 through 23, strike “of the United States Government or of the District of Columbia government”.

Page 74, strike line 11 and all that follows through page 75, line 3.

Page 75, strike lines 8 through 19 and insert the following:

(2) INTERNATIONAL EMERGENCY ECONOMIC POWERS ACT.—Section 207 of the International Emergency Economic Powers Act (50 U.S.C. 1706) is amended by adding at the end the following:

“(c) In this section, the term ‘National Emergencies Act’ means the National Emergencies Act, as in effect on the day before the date of the enactment of the Congressional Power of the Purse Act.”.

Page 157, beginning on line 15, strike “FOREIGN INTERFERENCE” and insert “FOREIGN INTERFERENCE; PROHIBITING CAMPAIGNS FROM PAYING SPOUSE OF CANDIDATE”.

Page 175, insert after line 18 the following:

TITLE XV—PROHIBITING CAMPAIGNS FROM PAYING SPOUSE OF CANDIDATE

SEC. 1501. PROHIBITING USE OF CAMPAIGN FUNDS TO COMPENSATE SPOUSES OF CANDIDATES; DISCLOSURE OF PAYMENTS MADE TO SPOUSES AND FAMILY MEMBERS.

(a) PROHIBITION; DISCLOSURE.—Section 313 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30114) is amended by adding at the end the following new subsection:

“(d) PROHIBITING COMPENSATION OF SPOUSES; DISCLOSURE OF PAYMENTS TO SPOUSES AND FAMILY MEMBERS.—

“(1) PROHIBITING COMPENSATION OF SPOUSES.—Notwithstanding any other provision of this Act, no authorized committee of a candidate or any other political committee established, maintained, or controlled by a candidate or an individual holding Federal office (other than a political committee of a political party) shall directly or indirectly compensate the spouse of the candidate or individual (as the case may be) for services provided to or on behalf of the committee.

“(2) DISCLOSURE OF PAYMENTS TO SPOUSES AND IMMEDIATE FAMILY MEMBERS.—In addition to any other information included in a report submitted under section 304 by a committee described in paragraph (1), the committee shall include in the report a separate statement of any payments, including direct or indirect compensation, made to the spouse or any immediate family member of the candidate or individual involved during the period covered by the report.

“(3) IMMEDIATE FAMILY MEMBER DEFINED.—In this subsection, the term ‘immediate family member’ means the son, daughter, son-in-law, daughter-in-law, mother, father, brother, sister, brother-in-law, sister-in-law, or grandchild of the candidate or individual involved.”.

(b) CONFORMING AMENDMENT.—Section 313(a)(1) of such Act (52 U.S.C. 30114(a)(1)) is amended by striking “for otherwise” and inserting “subject to subsection (d), for otherwise”.

SEC. 1502. IMPOSITION OF PENALTY AGAINST CANDIDATE OR OFFICEHOLDER.

(a) IN GENERAL.—Section 309 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30109) is amended by adding at the end the following new subsection:

“(e) In the case of a violation of section 313(d) committed by a committee described in such section, if the candidate or individual involved knew of the violation, any penalty imposed under this section shall be imposed on the candidate or individual and not on the committee.”.

(b) PROHIBITING REIMBURSEMENT BY COMMITTEE.—Section 313(d) of such Act (52 U.S.C. 30114(d)), as added by section 1501(a), is amended—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by inserting after paragraph (2) the following new paragraph:

“(3) PROHIBITING REIMBURSEMENT BY COMMITTEE OF PENALTY PAID BY CANDIDATE FOR VIOLATIONS.—A committee described in paragraph (1) may not make any payment to reimburse the candidate or individual involved for any penalty imposed for a violation of this subsection which is required to be paid by the candidate or individual under section 309(e).”.

SEC. 1503. EFFECTIVE DATE.

The amendments made by this title shall apply with respect to compensation and payments made on or after the date of enactment of this Act.

PART B—TEXT OF AMENDMENTS TO H.R. 5314 MADE IN ORDER

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ADAMS OF NORTH CAROLINA OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 155, strike lines 10 through 19, and insert the following:

(4) TREATMENT AS A REPORT FILED UNDER THE FEDERAL ELECTION CAMPAIGN ACT OF 1971.—Section 304(a)(11) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30104(a)(11)) is amended by adding at the end the following:

“(E) An income tax return filed under the Protecting Our Democracy Act of 2021 shall be filed in electronic form accessible by computers and shall be treated as a report filed under and required by this Act for purposes of subparagraphs (B) and (C), except that if it would require considerable, extensive, and significant time for the Commission to make redactions to such a return, as required under section 1201(b)(3) of the Protecting Our Democracy Act of 2021 or subparagraph (B)(ii) of section 6103(l)(23) of the Internal Revenue Code of 1986, the Commission may make the return available for public inspection more than 48 hours after receipt by the Commission, but in no event later than 30 days after receipt by the Commission.”.

2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE AGUILAR OF CALIFORNIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 175, insert after line 18 the following (and redesignate the succeeding provisions accordingly):

DIVISION D—PROTECTING ELECTION OFFICIALS**TITLE XV—PROTECTING ELECTION OFFICIALS FROM DISCLOSURE OF PERSONALLY IDENTIFIABLE INFORMATION****SEC. 1501. SHORT TITLE.**

This title may be cited as the “Election Officials Protection Act”.

SEC. 1502. REQUIRING STATES TO MAINTAIN LIST OF ELECTION OFFICIALS PROTECTED FROM DISCLOSURE OF PERSONALLY IDENTIFIABLE INFORMATION.

(a) REQUIREMENT.—Title III of the Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.) is amended by inserting after section 303 the following new section:

“SEC. 303A. MAINTENANCE OF LIST OF ELECTION OFFICIALS PROTECTED FROM DISCLOSURE OF PERSONALLY IDENTIFIABLE INFORMATION.

“(a) IN GENERAL.—The office of the chief State election official of a State shall establish a program under which the office shall maintain a list of election officials whose personally identifiable information is protected from disclosure and kept confidential under the Election Officials Protection Act.

“(b) ELIGIBILITY FOR PARTICIPATION IN PROGRAM.—

“(1) CONTENTS OF APPLICATION.—An election official is eligible to be a program participant in the program established under this section if the official submits to the office of the chief State election official an application, at such time and in

such form as the official may require, which contains the following information and assurances:

“(A) Documentation showing that the applicant is to commence service as an election official in the State or is currently serving as an election official in the State.

“(B) A sworn statement that the applicant fears for his or her safety or the safety of his or her family, or the safety of the minor or incapacitated person on whose behalf the application is made, due to his or her service as an election official.

“(C) Any police, court, or other government agency records or files that show any complaints of alleged threats or acts of violence against the applicant.

“(D) The signature of the applicant and of any individual or representative of any office designated in writing who assisted in the preparation of the application, and the date on which the applicant signed the application.

“(E) Such other information and assurances as the chief State election official may require.

“(2) PERIOD OF PARTICIPATION.—Upon filing a properly completed application under this subsection, the chief State election official shall certify the applicant as a program participant for a period of 4 years following the date of filing, unless the applicant’s participation in the program is terminated before that date as provided under subsection (d).

“(c) ADDITIONAL NOTICE TO PROGRAM PARTICIPANTS.—The office of the chief State election official shall provide each program participant a notice in clear and conspicuous font that contains all of the following information:

“(1) The program participant may create a revocable living trust and place his or her real property into the trust to protect his or her residential street address from disclosure in real property transactions.

“(2) The program participant may obtain a change of his or her legal name to protect his or her anonymity.

“(3) A list of contact information for entities that the program participant may contact to receive information on, or receive legal services for, the creation of a trust to hold real property or obtaining a name change, including county bar associations, legal aid societies, State and local agencies, or other non-profit organizations that may be able to assist program participants.

“(d) TERMINATION OF PARTICIPATION.—

“(1) GROUNDS FOR TERMINATION.—The chief State election official may terminate a program participant’s participation in the program for any of the following reasons:

“(A) The program participant submits to the chief State election official written notification of withdrawal, in which case the participation shall be terminated on the date of receipt of the notification.

“(B) The program participant’s certification term has expired and the participant did not complete an application for renewal of the certification.

“(C) The chief State election official determines that false information was used in the application process to

qualify as a program participant or that participation in the program is being used as a subterfuge to avoid detection of illegal or criminal activity or apprehension by law enforcement.

“(D) The program participant fails to disclose a change in the participant’s status as an election official.

“(2) APPEAL.—Except in the case of a termination on the grounds described in subparagraph (A) of paragraph (1), the chief State election official shall send written notification of the intended termination to the program participant. The program participant shall have 30 business days in which to appeal the termination under procedures developed by the chief State election official.

“(3) NOTIFICATION OF LOCAL OFFICES.—The chief State election official shall notify in writing the appropriate local election officials, county clerks, and local recording offices of the program participant’s termination of participation in the program. Upon receipt of this termination notification, such officials, clerks, and offices—

“(A) shall transmit to the chief State election official all appropriate administrative records pertaining to the program participant; and

“(B) shall no longer be responsible for maintaining the confidentiality of the program participant’s record.

“(4) TREATMENT OF RECORDS.—

“(A) CONFIDENTIALITY.—Upon termination of a program participant’s certification, the chief State election official shall retain records as follows:

“(i) Except as provided in subparagraph (B), any records or documents pertaining to a program participant shall be held confidential.

“(ii) All records or documents pertaining to a program participant shall be retained for a period of three years after termination of certification and then destroyed without further notice.

“(B) EXCEPTION FOR TERMINATION BASED ON FALSE INFORMATION OR SUBTERFUGE.—In the case of a termination on the grounds described in subparagraph (C) of paragraph (1), the chief State election official may disclose information contained in the participant’s application.

“(e) DEFINITIONS.—

“(1) ELECTION OFFICIAL.—In this section, an ‘election official’ with respect to a State is any individual, including a volunteer, who is authorized by the State to carry out duties relating to the administration of elections for Federal office held in the State.

“(2) MEMBER OF THE IMMEDIATE FAMILY.—In this section, the term ‘member of the immediate family’ means, with respect to an individual, a spouse, domestic partner, child, stepchild, parent, or any blood relative of an individual who lives in the same residence as the individual.

“(3) PERSONALLY IDENTIFIABLE INFORMATION.—The term ‘personally identifiable information’ means, with respect to any individual—

“(A) a home address, including a primary residence or vacation home address;

“(B) a home, personal mobile, or direct telephone line to a private office or residence;

“(C) a personal email address;

“(D) a social security number, driver’s license number, or voter registration information that includes a home address;

“(E) a bank account or credit or debit card information;

“(F) property tax records or any property ownership records, including a secondary residence and any investment property at which the individual resides for part of a year;

“(G) birth and marriage records;

“(H) vehicle registration information;

“(I) the identification of children of the individual under the age of 18;

“(J) the date of birth;

“(K) directions to a home of the individual or a member of the immediate family of the individual;

“(L) a photograph of any vehicle including the license plate or of a home including an address of the individual or member of the immediate family of the individual;

“(M) the name and location of a school or day care facility attended by a child of the individual or by a child of a member of the immediate family of the individual; or

“(N) the name and location of an employer of the individual or a member of the immediate family of the individual.”

(b) CONFORMING AMENDMENT RELATING TO ENFORCEMENT.—Section 401 of such Act (52 U.S.C. 21111) is amended by striking “and 303” and inserting “303, and 303A”.

(c) CLERICAL AMENDMENT.—The table of contents of such Act is amended by inserting after the item relating to section 303 the following:

“Sec. 303A. Maintenance of list of election officials protected from disclosure of personally identifiable information.”

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect September 1, 2022.

SEC. 1503. PROHIBITING PERSONS FROM MAKING INFORMATION ON PROGRAM PARTICIPANTS AVAILABLE.

(a) REQUIREMENTS FOR PERSONS RECEIVING REQUESTS FROM PROGRAM PARTICIPANTS.—If any person, including a business or association and a local government or other public entity, receives a written request from an individual who is a program participant under the program established by a State under section 303A of the Help America Vote Act of 2002 (hereafter referred to as a “program participant”) or the agent of a program participant to not disclose the participant’s personally identifiable information—

(1) such person may not knowingly post or publicly display the participant’s personally identifiable information on the Internet, including on any website or subsidiary website controlled by such person;

(2) such person may not knowingly transfer for consideration the participant's personally identifiable information to any other person, including a business or association, through any medium;

(3) if the participant or the agent of the participant includes information in the written request to indicate that the disclosure of the participant's personally identifiable information would cause or threaten to cause imminent great bodily harm to the participant or a member of the immediate family of the participant, such person may not knowingly transfer without consideration the participant's personally identifiable information to any other person, including a business or association, through any medium; and

(4) if, prior to receiving the request, such person publicly displayed the participant's personally identifiable information on the Internet on any website or subsidiary website controlled by such person, such person shall remove the information from such websites not later than 72 hours after receiving the request.

(b) ENFORCEMENT.—

(1) ACTION FOR INJUNCTIVE OR DECLARATORY RELIEF.—A program participant who is aggrieved by a violation of subsection (a) or subsection (b) may bring an action seeking injunctive or declaratory relief in any court of competent jurisdiction. If the court grants injunctive or declaratory relief, the person responsible for the violation shall be required to pay the participant's costs and reasonable attorney's fees.

(2) ACTION FOR DAMAGES.—

(A) IN GENERAL.—A program participant who is aggrieved by a violation of subsection (a) or subsection (b) may bring an action for damages in any court of competent jurisdiction.

(B) DAMAGES.—A prevailing plaintiff in an action described in subparagraph (A) shall, for each violation, be awarded damages in an amount determined by the court, except that such amount—

(i) may not exceed 3 times the actual damages to the plaintiff; and

(ii) may not be less than \$10,000.

(c) DEFINITIONS.—In this section, the terms “member of the immediate family” and “personally identifiable information” have the meaning given such terms in section 303A of the Help America Vote Act of 2002.

(d) SEVERABILITY.—If any provision of this section, or the application of a provision of this section to any person or circumstance, is held to be unconstitutional, the remainder of this section, and the application of the provisions of this section to any person or circumstance, shall not be affected by the holding.

3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BURGESS
OF TEXAS OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Strike title II.

4. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CICILLINE OF RHODE ISLAND OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Add at the end of part 1 of subtitle B of division B the following new section:

SEC. 516. WHITE HOUSE EMPLOYEE INFORMATION.

Not later than 90 days after the date of the enactment of this Act and updated not less frequently than annually thereafter, the Executive Office of the President shall make available on a publicly available website in an easily searchable and downloadable format the following information:

(1) The annual salary of each White House employee, which shall be updated quarterly, and the following:

(A) The number of employees who are paid at a rate of basic pay equal to or greater than the rate of basic pay then currently paid for level V of the Executive Schedule of section 5316 of title 5 and who are employed in the White House Office, the Executive Residence at the White House, the Office of the Vice President, the Domestic Policy Staff, or the Office of Administration, and the aggregate amount paid to such employees.

(B) The number of employees employed in such offices who are paid at a rate of basic pay which is equal to or greater than the minimum rate of basic pay then currently paid for GS-16 of the General Schedule of section 5332 of title 5, United States Code, but which is less than the rate then currently paid for level V of the Executive Schedule of section 5316 of such title and the aggregate amount paid to such employees.

(C) The number of employees employed in such offices who are paid at a rate of basic pay which is less than the minimum rate then currently paid for GS-16 of the General Schedule of section 5332 of title 5, United States Code, and the aggregate amount paid to such employees.

(D) The number of individuals detailed under section 112 of title 3, United States Code, for more than 30 days to each such office, the number of days in excess of 30 each individual was detailed, and the aggregate amount of reimbursement made as provided by the provisions of section 112 of such title.

(E) The number of individuals whose services as experts or consultants are procured under chapter 2 title 3, United States Code, for service in any such office, the total number of days employed, and the aggregate amount paid to procure such services.

(2) The most recent financial disclosure statement for each White House employee filed pursuant to the Ethics in Government Act of 1978 (5 U.S.C. App.), which shall be updated annually.

5. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CLARK OF MASSACHUSETTS OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 9, insert after line 12 the following:

SEC. 203. CONTRACTS BY THE PRESIDENT, THE VICE PRESIDENT, OR A CABINET MEMBER.

(a) AMENDMENT.—Section 431 of title 18, United States Code, is amended—

(1) in the section heading, by inserting “**the President, the Vice President, a Cabinet Member, or a**” after “**Contracts by**”; and

(2) in the first undesignated paragraph, by inserting “the President, the Vice President, or any member of the Cabinet,” after “Whoever, being”.

(b) TABLE OF SECTIONS AMENDMENT.—The table of sections for chapter 23 of title 18, United States Code, is amended by striking the item relating to section 431 and inserting the following:

“431. Contracts by the President, the Vice President, a Cabinet Member, or a Member of Congress.”.

6. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE COHEN OF TENNESSEE OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 6, strike lines 17 through 20, and insert the following:

(A) an offense against the United States that arises from an investigation in which the target or subject is—

- (i) the President;
- (ii) a relative of the President;
- (iii) any member or former member of the President’s administration;
- (iv) any person who worked on the President’s presidential campaign as a paid employee; or
- (v) in the case of an offense motivated by a direct and significant personal or pecuniary interest of any individual described in clause (i), (ii), (iii), or (iv), any person or entity;

Page 7, beginning on line 5, strike “has the meaning” and all that follows through “Code.”, and insert the following: “means any family member, up to a third degree relation to the President, or a spouse thereof.”.

7. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE COMER OF KENTUCKY OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 1, strike line 1 and all that follows and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Inspector General Stability Act”.

SEC. 2. REMOVAL OR TRANSFER OF INSPECTORS GENERAL; PLACE-MENT ON NON-DUTY STATUS.

(a) IN GENERAL.—The Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in section 3(b)—

(A) by inserting “(1)(A)” after “(b)”;

(B) in paragraph (1), as so designated—

(i) in subparagraph (A), as so designated, in the second sentence—

(I) by striking “reasons” and inserting the following: “substantive rationale, including detailed and case-specific reasons,”; and

(II) by inserting “(including to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Oversight and Reform of the House of Representatives, and any other congressional committee that has jurisdiction with respect to that Inspector General)” after “Houses of Congress”; and

(ii) by adding at the end the following:

“(B) If there is an open or completed inquiry into an Inspector General that relates to the removal or transfer of the Inspector General under subparagraph (A), the written communication required under that subparagraph shall—

“(i) identify each entity that is conducting, or that conducted, the inquiry; and

“(ii) in the case of a completed inquiry, contain the findings made during the inquiry.”; and

(C) by adding at the end the following:

“(2)(A) Subject to the other provisions of this paragraph, only the President may place an Inspector General on non-duty status.

“(B) If the President places an Inspector General on non-duty status, the President shall communicate in writing the substantive rationale, including detailed and case-specific reasons, for the change in status to both Houses of Congress (including to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Oversight and Reform of the House of Representatives, and any other congressional committee that has jurisdiction with respect to that Inspector General) not later than 15 days before the date on which the change in status takes effect, except that the President may submit that communication on the date on which the change in status takes effect if—

“(i) the President has made a determination that the continued presence of the Inspector General in the workplace poses a threat described in any of clauses (i) through (iv) of section 6329b(b)(2)(A) of title 5, United States Code; and

“(ii) in the communication, the President includes a report on the determination described in clause (i), which shall include—

“(I) a specification of which clause of section 6329b(b)(2)(A) of title 5, United States Code, the President has determined applies under clause (i) of this subparagraph;

“(II) the substantive rationale, including detailed and case-specific reasons, for the determination made under clause (i);

“(III) an identification of each entity that is conducting, or that conducted, any inquiry upon which the determination under clause (i) was made; and

“(IV) in the case of an inquiry described in subclause (III) that is completed, the findings made during that inquiry.

“(C) The President may not place an Inspector General on non-duty status during the 30-day period preceding the date on which

the Inspector General is removed or transferred under paragraph (1)(A) unless the President—

“(i) has made a determination that the continued presence of the Inspector General in the workplace poses a threat described in any of clauses (i) through (iv) of section 6329b(b)(2)(A) of title 5, United States Code; and

“(ii) not later than the date on which the change in status takes effect, submits to both Houses of Congress (including to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Oversight and Reform of the House of Representatives, and any other congressional committee that has jurisdiction with respect to that Inspector General) a written communication that contains the information required under subparagraph (B), including the report required under clause (ii) of that subparagraph.

“(D) For the purposes of this paragraph—

“(i) the term ‘Inspector General’—

“(I) means an Inspector General who was appointed by the President, without regard to whether the Senate provided advice and consent with respect to that appointment; and

“(II) includes the Inspector General of an establishment, the Special Inspector General for Afghanistan Reconstruction, the Special Inspector General for the Troubled Asset Relief Program, and the Special Inspector General for Pandemic Recovery; and

“(ii) a reference to the removal or transfer of an Inspector General under paragraph (1), or to the written communication described in that paragraph, shall be considered to be—

“(I) in the case of the Special Inspector General for Afghanistan Reconstruction, a reference to section 1229(c)(6) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 379);

“(II) in the case of the Special Inspector General for the Troubled Asset Relief Program, a reference to section 121(b)(4) of the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5231(b)(4)); and

“(III) in the case of the Special Inspector General for Pandemic Recovery, a reference to section 4018(b)(3) of the CARES Act (15 U.S.C. 9053(b)(3)).”; and

(2) in section 8G(e)—

(A) in paragraph (1), by inserting “or placement on non-duty status” after “a removal”;

(B) in paragraph (2)—

(i) by inserting “(A)” after “(2)”;

(ii) in subparagraph (A), as so designated, in the first sentence—

(I) by striking “reasons” and inserting the following: “substantive rationale, including detailed and case-specific reasons,”; and

(II) by inserting “(including to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Oversight and Reform of the House of Representatives, and any other congressional committee that has jurisdic-

tion with respect to that Inspector General)” after “Houses of Congress”; and

(iii) by adding at the end the following:

“(B) If there is an open or completed inquiry into an Inspector General that relates to the removal or transfer of the Inspector General under subparagraph (A), the written communication required under that subparagraph shall—

“(i) identify each entity that is conducting, or that conducted, the inquiry; and

“(ii) in the case of a completed inquiry, contain the findings made during the inquiry.”; and

(C) by adding at the end the following:

“(3)(A) Subject to the other provisions of this paragraph, only the head of the applicable designated Federal entity (referred to in this paragraph as the ‘covered official’) may place an Inspector General on non-duty status.

“(B) If a covered official places an Inspector General on non-duty status, the covered official shall communicate in writing the substantive rationale, including detailed and case-specific reasons, for the change in status to both Houses of Congress (including to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Oversight and Reform of the House of Representatives, and any other congressional committee that has jurisdiction with respect to that Inspector General) not later than 15 days before the date on which the change in status takes effect, except that the covered official may submit that communication on the date on which the change in status takes effect if—

“(i) the covered official has made a determination that the continued presence of the Inspector General in the workplace poses a threat described in any of clauses (i) through (iv) of section 6329b(b)(2)(A) of title 5, United States Code; and

“(ii) in the communication, the covered official includes a report on the determination described in clause (i), which shall include—

“(I) a specification of which clause of section 6329b(b)(2)(A) of title 5, United States Code, the covered official has determined applies under clause (i) of this subparagraph;

“(II) the substantive rationale, including detailed and case-specific reasons, for the determination made under clause (i);

“(III) an identification of each entity that is conducting, or that conducted, any inquiry upon which the determination under clause (i) was made; and

“(IV) in the case of an inquiry described in subclause (III) that is completed, the findings made during that inquiry.

“(C) A covered official may not place an Inspector General on non-duty status during the 30-day period preceding the date on which the Inspector General is removed or transferred under paragraph (2)(A) unless the covered official—

“(i) has made a determination that the continued presence of the Inspector General in the workplace poses a threat described in any of clauses (i) through (iv) of section 6329b(b)(2)(A) of title 5, United States Code; and

“(ii) not later than the date on which the change in status takes effect, submits to both Houses of Congress (including to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Oversight and Reform of the House of Representatives, and any other congressional committee that has jurisdiction with respect to that Inspector General) a written communication that contains the information required under subparagraph (B), including the report required under clause (ii) of that subparagraph.

“(D) Nothing in this paragraph may be construed to limit or otherwise modify—

“(i) any statutory protection that is afforded to an Inspector General; or

“(ii) any other action that a covered official may take under law with respect to an Inspector General.”

(b) TECHNICAL AND CONFORMING AMENDMENT.—Section 12(3) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by inserting “except as otherwise expressly provided,” before “the term”.

SEC. 3. CHANGE IN STATUS OF INSPECTOR GENERAL OFFICES.

(a) CHANGE IN STATUS OF INSPECTOR GENERAL OF OFFICE.—Paragraph (1) of section 3(b) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

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

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

(3) by inserting “, change in status,” after “before the removal”.

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

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

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

(3) by inserting “, change in status,” after “before the removal”.

(c) EXCEPTION TO REQUIREMENT TO SUBMIT COMMUNICATION RELATING TO CERTAIN CHANGES IN STATUS.—

(1) COMMUNICATION RELATING TO CHANGE IN STATUS OF INSPECTOR GENERAL OF OFFICE.—Section 3(b) of the Inspector General Act of 1978 (5 U.S.C. App.), as amended by section 2(1), is further amended—

(A) in paragraph (1), by striking “If” and inserting “Except as provided in paragraph (4), if”; and

(B) by adding at the end the following:

“(4) If an Inspector General is placed on paid or unpaid non-duty status, the President may submit the communication described in paragraph (1) to Congress later than 30 days before the Inspector General is placed on paid or unpaid non-duty status, but in any case not later than the date on which the placement takes effect, if—

“(A) the President determines that a delay in placing the Inspector General on paid or unpaid non-duty status would—

“(i) pose a threat to the Inspector General or others;

“(ii) result in the destruction of evidence relevant to an investigation; or

“(iii) result in loss of or damage to Government property;

“(B) in the communication, the President includes—

“(i) a specification of which clause the President relied on to make the determination under subparagraph (A);

“(ii) the substantive rationale, including detailed and case-specific reasons, for such determination;

“(iii) if the President relied on an inquiry to make such determination, an identification of each entity that is conducting, or that conducted, such inquiry; and

“(iv) if an inquiry described in clause (iii) is completed, the findings of that inquiry.

(5) The President may not place an Inspector General on paid or unpaid non-duty status during the 30-day period preceding the date on which the Inspector General is removed or transferred under paragraph (1) unless the President—

“(A) determines that not placing the Inspector General on paid or unpaid non-duty status would—

“(i) pose a threat to the Inspector General or others;

“(ii) result in the destruction of evidence relevant to an investigation; or

“(iii) result in loss of or damage to Government property; and

“(B) on or before the date on which the placement takes effect, submits to the Committee in the House of Representatives and the Committee in the Senate that has jurisdiction over the Inspector General involved, the Committee on Oversight and Reform of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate, a written communication that contains the following information—

“(i) a specification of which clause under subparagraph (A) the President relied on to make the determination under such subparagraph;

“(ii) the substantive rationale, including detailed and case-specific reasons, for such determination;

“(iii) if the President relied on an inquiry to make such determination, an identification of each entity that is conducting, or that conducted, such inquiry; and

“(iv) if an inquiry described in clause (iii) is completed, the findings of that inquiry.”.

(2) COMMUNICATION RELATING TO CHANGE IN STATUS OF INSPECTOR GENERAL OF DESIGNATED FEDERAL ENTITY.—Section 8G(e) of the Inspector General Act Inspector General Act of 1978 (5 U.S.C. App.), as amended by section 2(2), is further amended—

(A) in paragraph (2), by striking “If” and inserting “Except as provided in paragraph (4), if”; and

(B) by adding at the end the following:

“(4) If an Inspector General is placed on paid or unpaid non-duty status, the head of a designated Federal entity may submit the communication described in paragraph (2) to Congress later than 30 days before the Inspector General is placed on paid or unpaid non-duty status, but in any case not later than the date on which the placement takes effect, if—

“(A) the head determines that a delay in placing the Inspector General on paid or unpaid non-duty status would—

“(i) pose a threat to the Inspector General or others;

“(ii) result in the destruction of evidence relevant to an investigation; or

“(iii) result in loss of or damage to Government property;

“(B) in the communication, the head includes—

“(i) a specification of which clause under subparagraph (A) the head relied on to make the determination under such subparagraph;

“(ii) the substantive rationale, including detailed and case-specific reasons, for such determination;

“(iii) if the head relied on an inquiry to make such determination, an identification of each entity that is conducting, or that conducted, such inquiry; and

“(iv) if an inquiry described in clause (iii) is completed, the findings of that inquiry.

“(5) The head may not place an Inspector General on paid or unpaid non-duty status during the 30-day period preceding the date on which the Inspector General is removed or transferred under paragraph (2) unless the head—

“(A) determines that not placing the Inspector General on paid or unpaid non-duty status would—

“(i) pose a threat to the Inspector General or others;

“(ii) result in the destruction of evidence relevant to an investigation; or

“(iii) result in loss of or damage to Government property; and

“(B) on or before the date on which the placement takes effect, submits to the Committee in the House of Representatives and the Committee in the Senate that has jurisdiction over the Inspector General involved, the Committee on Oversight and Reform of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate, a written communication that contains the following information—

“(i) a specification of which clause under subparagraph (A) the head relied on to make the determination under such subparagraph;

“(ii) the substantive rationale, including detailed and case-specific reasons, for such determination;

“(iii) if the head relied on an inquiry to make such determination, an identification of each entity that is conducting, or that conducted, such inquiry; and

“(iv) if an inquiry described in clause (iii) is completed, the findings of that inquiry.”.

(d) APPLICATION.—The amendments made by this section shall apply with respect to removals, transfers, and changes of status occurring on or after the date that is 30 days after the date of the enactment of this Act.

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

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

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

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

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

“(2) a target date for making a formal nomination.”.

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

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

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply to any vacancy first occurring on or after that date.

8. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CONNOLLY OF VIRGINIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Add at the end the following (and update the table of contents accordingly):

TITLE XVI—PREVENTING A PATRONAGE SYSTEM

SEC. 1601. LIMITATIONS ON EXCEPTION OF COMPETITIVE SERVICE POSITIONS.

(a) IN GENERAL.—No position in the competitive service (as defined under section 2102 of title 5, United States Code) may be excepted from the competitive service unless such position is placed—

(1) in any of the schedules A through E as described in section 6.2 of title 5, Code of Federal Regulations, as in effect on September 30, 2020; and

(2) under the terms and conditions under part 6 of such title as in effect on such date.

(b) SUBSEQUENT TRANSFERS.—No position in the excepted service (as defined under section 2103 of title 5, United States Code) may be placed in any schedule other than a schedule described in subsection (a)(1).

9. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CORREA OF CALIFORNIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 57, after line 19, insert the following (and update the table of contents accordingly):

SEC. 525. TREATMENT OF REQUESTS FOR INFORMATION FROM MEMBERS OF CONGRESS.

Section 552(d) of title 5, United States Code, is amended by inserting “, or any member thereof,” after “Congress”.

10. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CORREA OF CALIFORNIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of part 1 of subtitle B of title V, add the following new section:

SEC. 516. MACHINE-READABLE FORMAT REQUIRED FOR AGENCY REPORTS.

Any report required to be submitted to Congress by an executive agency shall be submitted in machine-readable format, unless each committee of Congress to whom the report is submitted waives the requirement.

11. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE DELBENE OF WASHINGTON OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 157, beginning on line 15, strike “**FOREIGN INTERFERENCE**” and insert “**FOREIGN INTERFERENCE; CYBERSECURITY GUIDANCE FOR CAMPAIGNS**”.

Page 175, insert after line 18 the following:

TITLE XV—CYBERSECURITY GUIDANCE FOR CAMPAIGNS

SEC. 1501. ISSUANCE OF CYBERSECURITY GUIDANCE AND BEST PRACTICES FOR CAMPAIGNS BY FEDERAL ELECTION COMMISSION.

(a) IN GENERAL.—Section 311 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30111) is amended by adding at the end the following new subsection:

“(g) ISSUANCE OF CYBERSECURITY GUIDANCE AND BEST PRACTICES.—

“(1) ISSUANCE.—In consultation with the Directory of the National Institute of Standards and Technology, the Director of the Cybersecurity and Infrastructure Security Agency of the Department of Homeland Security, and such other offices of the government as the Commission considers appropriate, the Commission shall issue—

“(A) guidance for political committees and vendors on cybersecurity risks, including threats to the databases of such committees; and

“(B) best practices for political committees to protect their databases from such threats.

“(2) UPDATES.—The Commission shall regularly issue updated versions of the guidance and best practices described in paragraph (1).”

(b) DEADLINE.—The Federal Election Commission shall issue the first guidance and best practices under section 311(g) of the Federal Election Campaign Act of 1971, as added by subsection (a), not later than 6 months after the date of the enactment of this Act.

12. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE FOXX OF NORTH CAROLINA OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Add at the end of title VII of division B the following new subtitle (and update the table of contents accordingly):

Subtitle D—Inspector General for the Office of Management and Budget

SEC. 731. INSPECTOR GENERAL FOR THE OFFICE OF MANAGEMENT AND BUDGET.

(a) ESTABLISHMENT OF OFFICE.—Section 12 of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in paragraph, (1) by inserting “the Director of the Office of Management and Budget,” after “means” ; and

(2) in paragraph (2), by inserting “the Office of Management and Budget,” after “means”.

(b) SPECIAL PROVISIONS CONCERNING THE INSPECTOR GENERAL OF THE OFFICE OF MANAGEMENT AND BUDGET.—The Inspector General Act of 1978 (5 U.S.C. App.) is amended by adding after section 8N the following new section:

“SEC. 80. SPECIAL PROVISIONS CONCERNING THE INSPECTOR GENERAL OF THE OFFICE OF MANAGEMENT AND BUDGET.

“The Inspector General of the Office of Management and Budget shall only have jurisdiction over those matters that have been specifically assigned to the Office under law.”.

(c) APPOINTMENT.—Not later than 120 days after the date of the enactment of this Act, the President shall appoint an individual to serve as the Inspector General of the Office of Management and Budget in accordance with section 3(a) of the Inspector General Act of 1978 (5 U.S.C. App.).

13. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE FOXX OF NORTH CAROLINA OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 25, insert after line 7 the following:

SEC. 406. ENFORCEMENT OF REQUESTS FOR INFORMATION FROM CERTAIN COMMITTEES OF CONGRESS.

For purposes of remedying any failure to comply with a request under section 2954 of title 5, United States Code, section 1365a of title 28, United States Code (as added by section 403), and section 105 of the Revised Statutes of the United States (as added by section 404) shall apply to such a request.

14. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GALLEGU OF ARIZONA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of division A, insert the following:

TITLE IV—ACCOUNTABILITY IN ACCESS TO CLASSIFIED INFORMATION

SEC. 401. TRANSPARENCY IN ACCESS TO CLASSIFIED INFORMATION DURING PRESIDENTIAL TRANSITIONS.

The Presidential Transition Act of 1963 (3 U.S.C. 102 note) is amended in section 3(f) by adding at the end the following:

“(3) Not later than 10 days after submitting an application for a security clearance for any individual, and not later than 10 days after any such individual is granted a security clearance (including an interim clearance), each eligible candidate (as that term is described in subsection (h)(4)(A)) or the President-elect (as the case may be) shall submit a report containing the name of such individual to the Committee on Oversight and Reform of the House of Representatives, the Committee on Homeland Security and Governmental Affairs of the Senate, the Permanent Select Committee on Intelligence of the House of Representatives, and the Select Committee on Intelligence of the Senate.”.

SEC. 402. TRANSPARENCY IN FAMILY ACCESS TO CLASSIFIED INFORMATION.

(a) IN GENERAL.—Not later than 10 days after submitting an application for a security clearance for any covered individual, and not later than 10 days after any covered individual is granted a security clearance (including an interim clearance), the President or head of the applicable agency shall submit a written notice of such application or approval (as the case may be) to the Committee on Oversight and Reform of the House of Representatives, the Committee on Homeland Security and Governmental Affairs of the Senate, the Permanent Select Committee on Intelligence of the House of Representatives, and the Select Committee on Intelligence of the Senate.

(b) COVERED INDIVIDUAL DEFINED.—In this section, the term “covered individual” means a spouse, child, or child-in-law (including adult children and children-in-law) of the President.

15. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GOLDEN OF MAINE OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 14, insert after line 8 the following (and redesignate provisions accordingly):

(b) REPORTING REQUIREMENTS RELATED TO SPOUSES AND DEPENDENT CHILDREN.—Section 102(e)(1) of the Ethics in Government Act of 1978 (5 U.S.C. App.) is amended—

(1) in the matter preceding subparagraph (A), by inserting after “paragraphs (1) through (5)” the following: “and paragraphs (9) through (11)”; and

(2) by inserting after subparagraph (F) the following:

“(G) In the case of items described in paragraphs (9) and (10) of subsection (a), all information required to be reported under these paragraphs.

“(H) In the case of items described in paragraph (11)(A) of subsection (a), any such items received by spouse or dependant child of the President other than items related to the President’s services as President provided for by Fed-

eral law, and in the case of items described in paragraph (11)(B) of subsection (a), all information required to be reported under that paragraph.”.

16. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ISSA OF CALIFORNIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 175, insert after line 18 the following (and redesignate the succeeding provisions accordingly):

DIVISION D—SECURITY CLEARANCES OF EMPLOYEES OF MEMBER OFFICES

TITLE XV—DETERMINATION OF NUMBER OF EMPLOYEES WITH SECURITY CLEARANCES

SEC. 1501. EXCLUSION OF EMPLOYEES WITH EXISTING SECURITY CLEARANCES FROM DETERMINATION OF LIMIT ON NUMBER OF EMPLOYEES OF HOUSE MEMBER OFFICES PERMITTED TO HAVE CLEARANCES.

For purposes of any Rule or regulation of the House of Representatives which limits the number of employees of the office of a Member of the House (including a Delegate or Resident Commissioner to the Congress) who are permitted to have security clearances, an employee of the office who has a valid security clearance which the employee obtained prior to becoming an employee of the Member's office shall not be included in the determination of the number of employees of the office who have security clearances.

SEC. 1502. EXERCISE OF RULEMAKING AUTHORITY.

This title is enacted by Congress—

- (1) as an exercise of the rulemaking power of the House of Representatives, and as such it is deemed a part of the rules of the House of Representatives, and it supersedes other rules only to the extent that it is inconsistent with such rules; and
- (2) with full recognition of the constitutional right of the House of Representatives to change the rules (so far as relating to the procedure of the House) at any time, in the same manner, and to the same extent as in the case of any other rule of the House.

17. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE KILMER OF WASHINGTON OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 157, beginning on line 15, strike “**FOREIGN INTERFERENCE**” and insert “**FOREIGN INTERFERENCE; HONEST ADS**”.

Page 175, insert after line 18 the following (and redesignate the succeeding provisions accordingly):

TITLE XV—HONEST ADS

SEC. 1501. SHORT TITLE.

This title may be cited as the “Honest Ads Act”.

SEC. 1502. PURPOSE.

The purpose of this title is to enhance the integrity of American democracy and national security by improving disclosure require-

ments for online political advertisements in order to uphold the Supreme Court’s well-established standard that the electorate bears the right to be fully informed.

SEC. 1503. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the dramatic increase in digital political advertisements, and the growing centrality of online platforms in the lives of Americans, requires the Congress and the Federal Election Commission to take meaningful action to ensure that laws and regulations provide the accountability and transparency that is fundamental to our democracy;

(2) free and fair elections require both transparency and accountability which give the public a right to know the true sources of funding for political advertisements in order to make informed political choices and hold elected officials accountable; and

(3) transparency of funding for political advertisements is essential to enforce other campaign finance laws, including the prohibition on campaign spending by foreign nationals.

SEC. 1504. EXPANSION OF DEFINITION OF PUBLIC COMMUNICATION.

(a) **IN GENERAL.**—Paragraph (22) of section 301 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30101(22)) is amended by striking “or satellite communication” and inserting “satellite, paid internet, or paid digital communication”.

(b) **TREATMENT OF CONTRIBUTIONS AND EXPENDITURES.**—Section 301 of such Act (52 U.S.C. 30101) is amended—

(1) in paragraph (8)(B)(v), by striking “on broadcasting stations, or in newspapers, magazines, or similar types of general public political advertising” and inserting “in any public communication”; and

(2) in paragraph (9)(B)—

(A) by amending clause (i) to read as follows:

“(i) any news story, commentary, or editorial distributed through the facilities of any broadcasting station or any print, online, or digital newspaper, magazine, blog, publication, or periodical, unless such broadcasting, print, online, or digital facilities are owned or controlled by any political party, political committee, or candidate;” and

(B) in clause (iv), by striking “on broadcasting stations, or in newspapers, magazines, or similar types of general public political advertising” and inserting “in any public communication”.

(c) **DISCLOSURE AND DISCLAIMER STATEMENTS.**—Subsection (a) of section 318 of such Act (52 U.S.C. 30120) is amended—

(1) by striking “financing any communication through any broadcasting station, newspaper, magazine, outdoor advertising facility, mailing, or any other type of general public political advertising” and inserting “financing any public communication”; and

(2) by striking “solicits any contribution through any broadcasting station, newspaper, magazine, outdoor advertising facility, mailing, or any other type of general public political ad-

vertising” and inserting “solicits any contribution through any public communication”.

SEC. 1505. EXPANSION OF DEFINITION OF ELECTIONEERING COMMUNICATION.

(a) **EXPANSION TO ONLINE COMMUNICATIONS.—**

(1) **APPLICATION TO QUALIFIED INTERNET AND DIGITAL COMMUNICATIONS.—**

(A) **IN GENERAL.—**Subparagraph (A) of section 304(f)(3) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30104(f)(3)(A)) is amended by striking “or satellite communication” each place it appears in clauses (i) and (ii) and inserting “satellite, or qualified internet or digital communication”.

(B) **QUALIFIED INTERNET OR DIGITAL COMMUNICATION.—**Paragraph (3) of section 304(f) of such Act (52 U.S.C. 30104(f)) is amended by adding at the end the following new subparagraph:

“(D) **QUALIFIED INTERNET OR DIGITAL COMMUNICATION.—**The term ‘qualified internet or digital communication’ means any communication which is placed or promoted for a fee on an online platform (as defined in subsection (k)(3)).”.

(2) **NONAPPLICATION OF RELEVANT ELECTORATE TO ONLINE COMMUNICATIONS.—**Section 304(f)(3)(A)(i)(III) of such Act (52 U.S.C. 30104(f)(3)(A)(i)(III)) is amended by inserting “any broadcast, cable, or satellite” before “communication”.

(3) **NEWS EXEMPTION.—**Section 304(f)(3)(B)(i) of such Act (52 U.S.C. 30104(f)(3)(B)(i)) is amended to read as follows:

“(i) a communication appearing in a news story, commentary, or editorial distributed through the facilities of any broadcasting station or any online or digital newspaper, magazine, blog, publication, or periodical, unless such broadcasting, online, or digital facilities are owned or controlled by any political party, political committee, or candidate;”.

(b) **EFFECTIVE DATE.—**The amendments made by this section shall apply with respect to communications made on or after January 1, 2022.

SEC. 1506. APPLICATION OF DISCLAIMER STATEMENTS TO ONLINE COMMUNICATIONS.

(a) **CLEAR AND CONSPICUOUS MANNER REQUIREMENT.—**Subsection (a) of section 318 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30120(a)) is amended—

(1) by striking “shall clearly state” each place it appears in paragraphs (1), (2), and (3) and inserting “shall state in a clear and conspicuous manner”; and

(2) by adding at the end the following flush sentence: “For purposes of this section, a communication does not make a statement in a clear and conspicuous manner if it is difficult to read or hear or if the placement is easily overlooked.”.

(b) **SPECIAL RULES FOR QUALIFIED INTERNET OR DIGITAL COMMUNICATIONS.—**

(1) **IN GENERAL.—**Section 318 of such Act (52 U.S.C. 30120) is amended by adding at the end the following new subsection:

“(e) SPECIAL RULES FOR QUALIFIED INTERNET OR DIGITAL COMMUNICATIONS.—

“(1) SPECIAL RULES WITH RESPECT TO STATEMENTS.—In the case of any qualified internet or digital communication (as defined in section 304(f)(3)(D)) which is disseminated through a medium in which the provision of all of the information specified in this section is not possible, the communication shall, in a clear and conspicuous manner—

“(A) state the name of the person who paid for the communication; and

“(B) provide a means for the recipient of the communication to obtain the remainder of the information required under this section with minimal effort and without receiving or viewing any additional material other than such required information.

“(2) SAFE HARBOR FOR DETERMINING CLEAR AND CONSPICUOUS MANNER.—A statement in qualified internet or digital communication (as defined in section 304(f)(3)(D)) shall be considered to be made in a clear and conspicuous manner as provided in subsection (a) if the communication meets the following requirements:

“(A) TEXT OR GRAPHIC COMMUNICATIONS.—In the case of a text or graphic communication, the statement—

“(i) appears in letters at least as large as the majority of the text in the communication; and

“(ii) meets the requirements of paragraphs (2) and (3) of subsection (c).

“(B) AUDIO COMMUNICATIONS.—In the case of an audio communication, the statement is spoken in a clearly audible and intelligible manner at the beginning or end of the communication and lasts at least 3 seconds.

“(C) VIDEO COMMUNICATIONS.—In the case of a video communication which also includes audio, the statement—

“(i) is included at either the beginning or the end of the communication; and

“(ii) is made both in—

“(I) a written format that meets the requirements of subparagraph (A) and appears for at least 4 seconds; and

“(II) an audible format that meets the requirements of subparagraph (B).

“(D) OTHER COMMUNICATIONS.—In the case of any other type of communication, the statement is at least as clear and conspicuous as the statement specified in subparagraph (A), (B), or (C).”.

(2) NONAPPLICATION OF CERTAIN EXCEPTIONS.—The exceptions provided in section 110.11(f)(1)(i) and (ii) of title 11, Code of Federal Regulations, or any successor to such rules, shall have no application to qualified internet or digital communications (as defined in section 304(f)(3)(D) of the Federal Election Campaign Act of 1971).

(c) MODIFICATION OF ADDITIONAL REQUIREMENTS FOR CERTAIN COMMUNICATIONS.—Section 318(d) of such Act (52 U.S.C. 30120(d)) is amended—

(1) in paragraph (1)(A)—

- (A) by striking “which is transmitted through radio” and inserting “which is in an audio format”; and
- (B) by striking “BY RADIO” in the heading and inserting “AUDIO FORMAT”;
- (2) in paragraph (1)(B)—
 - (A) by striking “which is transmitted through television” and inserting “which is in video format”; and
 - (B) by striking “BY TELEVISION” in the heading and inserting “VIDEO FORMAT”; and
- (3) in paragraph (2)—
 - (A) by striking “transmitted through radio or television” and inserting “made in audio or video format”; and
 - (B) by striking “through television” in the second sentence and inserting “in video format”.

SEC. 1507. POLITICAL RECORD REQUIREMENTS FOR ONLINE PLATFORMS.

(a) **IN GENERAL.**—Section 304 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30104), as amended by section 1301(a)(1), is further amended by adding at the end the following new subsection:

“(k) **DISCLOSURE OF CERTAIN ONLINE ADVERTISEMENTS.**—

“(1) **IN GENERAL.**—

“(A) **REQUIREMENTS FOR ONLINE PLATFORMS.**—An online platform shall maintain, and make available for online public inspection in machine readable format, a complete record of any request to purchase on such online platform a qualified political advertisement which is made by a person whose aggregate requests to purchase qualified political advertisements on such online platform during the calendar year exceeds \$500.

“(B) **REQUIREMENTS FOR ADVERTISERS.**—Any person who requests to purchase a qualified political advertisement on an online platform shall provide the online platform with such information as is necessary for the online platform to comply with the requirements of subparagraph (A).

“(2) **CONTENTS OF RECORD.**—A record maintained under paragraph (1)(A) shall contain—

“(A) a digital copy of the qualified political advertisement;

“(B) a description of the audience targeted by the advertisement, the number of views generated from the advertisement, and the date and time that the advertisement is first displayed and last displayed; and

“(C) information regarding—

“(i) the average rate charged for the advertisement;

“(ii) the name of the candidate to which the advertisement refers and the office to which the candidate is seeking election, the election to which the advertisement refers, or the national legislative issue to which the advertisement refers (as applicable);

“(iii) in the case of a request made by, or on behalf of, a candidate, the name of the candidate, the authorized committee of the candidate, and the treasurer of such committee; and

“(iv) in the case of any request not described in clause (iii), the name of the person purchasing the advertisement, the name and address of a contact person for such person, and a list of the chief executive officers or members of the executive committee or of the board of directors of such person, and, if the person purchasing the advertisement is acting as the agent of a foreign principal under the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 611 et seq.), a statement that the person is acting as the agent of a foreign principal and the identification of the foreign principal involved.

“(3) ONLINE PLATFORM.—For purposes of this subsection, the term ‘online platform’ means any public-facing website, web application, or digital application (including a social network, ad network, or search engine) which—

“(A) sells qualified political advertisements; and

“(B) has 50,000,000 or more unique monthly United States visitors or users for a majority of months during the preceding 12 months.

“(4) QUALIFIED POLITICAL ADVERTISEMENT.—For purposes of this subsection, the term ‘qualified political advertisement’ means any advertisement (including search engine marketing, display advertisements, video advertisements, native advertisements, and sponsorships) that—

“(A) is made by or on behalf of a candidate; or

“(B) communicates a message relating to any political matter of national importance, including—

“(i) a candidate;

“(ii) any election to Federal office; or

“(iii) a national legislative issue of public importance.

“(5) TIME TO MAINTAIN FILE.—The information required under this subsection shall be made available as soon as possible and shall be retained by the online platform for a period of not less than 4 years.

“(6) SAFE HARBOR FOR PLATFORMS MAKING BEST EFFORTS TO IDENTIFY REQUESTS WHICH ARE SUBJECT TO RECORD MAINTENANCE REQUIREMENTS.—In accordance with rules established by the Commission, if an online platform shows that the platform used best efforts to determine whether or not a request to purchase a qualified political advertisement was subject to the requirements of this subsection, the online platform shall not be considered to be in violation of such requirements.

“(7) PENALTIES.—For penalties for failure by online platforms, and persons requesting to purchase a qualified political advertisement on online platforms, to comply with the requirements of this subsection, see section 309.”.

(b) RULEMAKING.—Not later than 120 days after the date of the enactment of this Act, the Federal Election Commission shall establish rules—

(1) requiring common data formats for the record required to be maintained under section 304(k) of the Federal Election Campaign Act of 1971 (as added by subsection (a)) so that all

online platforms submit and maintain data online in a common, machine-readable and publicly accessible format;

(2) establishing search interface requirements relating to such record, including searches by candidate name, issue, purchaser, and date; and

(3) establishing the criteria for the safe harbor exception provided under paragraph (6) of section 304(k) of such Act (as added by subsection (a)).

(c) REPORTING.—Not later than 2 years after the date of the enactment of this Act, and biannually thereafter, the Chairman of the Federal Election Commission shall submit a report to Congress on—

(1) matters relating to compliance with and the enforcement of the requirements of section 304(k) of the Federal Election Campaign Act of 1971, as added by subsection (a);

(2) recommendations for any modifications to such section to assist in carrying out its purposes; and

(3) identifying ways to bring transparency and accountability to political advertisements distributed online for free.

SEC. 1508. PREVENTING CONTRIBUTIONS, EXPENDITURES, INDEPENDENT EXPENDITURES, AND DISBURSEMENTS FOR ELECTIONEERING COMMUNICATIONS BY FOREIGN NATIONALS IN THE FORM OF ONLINE ADVERTISING.

Section 319 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30121), as amended by section 1401(a), is further amended by adding at the end the following new subsection:

“(d) RESPONSIBILITIES OF BROADCAST STATIONS, PROVIDERS OF CABLE AND SATELLITE TELEVISION, AND ONLINE PLATFORMS.—

“(1) RESPONSIBILITIES DESCRIBED.—Each television or radio broadcast station, provider of cable or satellite television, or online platform (as defined in section 304(k)(3)) shall make reasonable efforts to ensure that communications described in section 318(a) and made available by such station, provider, or platform are not purchased by a foreign national, directly or indirectly. For purposes of the previous sentence, a station, provider, or online platform shall not be considered to have made reasonable efforts under this paragraph in the case of the availability of a communication unless the station, provider, or online platform directly inquires from the individual or entity making such purchase whether the purchase is to be made by a foreign national, directly or indirectly.

“(2) SPECIAL RULES FOR DISBURSEMENT PAID WITH CREDIT CARD.—For purposes of paragraph (1), a television or radio broadcast station, provider of cable or satellite television, or online platform shall be considered to have made reasonable efforts under such paragraph in the case of a purchase of the availability of a communication which is made with a credit card if—

“(A) the individual or entity making such purchase is required, at the time of making such purchase, to disclose the credit verification value of such credit card; and

“(B) the billing address associated with such credit card is located in the United States or, in the case of a purchase made by an individual who is a United States citizen living outside of the United States, the individual provides

the television or radio broadcast station, provider of cable or satellite television, or online platform with the United States mailing address the individual uses for voter registration purposes.”.

SEC. 1509. INDEPENDENT STUDY ON MEDIA LITERACY AND ONLINE POLITICAL CONTENT CONSUMPTION.

(a) INDEPENDENT STUDY.—Not later than 30 days after the date of enactment of this Act, the Federal Election Commission shall commission an independent study and report on media literacy with respect to online political content consumption among voting-age Americans.

(b) ELEMENTS.—The study and report under subsection (a) shall include the following:

(1) An evaluation of media literacy skills, such as the ability to evaluate sources, synthesize multiple accounts into a coherent understanding of an issue, understand the context of communications, and responsibly create and share information, among voting-age Americans.

(2) An analysis of the effects of media literacy education and particular media literacy skills on the ability to critically consume online political content, including political advertising.

(3) Recommendations for improving voting-age Americans’ ability to critically consume online political content, including political advertising.

(c) DEADLINE.—Not later than 270 days after the date of enactment of this Act, the entity conducting the study and report under subsection (a) shall submit the report to the Commission.

(d) SUBMISSION TO CONGRESS.—Not later than 30 days after receiving the report under subsection (c), the Commission shall submit the report to the Committee on House Administration of the House of Representatives and the Committee on Rules and Administration of the Senate, together with such comments on the report as the Commission considers appropriate.

(e) DEFINITION OF MEDIA LITERACY.—The term “media literacy” means the ability to—

(1) access relevant and accurate information through media;

(2) critically analyze media content and the influences of media;

(3) evaluate the comprehensiveness, relevance, credibility, authority, and accuracy of information;

(4) make educated decisions based on information obtained from media and digital sources;

(5) operate various forms of technology and digital tools; and

(6) reflect on how the use of media and technology may affect private and public life.

18. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LYNCH OF MASSACHUSETTS OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 157, beginning on line 15, strike “**FOREIGN INTERFERENCE**” and insert “**FOREIGN INTERFERENCE; PROHIBITING USE OF DEEPPAKES IN CAMPAIGNS**”.

Page 175, insert after line 18 the following (and redesignate the succeeding provisions accordingly:

**TITLE XV—PROHIBITING USE OF DEEPAKES IN
ELECTION CAMPAIGNS**

SEC. 1501. PROHIBITION ON DISTRIBUTION OF MATERIALLY DECEPTIVE AUDIO OR VISUAL MEDIA PRIOR TO ELECTION.

(a) **IN GENERAL.**—Title III of the Federal Election Campaign Act of 1971 (52 U.S.C. 30101 et seq.) is amended by adding at the end the following new section:

“SEC. 325. PROHIBITION ON DISTRIBUTION OF MATERIALLY DECEPTIVE MEDIA PRIOR TO ELECTION.

“(a) **IN GENERAL.**—Except as provided in subsections (b) and (c), a person, political committee, or other entity shall not, within 60 days of a election for Federal office at which a candidate for elective office will appear on the ballot, distribute, with actual malice, materially deceptive audio or visual media of the candidate with the intent to injure the candidate’s reputation or to deceive a voter into voting for or against the candidate.

“(b) **EXCEPTION.**—

“(1) **REQUIRED LANGUAGE.**—The prohibition in subsection (a) does not apply if the audio or visual media includes—

“(A) a disclosure stating: “This _____ has been manipulated.”; and

“(B) filled in the blank in the disclosure under subparagraph (A), the term ‘image’, ‘video’, or ‘audio’, as most accurately describes the media.

“(2) **VISUAL MEDIA.**—For visual media, the text of the disclosure shall appear in a size that is easily readable by the average viewer and no smaller than the largest font size of other text appearing in the visual media. If the visual media does not include any other text, the disclosure shall appear in a size that is easily readable by the average viewer. For visual media that is video, the disclosure shall appear for the duration of the video.

“(3) **AUDIO-ONLY MEDIA.**—If the media consists of audio only, the disclosure shall be read in a clearly spoken manner and in a pitch that can be easily heard by the average listener, at the beginning of the audio, at the end of the audio, and, if the audio is greater than 2 minutes in length, interspersed within the audio at intervals of not greater than 2 minutes each.

“(c) **INAPPLICABILITY TO CERTAIN ENTITIES.**—This section does not apply to the following:

“(1) A radio or television broadcasting station, including a cable or satellite television operator, programmer, or producer, that broadcasts materially deceptive audio or visual media prohibited by this section as part of a bona fide newscast, news interview, news documentary, or on-the-spot coverage of bona fide news events, if the broadcast clearly acknowledges through content or a disclosure, in a manner that can be easily heard or read by the average listener or viewer, that there are questions about the authenticity of the materially deceptive audio or visual media.

“(2) A radio or television broadcasting station, including a cable or satellite television operator, programmer, or producer, when it is paid to broadcast materially deceptive audio or visual media.

“(3) An internet website, or a regularly published newspaper, magazine, or other periodical of general circulation, including an internet or electronic publication, that routinely carries news and commentary of general interest, and that publishes materially deceptive audio or visual media prohibited by this section, if the publication clearly states that the materially deceptive audio or visual media does not accurately represent the speech or conduct of the candidate.

“(4) Materially deceptive audio or visual media that constitutes satire or parody.

“(d) CIVIL ACTION.—

“(1) INJUNCTIVE OR OTHER EQUITABLE RELIEF.—A candidate for elective office whose voice or likeness appears in a materially deceptive audio or visual media distributed in violation of this section may seek injunctive or other equitable relief prohibiting the distribution of audio or visual media in violation of this section. An action under this paragraph shall be entitled to precedence in accordance with the Federal Rules of Civil Procedure.

“(2) DAMAGES.—A candidate for elective office whose voice or likeness appears in a materially deceptive audio or visual media distributed in violation of this section may bring an action for general or special damages against the person, committee, or other entity that distributed the materially deceptive audio or visual media. The court may also award a prevailing party reasonable attorney’s fees and costs. This paragraph shall not be construed to limit or preclude a plaintiff from securing or recovering any other available remedy.

“(3) BURDEN OF PROOF.—In any civil action alleging a violation of this section, the plaintiff shall bear the burden of establishing the violation through clear and convincing evidence.

“(e) RULE OF CONSTRUCTION.—This section shall not be construed to alter or negate any rights, obligations, or immunities of an interactive service provider under section 230 of title 47, United States Code.

“(f) MATERIALLY DECEPTIVE AUDIO OR VISUAL MEDIA DEFINED.—In this section, the term ‘materially deceptive audio or visual media’ means an image or an audio or video recording of a candidate’s appearance, speech, or conduct that has been intentionally manipulated in a manner such that both of the following conditions are met:

“(1) The image or audio or video recording would falsely appear to a reasonable person to be authentic.

“(2) The image or audio or video recording would cause a reasonable person to have a fundamentally different understanding or impression of the expressive content of the image or audio or video recording than that person would have if the person were hearing or seeing the unaltered, original version of the image or audio or video recording.”

(b) CRIMINAL PENALTIES.—Section 309(d)(1) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30109(d)(1)), as amended by section 1303, is further amended by adding at the end the following new subparagraph:

“(G) Any person who knowingly and willfully commits a violation of section 325 shall be fined not more than \$100,000, imprisoned not more than 5 years, or both.”

(c) EFFECT ON DEFAMATION ACTION.—For purposes of an action for defamation, a violation of section 325 of the Federal Election Campaign Act of 1971, as added by subsection (a), shall constitute defamation per se.

19. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MALONEY OF NEW YORK OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Insert after section 202 the following:

SEC. 203. FORFEITURE OF BENEFITS FOR FORMER PRESIDENTS CONVICTED OF A FELONY.

The Act entitled “An Act to provide retirement, clerical assistants, and free mailing privileges to former Presidents of the United States, and for other purposes”, approved August 25, 1958 (commonly known as the “Former Presidents Act of 1958”; 3 U.S.C. 102 note), is amended—

(1) in subsection (a), by striking “Each former President” and inserting “Subject to subsection (h), each former President”;

(2) in subsection (f), by striking paragraph (2) and inserting: “(2) who has not been impeached by the House of Representatives and convicted by the Senate pursuant to the impeachment.”; and

(3) by adding at the end the following new subsection:

“(h)(1) If a former President is finally convicted of a felony for which every act or omission that is needed to satisfy the elements of the felony is committed during or after the period such former President holds the office of President of the United States of America, or was finally convicted of such a felony while holding such office—

“(A) no monetary allowance under subsection (a) may be provided to such former President;

“(B) no funds may be obligated or expended under subsection (g) with respect to such former President except to the extent necessary to maintain the security of such former President, as determined by the Director of the Secret Service; and

“(C) such former President shall repay any amounts received under subsection (a) during the period beginning on the date on which such former President is initially convicted of the felony and ending on the date such former President is finally convicted of the felony.

“(2) The term ‘finally convicted’ means a conviction—

“(A) which has not been appealed and is no longer appealable because the time for taking an appeal has expired; or

“(B) which has been appealed and the appeals process for which is completed.”.

20. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MCGOVERN OF MASSACHUSETTS OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 59, line 18, insert “substantially” before “the same”.

Page 60, after line 8, insert the following:

“(e) LIMITATIONS.—

“(1) IN GENERAL.—Any emergency powers invoked by the President pursuant to a national emergency declared under this section shall relate to the nature of, and may be used only to address, that emergency.

“(2) AUTHORIZATION OR FUNDING WITHHELD.—No authority available to the President during a national emergency declared under this section may be used to provide authorization or funding for any program, project, or activity for which Congress, on or after the date of the events giving rise to the emergency declaration, has withheld authorization or funding.”.

Page 62, line 17, insert “, including a joint resolution of termination defined in section 203,” before “terminating the emergency”.

Page 62, line 17, strike “; or” and insert a semicolon.

Page 62, line 19, strike the period at the end and insert “; or”.

Page 62, after line 19, insert the following:

“(E) the date provided for in section 204.”.

Page 64, after line 3, insert the following (and redesignate the subsequent subsections accordingly in the matter proposed to be added as section 203 of the National Emergencies Act):

“(b) JOINT RESOLUTION OF TERMINATION DEFINED.—In this section, the term ‘joint resolution of termination’ means a resolution introduced in the House or Senate to terminate—

“(1) a national emergency declared under this Act; or

“(2) the exercise of any authorities pursuant to that emergency.”.

Page 64, line 5, insert “AND JOINT RESOLUTIONS OF TERMINATION” after “APPROVAL”.

Page 64, strike lines 14 through 16 (relating to the matter proposed to be added as a paragraph (2)) and redesignate the subsequent paragraphs accordingly.

Page 67, beginning line 17, strike “a motion” and insert “another motion”.

Page 63, beginning line 10, through page 71, line 7, (relating to the matter proposed to be added as section 203 of the National Emergencies Act), insert “or joint resolution of termination” after “joint resolution of approval” each place it appears (except for page 68, line 2, and page 68, line 6).

Page 71, after line 7, insert the following:

“SEC. 204. BAR ON PERMANENT EMERGENCIES.

“(a) IN GENERAL.—Any national emergency declared by the President under section 201(a), and not otherwise terminated, shall automatically terminate on the date that is 5 years after the date of its declaration.

“(b) EMERGENCIES ALREADY IN EFFECT.—Any national emergency declaration that remains in force as of the date of the enactment of this section and—

“(1) has been in effect for 3 years or fewer as of such date, shall automatically terminate on the date that is 5 years after the date of the enactment of this section; or

“(2) has been in effect for more than 3 years as of such date, shall automatically terminate on the date that is 2 years after the date of the enactment of this section.

“(c) EFFECT OF TERMINATION.—If a national emergency declaration terminates pursuant to this section, no emergency may subsequently be declared based on substantially the same circumstances.”

Page 71, line 8, strike “Sec. 204.” and insert “Sec. 205.”

21. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE OCASIO-CORTEZ OF NEW YORK OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of title X, add the following:

SEC. 1003. INCLUDING EXECUTIVE OFFICE OF THE PRESIDENT UNDER LIMITATION ON NEPOTISM IN THE CIVIL SERVICE.

Section 3110(a)(1)(A) of title 5, United States Code, is amended by inserting “, including the Executive Office of the President” after “Executive agency”.

22. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE OCASIO-CORTEZ OF NEW YORK OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Insert after section 1002 the following:

Subtitle B—Strengthening Ethics Enforcement and Penalties for Federal Executive Employees

SEC. 1011. ETHICS PLEDGE.

Every appointee in every executive agency appointed on or after January 20, 2021, shall sign, and upon signing shall be contractually committed to, the following pledge upon becoming an appointee:

I recognize that this pledge is part of a broader ethics in government plan designed to restore and maintain public trust in government, and I commit myself to conduct consistent with that plan. I commit to decision-making on the merits and exclusively in the public interest, without regard to private gain or personal benefit. I commit to conduct that upholds the independence of law enforcement and precludes improper interference with investigative or prosecutorial decisions of the Department of Justice. I commit to ethical choices of post-Government employment that do not raise the appearance that I have used my Government service for private gain, including by using confidential information acquired and relationships established for the benefit of future clients.

Accordingly, as a condition, and in consideration, of my employment in the United States Government in a position invested with the public trust, I commit myself to the following obligations, which I understand are binding on me and are enforceable under law:

“(1) Lobbyist Gift Ban.—I will not accept gifts from registered lobbyists or lobbying organizations for the duration of my service as an appointee.

“(2) Revolving Door Ban; All Appointees Entering Government.—I will not for a period of 2 years from the date of my appointment participate in any particular matter involving specific parties that is directly and substantially related to my

former employer or former clients, including regulations and contracts.

“(3) Revolving Door Ban; Lobbyists and Registered Agents Entering Government.—If I was registered under the Lobbying Disclosure Act, 2 U.S.C. 1601 et seq., or the Foreign Agents Registration Act (FARA), 22 U.S.C. 611 et seq., within the 2 years before the date of my appointment, in addition to abiding by the limitations of paragraph 2, I will not for a period of 2 years after the date of my appointment:

“(A) participate in any particular matter on which I lobbied, or engaged in registrable activity under FARA, within the 2 years before the date of my appointment;

“(B) participate in the specific issue area in which that particular matter falls; or

“(C) seek or accept employment with any executive agency with respect to which I lobbied, or engaged in registrable activity under FARA, within the 2 years before the date of my appointment.

“(4) Revolving Door Ban; Appointees Leaving Government.—If, upon my departure from the Government, I am covered by the post-employment restrictions on communicating with employees of my former executive agency set forth in section 207(c) of title 18, United States Code, and its implementing regulations, I agree that I will abide by those restrictions for a period of 2 years following the end of my appointment. I will abide by these same restrictions with respect to communicating with the senior White House staff.

“(5) Revolving Door Ban; Senior and Very Senior Appointees Leaving Government.— If, upon my departure from the Government, I am covered by the post-employment restrictions set forth in sections 207(c) or 207(d) of title 18, United States Code, and those sections’ implementing regulations, I agree that, in addition, for a period of 1 year following the end of my appointment, I will not materially assist others in making communications or appearances that I am prohibited from undertaking myself by—

“(A) holding myself out as being available to engage in lobbying activities in support of any such communications or appearances; or

“(B) engaging in any such lobbying activities.

“(6) Revolving Door Ban; Appointees Leaving Government to Lobby.—In addition to abiding by the limitations of paragraph 4, I also agree, upon leaving Government service, not to lobby any covered executive branch official or non-career Senior Executive Service appointee, or engage in any activity on behalf of any foreign government or foreign political party which, were it undertaken on January 20, 2021, would require that I register under FARA, for the remainder of the Administration or 2 years following the end of my appointment, whichever is later.

“(7) Golden Parachute Ban.—I have not accepted and will not accept, including after entering Government, any salary or other cash payment from my former employer the eligibility for and payment of which is limited to individuals accepting a position in the United States Government. I also have not accept-

ed and will not accept any non-cash benefit from my former employer that is provided in lieu of such a prohibited cash payment.

“(8) Employment Qualification Commitment.—I agree that any hiring or other employment decisions I make will be based on the candidate’s qualifications, competence, and experience.

“(9) Assent to Enforcement.—I acknowledge that title XVI of the Protecting Our Democracy Act, which I have read before signing this document, defines certain of the terms applicable to the foregoing obligations and sets forth the methods for enforcing them. I expressly accept the provisions of that title as a part of this agreement and as binding on me. I understand that the terms of this pledge are in addition to any statutory or other legal restrictions applicable to me by virtue of Federal Government service.”.

SEC. 1012. DEFINITIONS.

For purposes of this title and the pledge set forth in section 1101 of this title:

(1) “Executive agency” shall include each “executive agency” as defined by section 105 of title 5, United States Code, and shall include the Executive Office of the President; provided, however, that “executive agency” shall include the United States Postal Service and Postal Regulatory Commission, but shall exclude the Government Accountability Office.

(2) “Appointee” shall include every full-time, non-career Presidential or Vice-Presidential appointee, non-career appointee in the Senior Executive Service (or other SES-type system), and appointee to a position that has been excepted from the competitive service by reason of being of a confidential or policymaking character (Schedule C and other positions excepted under comparable criteria) in an executive agency. It does not include any person appointed as a member of the Senior Foreign Service or solely as a uniformed service commissioned officer.

(3) “Gift”—

(A) shall have the definition set forth in section 2635.203(b) of title 5, Code of Federal Regulations;

(B) shall include gifts that are solicited or accepted indirectly, as defined in section 2635.203(f) of title 5, Code of Federal Regulations; and

(C) shall exclude those items excluded by sections 2635.204(b), (c), (e)(1) and (3), and (j) through (l) of title 5, Code of Federal Regulations.

(4) “Covered executive branch official” and “lobbyist” shall have the definitions set forth in section 1602 of title 2, United States Code.

(5) “Registered lobbyist or lobbying organization” shall mean a lobbyist or an organization filing a registration pursuant to section 1603(a) of title 2, United States Code, and in the case of an organization filing such a registration, “registered lobbyist” shall include each of the lobbyists identified therein.

(6) “Lobby” and “lobbied” shall mean to act or have acted as a registered lobbyist.

(7) “Lobbying activities” shall have the definition set forth in section 1602 of title 2, United States Code.

(8) “Materially assist” means to provide substantive assistance but does not include providing background or general education on a matter of law or policy based upon an individual’s subject matter expertise, nor any conduct or assistance permitted under section 207(j) of title 18, United States Code.

(9) “Particular matter” shall have the same meaning as set forth in section 207 of title 18, United States Code, and section 2635.402(b)(3) of title 5, Code of Federal Regulations.

(10) “Particular matter involving specific parties” shall have the same meaning as set forth in section 2641.201(h) of title 5, Code of Federal Regulations, except that it shall also include any meeting or other communication relating to the performance of one’s official duties with a former employer or former client, unless the communication applies to a particular matter of general applicability and participation in the meeting or other event is open to all interested parties.

(11) “Former employer” is any person for whom the appointee has within the 2 years prior to the date of his or her appointment served as an employee, officer, director, trustee, or general partner, except that “former employer” does not include any executive agency or other entity of the Federal Government, State or local government, the District of Columbia, Native American tribe, any United States territory or possession, or any international organization in which the United States is a member state.

(12) “Former client” is any person for whom the appointee served personally as agent, attorney, or consultant within the 2 years prior to the date of his or her appointment, but excluding instances where the service provided was limited to speeches or similar appearances. It does not include clients of the appointee’s former employer to whom the appointee did not personally provide services.

(13) “Directly and substantially related to my former employer or former clients” shall mean matters in which the appointee’s former employer or a former client is a party or represents a party.

(14) “Participate” means to participate personally and substantially.

(15) “Government official” means any employee of the executive branch.

(16) “Administration” means all terms of office of the incumbent President serving at the time of the appointment of an appointee covered by this title.

(17) “Pledge” means the ethics pledge set forth in section 1011 of this title.

(18) “Senior White House staff” means any person appointed by the President to a position under sections 105(a)(2)(A) or (B) of title 3, United States Code, or by the Vice President to a position under sections 106(a)(1)(A) or (B) of title 3.

(19) All references to provisions of law and regulations shall refer to such provisions as are in effect on January 20, 2021.

SEC. 1013. WAIVER.

(a) The Director of the Office of Management and Budget (OMB), in consultation with the Counsel to the President, may grant to any current or former appointee a written waiver of any restric-

tions contained in the pledge signed by such appointee if, and to the extent that, the Director of OMB certifies in writing:—

(1) that the literal application of the restriction is inconsistent with the purposes of the restriction; or

(2) that it is in the public interest to grant the waiver. Any such written waiver should reflect the basis for the waiver and, in the case of a waiver of the restrictions set forth in paragraphs (3)(B) and (C) of the pledge, a discussion of the findings with respect to the factors set forth in subsection (b) of this section.

(b) A waiver shall take effect when the certification is signed by the Director of OMB and shall be made public within 10 days thereafter.

(c) The public interest shall include, but not be limited to, exigent circumstances relating to national security, the economy, public health, or the environment. In determining whether it is in the public interest to grant a waiver of the restrictions contained in paragraphs (3)(B) and (C) of the pledge, the responsible official may consider the following factors—

(1) the government's need for the individual's services, including the existence of special circumstances related to national security, the economy, public health, or the environment;

(2) the uniqueness of the individual's qualifications to meet the government's needs;

(3) the scope and nature of the individual's prior lobbying activities, including whether such activities were de minimis or rendered on behalf of a nonprofit organization; and

(4) the extent to which the purposes of the restriction may be satisfied through other limitations on the individual's services, such as those required by paragraph (3)(A) of the pledge.

SEC. 1014. ADMINISTRATION.

(a) The head of every executive agency shall, in consultation with the Director of the Office of Government Ethics, establish such rules or procedures (conforming as nearly as practicable to the agency's general ethics rules and procedures, including those relating to designated agency ethics officers) as are necessary or appropriate to ensure—

(1) that every appointee in the agency signs the pledge upon assuming the appointed office or otherwise becoming an appointee;

(2) that compliance with paragraph (3) of the pledge is addressed in a written ethics agreement with each appointee to whom it applies, which agreement shall also be approved by the Counsel to the President prior to the appointee commencing work;

(3) that spousal employment issues and other conflicts not expressly addressed by the pledge are addressed in ethics agreements with appointees or, where no such agreements are required, through ethics counseling; and

(4) that the agency generally complies with this title.

(b) With respect to the Executive Office of the President, the duties set forth in subsection (a) shall be the responsibility of the Counsel to the President.

(c) The Director of the Office of Government Ethics shall—

(1) ensure that the pledge and a copy of this title are made available for use by agencies in fulfilling their duties under subsection (a);

(2) in consultation with the Attorney General or the Counsel to the President, when appropriate, assist designated agency ethics officers in providing advice to current or former appointees regarding the application of the pledge; and

(3) in consultation with the Attorney General and the Counsel to the President, adopt such rules or procedures as are necessary or appropriate—

(A) to carry out the foregoing responsibilities;

(B) to authorize limited exceptions to the lobbyist gift ban for circumstances that do not implicate the purposes of the ban;

(C) to make clear that no person shall have violated the lobbyist gift ban if the person properly disposes of a gift as provided by section 2635.206 of title 5, Code of Federal Regulations;

(D) to ensure that existing rules and procedures for Government employees engaged in negotiations for future employment with private businesses that are affected by the employees' official actions do not affect the integrity of the Government's programs and operations; and

(E) to ensure, in consultation with the Director of the Office of Personnel Management, that the requirement set forth in paragraph (6) of the pledge is honored by every employee of the executive branch; and

(4) in consultation with the Director of OMB, report to the President on whether full compliance is being achieved with existing laws and regulations governing executive branch procurement lobbying disclosure. This report shall include recommendations on steps the executive branch can take to expand, to the fullest extent practicable, disclosure of both executive branch procurement lobbying and of lobbying for Presidential pardons. These recommendations shall include both immediate actions the executive branch can take and, if necessary, recommendations for legislation; and

(5) provide an annual public report on the administration of the pledge and this title.

(d) The Director of the Office of Government Ethics shall, in consultation with the Attorney General, the Counsel to the President, and the Director of the Office of Personnel Management, report to the President on steps the executive branch can take to expand to the fullest extent practicable the revolving door ban set forth in paragraph (5) of the pledge to all executive branch employees who are involved in the procurement process such that they may not for 2 years after leaving Government service lobby any Government official regarding a Government contract that was under their official responsibility in the last 2 years of their Government service. This report shall include both immediate actions the executive branch can take and, if necessary, recommendations for legislation.

(e) All pledges signed by appointees, and all waiver certifications with respect thereto, shall be filed with the head of the appointee's agency for permanent retention in the appointee's official personnel folder or equivalent folder.

SEC. 1015. ENFORCEMENT.

(a) The contractual, fiduciary, and ethical commitments in the pledge provided for herein are solely enforceable by the United States pursuant to this section by any legally available means, including debarment proceedings within any affected executive agency or judicial civil proceedings for declaratory, injunctive, or monetary relief.

(b) Any former appointee who is determined, after notice and hearing, by the duly designated authority within any agency, to have violated his or her pledge may be barred from lobbying any officer or employee of that agency for up to 5 years in addition to the time period covered by the pledge. The head of every executive agency shall, in consultation with the Director of the Office of Government Ethics, establish procedures to implement this subsection, which procedures shall include (but not be limited to) providing for fact-finding and investigation of possible violations of this title and for referrals to the Attorney General for consideration pursuant to subsection (c) of this section.

(c) The Attorney General is authorized—

(1) upon receiving information regarding the possible breach of any commitment in a signed pledge, to request any appropriate Federal investigative authority to conduct such investigations as may be appropriate; and

(2) upon determining that there is a reasonable basis to believe that a breach of a commitment has occurred or will occur or continue, if not enjoined, to commence a civil action against the former employee in any United States District Court with jurisdiction to consider the matter.

(d) In any such civil action, the Attorney General is authorized to request any and all relief authorized by law, including but not limited to:

(1) such temporary restraining orders and preliminary and permanent injunctions as may be appropriate to restrain future, recurring, or continuing conduct by the former employee in breach of the commitments in the pledge he or she signed; and

(2) establishment of a constructive trust for the benefit of the United States, requiring an accounting and payment to the United States Treasury of all money and other things of value received by, or payable to, the former employee arising out of any breach or attempted breach of the pledge signed by the former employee.

SEC. 1016. GENERAL PROVISIONS.

(a) If any provision of this title or the application of such provision is held to be invalid, the remainder of this title and other dissimilar applications of such provision shall not be affected.

(b) Nothing in this title shall be construed to impair or otherwise affect—

(1) the authority granted by law to an executive department or agency, or the head thereof; or

(2) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(c) This title shall be implemented consistent with applicable law and subject to the availability of appropriations.

(d) This title is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

23. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE OCASIO-CORTEZ OF NEW YORK OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 17, insert after line 9 the following (and conform the table of contents accordingly):

SEC. 308. RULEMAKING FOR ETHICS REQUIREMENTS FOR LEGAL EXPENSE FUNDS.

(a) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Director of the Office of Government Ethics shall finalize a rule establishing ethics requirements for the establishment or operation of a legal expense fund for the benefit of the President, the Vice President, or any political appointee (as such term is defined in section 1216 of title 5, United States Code) consistent with the requirements of subsection (b).

(b) **LIMITATIONS ON ACCEPTANCE OF CERTAIN PAYMENTS.**—A legal expense fund described in subsection (a) may not accept any contribution or other payment made by—

- (1) an individual who is a registered lobbyist under the Lobbying Disclosure Act of 1995 (2 U.S.C. 1601 et seq.); or
- (2) an agent of a foreign principal.

In the case of any such contribution being made, the legal expense fund shall take appropriate remedial action and the Director of the Office of Government Ethics may assess a fine against the individual or agent. For purposes of this section, the term “agent of a foreign principal” has the meaning given such term under section 1 of the Foreign Agents Registration Act of 1938, as amended (2 U.S.C. 611).

24. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE OCASIO-CORTEZ OF NEW YORK OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 17, after line 9, insert the following:

SEC. 308. LIMITATIONS AND DISCLOSURE OF CERTAIN DONATIONS TO, AND DISBURSEMENTS BY, INAUGURAL COMMITTEES.

(a) **REQUIREMENTS FOR INAUGURAL COMMITTEES.**—Title III of the Federal Election Campaign Act of 1971 (52 U.S.C. 30101 et seq.) is amended by adding at the end the following new section:

“SEC. 325. INAUGURAL COMMITTEES.

“(a) **PROHIBITED DONATIONS.**—

“(1) **IN GENERAL.**—It shall be unlawful—

“(A) for an Inaugural Committee—

“(i) to solicit, accept, or receive a donation from a person that is not an individual; or

“(ii) to solicit, accept, or receive a donation from a foreign national;

“(B) for a person—

“(i) to make a donation to an Inaugural Committee in the name of another person, or to knowingly authorize his or her name to be used to effect such a donation;

“(ii) to knowingly accept a donation to an Inaugural Committee made by a person in the name of another person; or

“(iii) to convert a donation to an Inaugural Committee to personal use as described in paragraph (2); and

“(C) for a foreign national to, directly or indirectly, make a donation, or make an express or implied promise to make a donation, to an Inaugural Committee.

“(2) CONVERSION OF DONATION TO PERSONAL USE.—For purposes of paragraph (1)(B)(iii), a donation shall be considered to be converted to personal use if any part of the donated amount is used—

“(A) to fulfill a commitment, obligation, or expense of a person that would exist irrespective of the responsibilities of the Inaugural Committee; or

“(B) to benefit the personal business venture of the President or Vice President of the United States, the Inaugural Committee, or an immediate family member of such individuals.

“(3) NO EFFECT ON DISBURSEMENT OF UNUSED FUNDS TO NON-PROFIT ORGANIZATIONS.—Nothing in this subsection may be construed to prohibit an Inaugural Committee from disbursing unused funds to an organization which is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

“(b) LIMITATION ON DONATIONS.—

“(1) IN GENERAL.—It shall be unlawful for an individual to make donations to an Inaugural Committee which, in the aggregate, exceed \$50,000.

“(2) INDEXING.—At the beginning of each Presidential election year (beginning with 2028), the amount described in paragraph (1) shall be increased by the cumulative percent difference determined in section 315(c)(1)(A) since the previous Presidential election year. If any amount after such increase is not a multiple of \$1,000, such amount shall be rounded to the nearest multiple of \$1,000.

“(c) DISCLOSURE OF CERTAIN DONATIONS AND DISBURSEMENTS.—

“(1) DONATIONS OVER \$1,000.—

“(A) IN GENERAL.—An Inaugural Committee shall file with the Commission a report disclosing any donation by an individual to the committee in an amount of \$1,000 or more not later than 24 hours after the receipt of such donation.

“(B) CONTENTS OF REPORT.—A report filed under subparagraph (A) shall contain—

“(i) the amount of the donation;

“(ii) the date the donation is received; and

“(iii) the name and address of the individual making the donation.

“(2) FINAL REPORT.—Not later than the date that is 90 days after the date of the Presidential inaugural ceremony, the Inaugural Committee shall file with the Commission a report containing the following information:

“(A) For each donation of money or anything of value made to the committee in an aggregate amount equal to or greater than \$200—

“(i) the amount of the donation;

“(ii) the date the donation is received; and

“(iii) the name and address of the individual making the donation.

“(B) The total amount of all disbursements, and all disbursements in the following categories:

“(i) Disbursements made to meet committee operating expenses.

“(ii) Repayment of all loans.

“(iii) Donation refunds and other offsets to donations.

“(iv) Any other disbursements.

“(C) The name and address of each person—

“(i) to whom a disbursement in an aggregate amount or value in excess of \$200 is made by the committee to meet a committee operating expense, together with date, amount, and purpose of such operating expense;

“(ii) who receives a loan repayment from the committee, together with the date and amount of such loan repayment;

“(iii) who receives a donation refund or other offset to donations from the committee, together with the date and amount of such disbursement; and

“(iv) to whom any other disbursement in an aggregate amount or value in excess of \$200 is made by the committee, together with the date and amount of such disbursement.

“(d) VIOLATION.—A violation of this section may be enforced pursuant to the practice and procedure described under section 309 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30109).

“(e) RULE OF CONSTRUCTION.—Nothing in this section may be construed to limit the authority of a Federal agency to enforce a Federal law with respect to an Inaugural Committee.

“(f) DEFINITIONS.—For purposes of this section:

“(1)(A) The term ‘donation’ includes—

“(i) any gift, subscription, loan, advance, or deposit of money or anything of value made by any person to the committee; or

“(ii) the payment by any person of compensation for the personal services of another person which are rendered to the committee without charge for any purpose.

“(B) The term ‘donation’ does not include the value of services provided without compensation by any individual who volunteers on behalf of the committee.

“(2) The term ‘foreign national’ has the meaning given that term by section 319(b).

“(3) The term ‘immediate family member’ means a parent, parent-in-law, spouse, adult child, or sibling.

“(4) The term ‘Inaugural Committee’ has the meaning given that term by section 501 of title 36, United States Code.”.

(b) CONFIRMING AMENDMENT RELATED TO REPORTING REQUIREMENTS.—Section 304 of the Federal Election Campaign Act (52 U.S.C. 30104) is amended—

(1) by striking subsection (h); and

(2) by redesignating subsection (i) as subsection (h).

(c) CONFORMING AMENDMENT RELATED TO STATUS OF COMMITTEE.—Section 510 of title 36, United States Code, is amended to read as follows:

“§ 510. Disclosure of and prohibition on certain donations

“A committee shall not be considered to be the Inaugural Committee for purposes of this chapter unless the committee agrees to, and meets, the requirements of section 325 of the Federal Election Campaign Act of 1971.”.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to Inaugural Committees established under chapter 5 of title 36, United States Code, for inaugurations held in 2025 and any succeeding year.

25. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE OCASIO-CORTEZ OF NEW YORK OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of subtitle B of title VIII add the following:

SEC. 814. GOVERNMENT ACCOUNTABILITY OFFICE AUDITS AND INVESTIGATIONS.

(a) AMENDMENT.—Title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.) is amended by adding at the end the following new section:

“SEC. 513. GOVERNMENT ACCOUNTABILITY OFFICE ANALYSES, EVALUATIONS, AND INVESTIGATIONS.

“(a) IN GENERAL.—The Director of National Intelligence shall, to the extent consistent with due regard for the protection from unauthorized disclosure of classified information relating to sensitive intelligence sources and methods, ensure that personnel of the Government Accountability Office designated by the Comptroller General are provided with access to all information in the possession of an element of the intelligence community that the Comptroller General determines is necessary for such personnel to conduct an analysis, evaluation, or investigation of a program or activity of an element of the intelligence community that is requested by a committee of Congress with jurisdiction over such program or activity.

“(b) CONFIDENTIALITY.—(1) The Comptroller General shall maintain the same level of confidentiality for information made available for an analysis, evaluation, or investigation referred to in subsection (a) as is required of the head of the element of the intelligence community from which such information is obtained. Officers and employees of the Government Accountability Office are subject to the same statutory penalties for unauthorized disclosure or use of such information as officers or employees of the element of the intelligence community that provided the Comptroller Gen-

eral or officers and employees of the Government Accountability Office with access to such information.

“(2) The Comptroller General shall establish procedures to protect from unauthorized disclosure all classified and other sensitive information furnished to the Comptroller General or any representative of the Comptroller General for conducting an analysis, evaluation, or investigation referred to in subsection (a). Such procedures shall be established in consultation with the Director of National Intelligence and the congressional intelligence committees.

“(3) Before initiating an analysis, evaluation, or investigation referred to in subsection (a), the Comptroller General shall provide the Director of National Intelligence and the head of each relevant element of the intelligence community with the name of each officer and employee of the Government Accountability Office who has obtained appropriate security clearance and to whom, upon proper identification, records and information of the element of the intelligence community shall be made available in conducting such analysis, evaluation, or investigation.

“(4) Any analysis, evaluation, or report prepared pursuant to this provision shall be unclassified but may include a classified annex, which shall be submitted to the congressional intelligence committees and, consistent with the protection of intelligence sources and methods, to the requesting committee with jurisdiction over the program or activity that is the subject of the report.”

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of the National Security Act of 1947 is amended by inserting after the item relating to section 512 the following new item:

“Sec. 513. Government Accountability Office analyses, evaluations, and investigations.”

26. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE OMAR OF MINNESOTA OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 122, line 23, insert before “a commissioned officer” the following: “a fellow or intern at an agency,”

27. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE PASCRELL JR. OF NEW JERSEY OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Add at the end of section 1002 the following:

(c) CRIMINAL PENALTY.—

(1) IN GENERAL.—Subchapter III of chapter 73 of title 5, United States Code, is amended by adding after section 7326 the following:

“§ 7328. Criminal penalty for Hatch Act violations

“(a) IN GENERAL.—Any person who knowingly violates section 7323 or 7324 shall be fined \$50,000 (notwithstanding section 3571(e) of title 18), or imprisoned for not more than 1 year, or both. Notwithstanding section 3571(e) of title 18, for each violation after the first, the fine applicable under this section shall be double the amount of the fine assessed for the previous violation.

“(b) ATTORNEY FEES.—A court may assess against the United States reasonable attorney fees and other litigation costs reasonably incurred in any case under this section in which an employee

has established, by a preponderance of the evidence, that a superior ordered or otherwise coerced the employee into taking any act that resulted in a violation of such section 7323 or 7324.”.

(2) CLERICAL AMENDMENT.—The table of sections of such subchapter is amended by inserting after the item relating to section 7326 the following:

“7328. Criminal penalty for Hatch Act violations.”.

(3) TRAINING.—After an individual’s first violation of section 7323 or 7324 of title 5, United States Code, such individual shall be provided training by the employing agency on how to avoid subsequent violations of either such section.

Insert after section 1002 the following:

SEC. 1003. DISCLOSURE OF HATCH ACT INVESTIGATIONS FOR CERTAIN POLITICAL EMPLOYEES.

Section 1216 of title 5, United States Code, is amended by adding at the end the following:

“(d)(1) With respect to any investigation of an allegation of prohibited activity under subsection (a)(1) against a political employee, not later than 14 days after the Special Counsel makes a final determination under such investigation with respect to whether a violation occurred, the Special Counsel shall—

“(A) publish, on the Office of Special Counsel’s website, such determination and a report on that determination; and

“(B) submit such report to the Committee on Oversight and Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate.

“(2) In this subsection, the term ‘political employee’ means any individual occupying any of the following positions in the executive branch of Government (including an individual carrying out the duties of a position described in paragraph (1) in an acting capacity):

“(A) Any position required to be filled by an appointment by the President by and with the advice and consent of the Senate.

“(B) Any position in the executive branch of the Government of a confidential or policy-determining character under schedule C of subpart C of part 213 of title 5, Code of Federal Regulations.

“(C) Any position in or under the Executive Office of the President.

“(D) Any position in or under the Office of the Vice President.

“(E) Any position in the Senior Executive Service that is not a career appointee, a limited term appointee, or a limited emergency appointee (as those terms are defined in section 3132(a)).”.

SEC. 1004. CLARIFICATION ON CANDIDATES VISITING FEDERAL PROPERTY.

(a) IN GENERAL.—Section 7323 of title 5, United States Code, is amended by adding at the end the following:

“(d) Nothing in this section or section 7324 shall be construed to prohibit an employee from allowing a Member of Congress or any other elected official from visiting Federal facilities for an official purpose, including receiving briefings, tours, or other official information.”.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Such section 7323 is further amended—

(1) in subsection (a)(1), by striking “his” and inserting “the employee’s”; and

(2) in subsection (c)—

(A) by striking “he” and inserting “the employee”; and

(B) by striking “his” and inserting “the employee’s”.

SEC. 1005. APPLYING HATCH ACT TO PRESIDENT AND VICE PRESIDENT WHILE ON FEDERAL PROPERTY.

(a) IN GENERAL.—Subchapter III of chapter 73 of title 5, United States Code, as amended by section 1002(c), is further amended by redesignating section 7326 as section 7327 and by inserting after section 7325 the following:

“§ 7326. Limitations on political activity of president and vice president while on White House grounds

“Notwithstanding section 7322(1), the prohibitions on political activity under section 7323(a) and section 7324 shall apply to the President and Vice President while the President and Vice President are on or in any part of the White House and White House grounds that is regularly used in the discharge of official duties.”.

(b) CLERICAL AMENDMENT.—The table of sections of such subchapter, as amended by section 1002(c), is further amended by striking the item relating to section 7326 and inserting the following:

“7326. Limitations on political activity of President and Vice President while on Federal property
“7327. Penalties”.

SEC. 1006. GRANTING THE OFFICE OF SPECIAL COUNSEL RULE-MAKING AUTHORITY.

Notwithstanding any other law, rule, or regulation, the Office of Special Counsel shall have exclusive authority to promulgate regulations with respect to authority granted to the Office under the Hatch Act.

SEC. 1007. GREATER ACCOUNTABILITY FOR POLITICAL APPOINTEES.

Section 1204(c) of title 5, United States Code, is amended by adding at the end the following: “Notwithstanding the previous sentences, in the case of contumacy or failure by an individual to obey a subpoena issued under subsection (b)(2)(A) or section 1214(b) with respect to an investigation into any violation of section 7323 or 7324, the Board may issue an order requiring that individual to appear at any designated place to testify or to produce documentary or other evidence.”.

SEC. 1008. INVESTIGATING FORMER POLITICAL EMPLOYEES.

Notwithstanding any other provision of law, the Office of Special Counsel may continue an investigation of a violation of section 7323 or 7324 of title 5, United States Code, of an individual who is a former employee but only if such investigation commenced while the individual was an employee. In this section, the term “employee” has the meaning given that term in section 7322(1) of such title.

SEC. 1009. GAO REVIEW OF REIMBURSABLE POLITICAL EVENTS.

Not later than 60 days after the date of enactment of this Act, the Comptroller General shall submit to Congress a report on reimbursable political events held at the White House or on the White House grounds during the period beginning on January 1, 1997, and ending on the date of enactment of this Act. Such report shall include the following:

- (1) Whether, during such period, the requirements in annual appropriations Acts with respect to reimbursable political events have been followed, including the requirements under the heading “Executive Residence At the White House—Reimbursable Expenses” in division D of Public Law 116–6.
- (2) An assessment of what constitutes a political event during such period.
- (3) Whether an event that was not classified as a political event during such period should have been classified as such an event.
- (4) A review of any payment made by a political entity under the terms of such requirements.
- (5) Recommendations for Congress on—
 - (A) a definition for the term “political event”; and
 - (B) how to assess whether administrations are following such requirements and how to hold administrations accountable if such requirements are not followed.

28. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE PHILLIPS OF MINNESOTA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Add at the end the following:

SEC. ____ . PROHIBITION ON USE OF FEDERAL PROPERTY FOR POLITICAL CONVENTIONS.

(a) IN GENERAL.—Chapter 29 of title 18, United States Code, is amended by inserting after section 611 the following:

“§ 612. Prohibition on use of Federal property for certain political activities

“(a) A convention of a national political party held to nominate a candidate for the office of President or Vice President may not be held on or in any Federal property.

“(b) Any candidate or the authorized committee of the candidate under the Federal Election Campaign Act of 1971 which was responsible for a convention in violation of subsection (a) shall be subject to an assessment of a civil penalty equal to the fair market value of the cost of the convention or \$50,000, whichever is greater, or imprisoned not more than five years, or both.

“(c) In this section, the term ‘Federal property’ means any building, land, or other real property owned, leased, or occupied by any department, agency, or instrumentality of the United States, including the White House grounds and the White House (including the Old Executive Office Building, the West Wing, the East Wing, the Rose Garden, and the Executive Residence, but not including the second floor of the Executive Residence).”

(b) CLERICAL AMENDMENT.—The table of sections for such chapter is amended by inserting after the item relating to section 611 the following:

“612. Prohibition on use of Federal property for certain political activities.”.

(c) APPLICATION.—

(1) IN GENERAL.—This Act and the amendments made by this Act shall apply to any convention described in section 612(a) of title 18, United States Code, as added by subsection (a), occurring on or after the date of enactment of this Act.

(2) TRAVEL.—Nothing in this Act or the amendments made by this Act shall be construed to limit or otherwise prevent the President or Vice President from using vehicles (including aircraft) owned or leased by the Government for travel to or from any such convention.

29. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE PHILLIPS OF MINNESOTA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 175, insert after line 18 the following (and redesignate the succeeding provisions accordingly):

DIVISION D—RANKED CHOICE VOTING

TITLE XV—ASSISTANCE FOR TRANSITION TO RANKED CHOICE VOTING

SEC. 1501. SHORT TITLE.

This title may be cited as the “Voter Choice Act”.

SEC. 1502. ASSISTANCE FOR TRANSITION TO RANKED CHOICE VOTING.

(a) IN GENERAL.—Title V of the Help America Vote Act of 2002 (52 U.S.C. 21121 et seq.) is amended by adding at the end the following:

“Subtitle B—Ranked Choice Voting Program

“SEC. 511. RANKED CHOICE VOTING PROGRAM.

“(a) DEFINITION OF RANKED CHOICE VOTING SYSTEM.—For purposes of this subtitle, the term ‘ranked choice voting system’ means a set of election methods which allow each voter to rank contest options in order of the voter’s preference, in which votes are counted in rounds using a series of runoff tabulations to defeat contest options with the fewest votes, and which elects a winner with a majority of final round votes in a single-winner contest and provides proportional representation in multi-winner contests.

“(b) PROGRAM.—The Commission shall establish a program under which the Commission—

“(1) provides technical assistance to State and local governments that are considering whether to make, or that are in the process of making, a transition to a ranked choice voting system for Federal, State, or local elections; and

“(2) awards grants to States and local government to support the transition to a ranked choice voting system, including through the acquisition of voting equipment and tabulation software, appropriate ballot design, the development and publication of educational materials, and voter outreach.

“(c) RULES FOR GRANTS.—

“(1) SELECTION OF GRANT RECIPIENTS.—To the extent possible, the Commission shall award grants under subsection (b)(2) to areas that represent a diversity of jurisdictions with respect to geography, population characteristics, and population density.

“(2) AWARD LIMITATION.—The amount of any grant awarded under subsection (b)(2) shall not exceed 50 percent of the cost of the activities covered by the grant.

“SEC. 512. AUTHORIZATION OF APPROPRIATIONS.

“(a) IN GENERAL.—In addition to any funds authorized to be appropriated to the Commission under section 210, there are authorized to be appropriated to carry out this subtitle \$40,000,000 for fiscal year 2022.

“(b) AVAILABILITY OF FUNDS.—Amounts appropriated pursuant to the authorization under this section shall remain available, without fiscal year limitation, until expended.”.

(b) CONFORMING AMENDMENTS.—

(1) Section 202(6) of the Help America Vote Act of 2002 (52 U.S.C. 20922) is amended by striking “the Help America Vote College Program under title V” and inserting “the programs under title V”.

(2) Title V of the Help America Vote Act of 2002 (52 U.S.C. 21121 et seq.) is amended by striking the matter preceding section 501 and inserting the following:

“TITLE V—ELECTION ASSISTANCE PROGRAMS

“Subtitle A—Help America Vote College Program”.

(3) Section 503 of such Act (52 U.S.C. 21123) is amended by striking “title” and inserting “subtitle”.

(4) The table of sections of the Help America Vote Act of 2002 is amended—

(A) by striking the item relating to title V and inserting the following:

“TITLE V—ELECTION ASSISTANCE PROGRAMS

“Subtitle A—Help America Vote College Program and

(B) by inserting after the item relating to section 503 the following:

“Subtitle B—Ranked Choice Voting Program

“Sec. 511. Ranked choice voting program.

“Sec. 512. Authorization of appropriations.”.

30. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE QUIGLEY OF ILLINOIS OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Add at the end the following:

SEC. ____ . IMPROVING ACCESS TO INFLUENTIAL VISITOR ACCESS RECORDS.

(a) **DEFINITIONS.**—In this section:

(1) **COVERED LOCATION.**—The term “covered location” means—

- (A) the White House;
- (B) the residence of the Vice President; and
- (C) any other location at which the President or the Vice President regularly conducts official business.

(2) **COVERED RECORDS.**—The term “covered records” means information relating to a visit at a covered location, which shall include—

- (A) the name of each visitor at the covered location;
- (B) the name of each individual with whom each visitor described in subparagraph (A) met at the covered location; and
- (C) the purpose of the visit.

(b) **REQUIREMENT.**—Except as provided in subsection (c), not later than 90 days after the date of enactment of this Act, the President shall establish and update, every 90 days thereafter, a publicly available database that contains covered records for the preceding 90-day period, on a publicly available website in an easily searchable and downloadable format.

(c) **EXCEPTIONS.**—

(1) **IN GENERAL.**—The President shall not include in the database established under subsection (b) any covered record—

- (A) the posting of which would implicate personal privacy or law enforcement concerns or threaten national security;
- (B) relating to a purely personal guest at a covered location; or
- (C) that reveals the social security number, taxpayer identification number, birth date, home address, or personal phone number of an individual, the name of an individual who is less than 18 years old, or a financial account number.

(2) **SENSITIVE MEETINGS.**—With respect to a particularly sensitive meeting at a covered location, the President shall—

- (A) include the number of visitors at the covered location in the database established under subsection (b);
- (B) post the applicable covered records in the database established under subsection (b) when the President determines that release of the covered records is no longer sensitive; and
- (C) post any reasonably segregable portion that is not covered by an exception described in subsection (c) of any such excepted record on the website described under subsection (b).

31. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE RASKIN OF MARYLAND OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 9, after line 2, insert the following (and redesignate the following subsections accordingly):

“(d) DELAY IN TRIAL OR OTHER LEGAL PROCEEDINGS.—In the case of an indictment of any person serving as President or Vice President of the United States, a trial or other legal proceeding with respect to such indictment may be delayed at the discretion of a court of competent jurisdiction to the extent that ongoing criminal proceedings would interfere with the performance of the defendant’s duties while in office.

“(e) BURDEN OF PROOF.—With respect to an exercise of discretion under subsection (d), the burden of proof shall be on the defendant to demonstrate that an ongoing criminal proceeding would pose a substantial burden on the defendant’s ability to fulfill the duties of the defendant’s office.”.

32. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ROSS OF NORTH CAROLINA OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 9, insert after line 12 the following:

SEC. 203. LIMITATION ON NONDISCLOSURE AGREEMENTS.

The President may not require an officer or employee of the Executive Office of the President to enter into a nondisclosure agreement that is not related to the protection of classified or controlled unclassified information as a condition of employment or upon separation from the civil service.

33. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ROSS OF NORTH CAROLINA OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 176, insert after line 3 the following (and conform the table of contents accordingly):

DIVISION E—PROTECTING ELECTION OFFICIALS

TITLE XVI—DOJ TASK FORCE

SEC. 1601. ELECTION OFFICIALS SECURITY TASK FORCE.

The Attorney General shall establish a task force, to be headed by the head of the Civil Rights Division of the Department of Justice, for purposes of studying threats or acts of violence against the people responsible for ensuring the integrity of Federal and State elections in the United States, and their families, and to provide expertise and resources for the identification, investigation, and prosecution of the persons responsible for such threats and acts, including by making referrals for criminal prosecutions. The task force shall include representatives from the following:

- (1) The Federal Bureau of Investigation.
 - (2) The United States Marshals Service.
 - (3) The Cybersecurity and Infrastructure Security Agency of the Department of Homeland Security.
 - (4) State and local prosecutors and election officials.
 - (5) The Election Assistance Commission.
 - (6) Elections officials associations.
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34. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SCANLON
OF PENNSYLVANIA OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 86, line 12, strike “January 30 and July 30 of each year”
and insert “January 30, April 30, July 30, and October 30 of each
year”.

Page 86, beginning on line 16, strike “the 6-month period pre-
ceding that January or July” and insert “the 3-month period pre-
ceding that January, April, July, or October”.

