

Transparency in Government Act

Section by Section

TITLE I: IMPROVING ACCESS TO INFORMATION ABOUT MEMBERS OF CONGRESS AND CONGRESSIONAL OFFICES

Sec. 101. Greater Disclosure and Electronic Filing of Personal Financial Information

Requires Members, officers and specified government employees to provide more detailed information on all their financial disclosure reports. Requires these reports to be filed electronically and posted for public review within 48 hours.

Sec. 102. Greater Disclosure of Foreign Travel Reports

Requires Members to file foreign travel reports electronically and requires the Clerk to make these reports available online within 48 hours of the submission deadline in a searchable, sortable, machine readable, downloadable format.

Sec. 103. Greater Disclosure of Gift Reports

Requires Members to file gift disclosure reports electronically and requires the Clerk of the House to make the reports available within 48 hours of filing in an online searchable, sortable, machine readable, downloadable format.

Sec. 104. Greater Disclosure of Earmarks

Requires Members to post their earmark requests on their websites within 24 hours of submitting requests and requires the committees accepting requests to post all earmark requests with links to the Members' websites.

Sec. 105. Greater Disclosure of MRA's

Requires the House Clerk's office to post each member's disbursement reports online in a searchable, sortable, machine readable, downloadable format within 30 days of the new fiscal year. Also, requires each member's website to link to their disbursement report.

Sec. 106. GAO Study on the Effects of Lettermarking

Requires the GAO to conduct a study, which analyzes letters sent by Members of Congress to the Administration and their impact on project funding.

TITLE II: ENHANCING PUBLIC ACCESS TO THE WORK OF CONGRESSIONAL COMMITTEES, LEGISLATION AND VOTES

Sec. 201. Increase Transparency of Committee Work

Requires all committees and subcommittees to post public hearings and markup schedules online as soon as information is available to the committee. Additionally, requires committees to post the topic, related legislation, testimony of witnesses, opening statements of the chair and ranking minority member, transcripts, and audio and video recordings online within 45 days.

Sec. 202. Increase Transparency of Committee Schedules through the Clerk

Requires the Clerk of the House to provide, in a structured data format, a complete list of all public hearing and mark-up schedules of committees and subcommittees, including links to committee websites.

Sec. 203. Increase Transparency of Recorded Votes

Requires Clerk of the House to publish each Member's recorded votes in a structured data format to be easily searchable by each Member.

TITLE III: ENHANCING PUBLIC ACCESS TO CONGRESSIONAL RESEARCH SERVICE

Sec. 301. Short title; Findings

The Congressional Research Service, a special reference unit within the Library of Congress, offers invaluable research and analysis to Members of Congress on all current and emerging issues of national policy.

Sec. 302. Availability of Certain Congressional Research Service information

Directs the Clerk of the House to establish and maintain a centralized, online, searchable, database of certain Congressional Research Service publications.

Sec. 303. Other Methods of Public Access

Requires each official public website of a Member of the House of Representatives, a committee of the House of Representatives, or a joint committee of the Congress to permit members of the public to use their website to obtain the information contained in the database established under section 302.

Sec. 304. Definitions.

Defines the term "Clerk", "Director" and "Member of the House of Representatives."

Sec. 305. Effective Date

TITLE IV: IMPROVING LOBBYIST DISCLOSURE REQUIREMENTS

Sec. 401. Short Title

Establishes the title as the "Lobbyist Disclosure Enhancement Act"

Sec. 402. Modification to Enforcement

Requires the Attorney General to establish the Lobbying Disclosure Act Enforcement Task Force, which will be responsible for investigating and prosecuting cases referred to the Task Force; collecting and disseminating information on the enforcement of the LDA; annually auditing a random sampling of lobbying registration reports to ensure compliance; establishing, publicizing and operating a hotline for reporting of noncompliance with lobbyist disclosure requirements; proposing legislation to Congress on improving compliance and enforcement of the LDA.

Sec. 403. Definition of a Lobbyist

Removes the 20 percent loophole. The bill retains the other two criteria for registration: (1) Making two or more lobbying contacts, and (2) Receiving payment of a specified amount to lobby. They must receive from the same client \$3,000 per quarter for "lobbying activities," totaling \$12,000 per year.

Sec. 404. Expedited Online Registration of Lobbyists; Expansion of Registrants

Requires lobbyists to register within 10 days, rather than 45 days, of making a lobbying contact and requires organizations who hire a lobbyist that intend to make more than one lobbying contact to register.

Sec. 405. Disclosure of Political Contributions

Requires lobbyists to report political contributions quarterly rather than semi-annually, in order to better track contributions from lobbyists.

Sec. 406. Identification Numbers for Lobbyists

Requires the Clerk of the House and the Secretary of the Senate to develop a system that assigns an identification number to each lobbyist.

Sec. 407. Ethics Training for Lobbyists

Requires all lobbyists to complete ethics training within 6 months of being hired and once every 5 years thereafter. Requires the House and Senate Ethics Committees to determine the curriculum and certification requirements; approve educational institutions, professional associations and others qualified to provide ethics training; determine the maximum fee to be charged for ethics training; and provide oversight of the ethics training program. Additionally, the Clerk of the House and Secretary of the Senate are required to collect and review ethics training certifications and post whether registered lobbyists have completed their ethics training to their websites.

Sec. 408. Estimates based on Tax Reporting System

Closes the good faith estimate loophole and removes references to the IRS definition of lobbying, leaving only the Lobbyist Disclosure Act (LDA) definition of lobbying.

Sec. 409. Effective Date

TITLE V – TRANSPARENCY IN FEDERAL CONTRACTING, GRANTS AND LOANS

Sec. 501. Improving Application Programming Interface and Website Data Elements

Requires USAspending.gov to provide new information on federal awards including information about lease agreements, sub-agencies and sub-offices that authorized the award, an indication of congressionally directed spending, and permanent link to the original solicitation ID.

Sec. 502. Improving Data Quality

Improves the quality of the data on USAspending.gov by requiring agency Inspectors General to conduct annual audits of the data used on the website in order to verify its accuracy, access processes for improvement, determine whether federal agencies have appropriate measures to review data submissions for accuracy and identify and report on new standards for improving quality.

Sec. 503. Requirements Relating to Reporting of Award Data

Requires OMB to revise the guidance to federal agencies on reporting federal awards to clarify (1) the requirement that award titles describe the award's purpose and; (2) requirements for validating and documenting agency award data submitted by federal agencies.

Sec. 504. Recipient Performance Transparency

Requires the unique identifier for each award recipient to link to awardee information on the Federal Awardee Performance Integrity Information System (FAPIIS).

Sec. 505. Improve the Federal Awardee Performance and Integrity Information System Database

Requires data on FAPIIS to be archived for 10 years. Requires Federal Awardees to report and FAPIIS to post administrative judgments and legal settlements that do not contain explicit findings or acknowledgement of fault.

Sec. 506. Improving Compliance

Makes completion of particular Federal Acquisition Regulation certifications and the self-reporting requirements of the Clean Contracting Act of 2008 conditions for the award of a contract for the procurement of property or services. Also, instructs the Inspectors General of each federal procuring agency and General Services Administration to conduct additional annual audits.

Sec. 507. Improving access to Standard Form LLL data

Requires the GSA to establish an online database to collect standard form LLL data. This data will be made available to the public in a searchable, sortable, machine readable and downloadable format to improve compliance and disclosure of the Standard Form LLL, which requires grantees and contractors to certify any use of non-federal funds to influence federal awards.

TITLE VI - EXECUTIVE BRANCH TRANSPARENCY

Sec. 601. Requirement for Disclosure of Federal Sponsorship of all Federal Advertising or Other Communications

Requires every advertisement or other communication paid for by an Executive agency, either directly or through a contract awarded by the Executive agency, to include a prominent notice informing the target audience that the advertisement or other communication is paid for by that Executive agency, except for social media, SMS, and other short form digital messages.

Sec. 602. Improving Access to Influential Executive Branch Official's Visitor Logs

Requires all White House visitor logs and agency heads and secretaries' visitor logs to be public, allowing for redacted sensitive information. The section also creates a balancing test to ensure personal guests' information is not released.

Sec. 603. Improving Access to Office of Management and Budget (OMB) Budget Justifications

Requires OMB budget justifications be available online in a searchable, sortable, machine readable, downloadable format within 24 hours of the release of the President's budget. Electronic versions of the budget should link to each OMB budget justification.

Sec. 604. Improving Rule Making Disclosure for Office of Information and Regulatory Affairs (OIRA)

Requires agency drafts submitted to OIRA be public in order to compare to the finalized OIRA version.

Sec. 605. Improving E-filing Data Collection and Distribution for Non-Profits

Amends the Internal Revenue Code (Section 6011) to require the IRS to expand e-filing to cover all non-profits and publish the data in a structured database that is searchable, sortable, machine readable, and downloadable, instead of printing the electronic files onto paper, scanning the paper to .TIF graphics, loading the .TIFs onto DVDs and selling the DVDs.

Sec. 606. Improving Access to Foreign Agents Registration Act (FARA) Records

Requires FARA records to be online in searchable, sortable, machine readable, downloadable format.

Sec. 704. Agency Defined

Defines the term "Agency."

TITLE VII: STRENGTHENING THE FREEDOM OF INFORMATION ACT (FOIA)

Sec. 701. Digital Access to Completed Responses to the FOIA

Requires each agency to make all of its completed FOIA requests available online in a structured database that is searchable, sortable, and machine readable and downloadable; or in a format searchable by text as appropriate, within two months of the date the FOIA request was completed.

Sec. 702. Improving B(3) Citations in FOIA

Requires newly-proposed b(3) provisions to cite one of the exemptions allowed by FOIA to improve the level of scrutiny surrounding newly-proposed b(3) citations.

Sec. 703. FOIA Online for Agencies

Requires the use of FOIA online for all agencies to log, track and publish FOIA requests status.

Sec. 704. Agency Defined

Defines the term “Agency.”

TITLE VIII: IMPROVING TRANSPARENCY WITHIN THE JUDICIAL SYSTEM

Sec. 801. GAO Study on Cameras in the Supreme Court

Requires the GAO and Judicial Conference to study the impact of live video streaming on Supreme Court proceedings.

Sec. 802. Live Audio of Supreme Court Hearings

Requires the Supreme Court to record oral arguments and for those audio recordings to be streamed live on the Supreme Court’s website.

Sec. 803. Improving Access to Federal Judicial Financial Disclosure

Requires all federal judges’ judicial financial disclosure information to be in a searchable, sortable, machine readable, downloadable format on a centralized website.

Sec. 804. GAO Audit of PACER

Requires the GAO to audit the current budget, costs associated with and effectiveness of PACER and make recommendations to Congress, the Administrative Office of the Courts, and other appropriate offices on improvements.

TITLE IX: ENFORCEMENT

Sec. 901. Audits by the Government Accountability Office