

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: To provide for public filing and disclosure of financial disclosure forms of Members of Congress and congressional staff.

**IN THE SENATE OF THE UNITED STATES—112th Cong., 1st Sess.**

**S.** \_\_\_\_\_

(title) \_\_\_\_\_

\_\_\_\_\_

Referred to the Committee on \_\_\_\_\_ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by \_\_\_\_\_

Viz:

1 At the appropriate place, insert the following:

2 **SEC. \_\_\_\_ . PUBLIC FILING AND DISCLOSURE OF FINAN-**  
3 **CIAL DISCLOSURE FORMS OF MEMBERS OF**  
4 **CONGRESS AND CONGRESSIONAL STAFF.**

5 (a) PUBLIC, ON-LINE DISCLOSURE OF FINANCIAL  
6 DISCLOSURE FORMS OF MEMBERS OF CONGRESS AND  
7 CONGRESSIONAL STAFF.—

8 (1) IN GENERAL.—Not later than August 31,  
9 2012, or 90 days after the date of enactment of this  
10 Act, whichever is later, the Secretary of the Senate  
11 and the Sergeant at Arms of the Senate, and the

1 Clerk of the House of Representatives, shall ensure  
2 that financial disclosure forms filed by Members of  
3 Congress, officers of the House and Senate, can-  
4 didates for Congress, and employees of the Senate  
5 and the House of Representatives in calendar year  
6 2012 and in subsequent years pursuant to title I of  
7 the Ethics in Government Act of 1978 are made  
8 available to the public on the respective official  
9 websites of the Senate and the House of Representa-  
10 tives not later than 30 days after such forms are  
11 filed.

12 (2) EXTENSIONS.—The existing protocol allow-  
13 ing for extension requests for financial disclosures  
14 shall be retained. Extension requests for financial  
15 disclosure shall be made available electronically  
16 under this subsection along with its related disclo-  
17 sure.

18 (3) REPORTING TRANSACTIONS.—In the case of  
19 a transaction disclosure required by section 101(j) of  
20 the Ethics in Government Act of 1978, as added by  
21 this Act, such disclosures shall be filed not later  
22 than 30 days after the transaction. Extension re-  
23 quests for financial disclosure shall be made avail-  
24 able electronically under this subsection along with  
25 its related disclosure.

1           (4) EXPIRATION.—The requirements of this  
2 subsection shall expire upon implementation of the  
3 public disclosure system established under subsection  
4 (b).

5           (b) ELECTRONIC FILING AND ON-LINE PUBLIC  
6 AVAILABILITY OF FINANCIAL DISCLOSURE FORMS OF  
7 MEMBERS OF CONGRESS, OFFICERS OF THE HOUSE AND  
8 SENATE, AND CONGRESSIONAL STAFF.—

9           (1) IN GENERAL.—Subject to paragraph (5)  
10 and not later than 18 months after the date of en-  
11 actment of this Act, the Secretary of the Senate and  
12 the Sergeant at Arms of the Senate and the Clerk  
13 of the House of Representatives shall develop sys-  
14 tems to enable—

15                   (A) electronic filing of reports received by  
16 them pursuant to section 103(h)(1)(A) of title  
17 1 of the Ethics in Government Act of 1978; and

18                   (B) public access to financial disclosure  
19 forms filed by Members of Congress, Officers of  
20 the House and Senate, candidates for Congress,  
21 and employees of the Senate and House of Rep-  
22 resentatives, as well as reports of a transaction  
23 disclosure required by section 101(j) of the Eth-  
24 ics in Government Act of 1978, as added by  
25 this Act, notices of extensions, amendments and

1           blind trusts, pursuant to title I of the Ethics in  
2           Government Act of 1978 through databases  
3           that—

4                   (i) are maintained on the official  
5                   websites of the House of Representatives  
6                   and the Senate; and

7                   (ii) allow the public to search, sort  
8                   and download data contained in the re-  
9                   ports.

10           (2) LOGIN.—No login shall be required to  
11           search or sort the data contained in the reports  
12           made available by this subsection. A login protocol  
13           with name of user shall be utilized by a person  
14           downloading data contained in the reports.

15           (3) PUBLIC AVAILABILITY.—Pursuant to sec-  
16           tion 103(i) of title 1 of the Ethics in Government  
17           Act of 1978, electronic availability on the official  
18           websites of the Senate and the House of Representa-  
19           tives under this subsection shall be deemed to have  
20           met the public availability requirement.

21           (4) FILERS COVERED.—Individuals required  
22           under the Ethics in Government Act of 1978 or the  
23           Senate Rules to file financial disclosure reports with  
24           the Secretary of the Senate or the Clerk of the  
25           House shall file reports electronically using the sys-

1       tems developed by the Secretary of the Senate and  
2       the Clerk of the House.

3           (5) EXTENSIONS.—The existing protocol allow-  
4       ing for extension requests for financial disclosures  
5       shall be retained for purposes of this subsection. Ex-  
6       tension requests for financial disclosure shall be  
7       made available electronically under this subsection  
8       along with its related disclosure.

9           (6) ADDITIONAL TIME.—The requirements of  
10       this subsection may be implemented after the date  
11       provided in paragraph (1) if the Secretary of the  
12       Senate or the Clerk of the House identify in writing  
13       to relevant congressional committees an additional  
14       amount of time needed.

15       (c) RECORDKEEPING.—Section 105(d) of the Ethics  
16       in Government Act of 1978 is amended to read as follows:

17       “(d)(1) Any report filed with or transmitted to an  
18       agency or supervising ethics office or to the Clerk of the  
19       House of Representatives or the Secretary of the Senate  
20       pursuant to this title shall be retained by such agency or  
21       office or by the Clerk or the Secretary of the Senate, as  
22       the case may be.

23       “(2) Such report shall be made available to the pub-  
24       lic—

1           “(A) in the case of a Member of Congress until  
2           a date that is 6 years from the date the individual  
3           ceases to be a Member of Congress; and

4           “(B) in the case of all other reports filed pursu-  
5           ant to this title, for a period of six years after re-  
6           ceipt of the report.

7           “(3) After the relevant time period identified under  
8           paragraph (2), the report shall be destroyed unless needed  
9           in an ongoing investigation, except that in the case of an  
10          individual who filed the report pursuant to section 101(b)  
11          and was not subsequently confirmed by the Senate, or who  
12          filed the report pursuant to section 101(c) and was not  
13          subsequently elected, such reports shall be destroyed 1  
14          year after the individual either is no longer under consid-  
15          eration by the Senate or is no longer a candidate for nomi-  
16          nation or election to the Office of President, Vice Presi-  
17          dent, or as a Member of Congress, unless needed in an  
18          ongoing investigation or inquiry.”.