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(Original Signature of Member)

116TH CONGRESS
1ST SESSION

H. R. _____

To require the disclosure of foreign business interests of senior Government officials and their family members, to require the President and Vice President to disclose their tax returns, to prevent political appointees from receiving payments from foreign entities, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Ms. PORTER (for herself and Mr. ROSE of New York) introduced the following bill; which was referred to the Committee on

A BILL

To require the disclosure of foreign business interests of senior Government officials and their family members, to require the President and Vice President to disclose their tax returns, to prevent political appointees from receiving payments from foreign entities, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Transparency in Exec-
3 utive Branch Official Finances Act”.

4 **SEC. 2. DISCLOSURE OF FOREIGN FINANCIAL INTERESTS.**

5 (a) IN GENERAL.—Section 102 of the Ethics in Gov-
6 ernment Act of 1978 (5 U.S.C. App. 102) is amended by
7 adding at the end the following:

8 “(j)(1) Any report filed pursuant to section 101(d)
9 by a senior Government official shall include—

10 “(A) the disclosure of any foreign business rela-
11 tionship of the official or the spouse or member of
12 family of the official; and

13 “(B) with respect to any member of family of
14 the official, the disclosures applicable to a spouse of
15 the official under this title, including those under
16 section 102(e).

17 “(2)(A) Any report filed pursuant to section 101(d)
18 by the President or Vice President shall include—

19 “(i) a disclosure on whether a member of family
20 of the President or Vice President (as the case may
21 be) owns—

22 “(I) either directly or in combination with
23 the holdings of any trust controlled by the
24 member, ten percent or more of the outstanding
25 shares in a private enterprise or corporation; or

1 “(II) any intellectual property (including
2 any trademark, copyright, or patent) protected
3 or enforced by a foreign country; and

4 “(ii) the name of any applicable private enter-
5 prise or corporation disclosed under clause (i)(I);
6 and

7 “(iii) a description of any intellectual property
8 disclosed under clause (i)(II).

9 “(B) With respect to any affirmative disclosure made
10 under subparagraph (A)(i)(I), the disclosure shall in-
11 clude—

12 “(i) whether the private enterprise or corpora-
13 tion has engaged in, during the previous 5 years,
14 any business dealing (including any sale, purchase,
15 rental, disposition or exchange of any goods, serv-
16 ices, or property, any license, permit, grant or ben-
17 efit transaction) equal to or greater than \$25,000
18 with a publicly traded company with foreign major-
19 ity shareholders or a foreign-owned business; and

20 “(ii) a list of each such publicly traded company
21 with foreign majority shareholders or a foreign-
22 owned business.

23 “(3) In this subsection—

24 “(A) the term ‘foreign business relationship’,
25 when used in connection with a senior Government

1 official or their spouse or member of family, means
2 any instance where the official, spouse, or member
3 of family (as the case may be) holds any position
4 with—

5 “(i) a publicly traded company with foreign
6 majority shareholders; or

7 “(ii) a foreign-owned business;

8 “(B) the term ‘foreign-owned business’ means a
9 partnership, association, corporation, organization,
10 or other combination of persons organized under the
11 laws of or having its principal place of business in
12 a foreign country;

13 “(C) the term ‘member of family’, when used in
14 connection with a senior Government official, means
15 a parent, sibling, child (including an adopted child
16 or a step-child), aunt, uncle, or first cousin of the
17 official; and

18 “(D) the term ‘senior Government official’
19 means—

20 “(i) the President;

21 “(ii) the Vice President; and

22 “(iii) any political appointee (as that term
23 is defined in section 221(c)(2) of title 18,
24 United States Code).”.

1 (b) APPLICATION.—The amendment made by sub-
2 section (a) shall apply to any report filed pursuant to sec-
3 tion 101(d) of the Ethics in Government Act of 1978 (5
4 U.S.C. App. 101(d)) after the date of enactment of this
5 Act.

6 **SEC. 3. DISCLOSURE OF TAX RETURNS OF PRESIDENT AND**
7 **VICE PRESIDENT AND CANDIDATES.**

8 (a) IN GENERAL.—Section 102 of the Ethics in Gov-
9 ernment Act of 1978 (5 U.S.C. App.), as amended by sec-
10 tion 1, is further amended by adding at the end the fol-
11 lowing:

12 “(k)(1) Any report filed pursuant to section 101(d)
13 by the President or the Vice President shall include the
14 President’s or Vice President’s (as the case may be) return
15 of Federal income tax for the previous 5 taxable years.

16 “(2) Any report filed pursuant to section 101(c) by
17 an individual who is a candidate for the office of President
18 or Vice President shall include the individual’s return of
19 Federal income tax for the previous 5 taxable years.

20 “(3) The Director of the Office of Government Ethics
21 may issue regulations authorizing the redaction of per-
22 sonal information as the Director deems necessary to pre-
23 vent identity theft or physical danger from disclosure of
24 tax returns required under paragraphs (1) and (2).

1 “(4) Not later than 30 days after the date that any
2 tax returns are submitted by the President or Vice Presi-
3 dent pursuant to paragraph (1) or an individual who is
4 a candidate for the office of President or Vice President
5 pursuant to paragraph (2), the Director shall publish such
6 tax returns on the public Internet website of the Office.”.

7 (b) DISCLOSURE PERMITTED.—Section 6103(i) of
8 the Internal Revenue Code of 1986 is amended by adding
9 at the end the following:

10 “(9) DISCLOSURE OF TAX RETURNS UNDER
11 THE ETHICS IN GOVERNMENT ACT OF 1978.—The
12 Director of the Office of Government Ethics may
13 publicly disclose returns described in section 102(k)
14 of the Ethics in Government Act of 1978 (5 U.S.C.
15 App. 102(k)) to the extent such returns are required
16 to be made available pursuant to such section.”.

17 (c) APPLICATION.—The amendments made by sub-
18 sections (a) and (b) shall apply to any report filed pursu-
19 ant to section 101(c) or 101(d) of the Ethics in Govern-
20 ment Act of 1978 and any disclosure made under section
21 6103(i) of the Internal Revenue Code of 1986, respec-
22 tively, after the date of enactment of this Act.

1 **SEC. 4. PROHIBITION ON RECEIPT OF PAYMENTS FROM**
2 **FOREIGN ENTITIES.**

3 (a) IN GENERAL.—Title 18, United States Code, is
4 amended by inserting after section 220 the following:

5 **“§ 221. Prohibition on receipt of payments from for-**
6 **ign entities**

7 “(a) IN GENERAL.—Whoever, being a political ap-
8 pointee, solicits or receives any payment (in cash or in
9 kind) from any foreign-owned business, any group affili-
10 ated with a foreign government, or a foreign national,
11 shall be subject to the penalties set forth in section 216.

12 “(b) EXCEPTIONS.—This section does not apply to—

13 “(1) any payment (including interest, dividends,
14 or capital gains) resulting from an investment in any
15 stock, mutual fund, or trust described in section
16 401(a) of the Internal Revenue Code of 1986 which
17 is exempt from taxation under section 501(a) of
18 such Code (including the Thrift Savings Plan under
19 subchapter III of chapter 84 of title 5); or

20 “(2) any discounts, rebates, or promotional of-
21 ferings associated with a bona-fide transaction with
22 a foreign-owned business.

23 “(c) DEFINITIONS.—In this section—

24 “(1) the term ‘foreign-owned business’ has the
25 meaning given that term in section 102(j)(2)(B) of
26 the Ethics in Government Act of 1978; and

1 “(2) the term ‘political appointee’ means any
2 individual within the executive branch of Govern-
3 ment—

4 “(A) appointed by the President, by and
5 with the advice and consent of the Senate;

6 “(B) occupying a position in the Senior
7 Executive Service as a noncareer appointee (as
8 such term is defined in section 3132(a) of title
9 5);

10 “(C) occupying a position of a confidential
11 or policy-determining character under schedule
12 C of subpart C of part 213 of title 5, Code of
13 Federal Regulations; or

14 “(D) occupying any other position which
15 has been excepted from the competitive service
16 by reason of its confidential, policy-determining,
17 policy-making, or policy-advocating character.”.

18 (b) CLERICAL AMENDMENT.—The table of sections
19 for chapter 11 of such title is amended by inserting after
20 the item relating to section 220 the following new item:

“221. Prohibition on receipt of payments from foreign entities.”.

21 (c) APPLICATION.—The amendment made by sub-
22 section (a) shall apply to any payment described under
23 section 221 of title 18, United States Code, as added by
24 subsection (a), received by a political appointee after the
25 date of enactment of this Act.