

AMENDMENT TO H.R. 1
OFFERED BY MR. COMER OF KENTUCKY

Strike section 8022 and insert the following:

1 **SEC. 8022. PROCEDURE FOR WAIVERS AND AUTHORIZA-**
2 **TIONS RELATING TO ETHICS REQUIREMENTS.**

3 (a) IN GENERAL.—Notwithstanding any other provi-
4 sion of law, not later than 30 days after an officer or em-
5 ployee issues or approves a waiver or authorization pursu-
6 ant to section 3 of Executive Order No. 13770 (82 6 Fed.
7 Reg. 9333), or any subsequent similar order, such officer
8 or employee shall—

9 (1) transmit a written copy of such waiver or
10 authorization to the Director of the Office of Gov-
11 ernment Ethics; and

12 (2) make a written copy of such waiver or au-
13 thorization available to the public on the website of
14 the employing agency of the covered employee.

15 (b) RETROACTIVE APPLICATION.—In the case of a
16 waiver or authorization described in subsection (a) issued
17 during the period beginning on January 20, 2017, and
18 ending on the date of enactment of this Act, the issuing
19 officer or employee of such waiver or authorization shall
20 comply with the requirements of paragraphs (1) and (2)

1 of such subsection not later than 30 days after the date
2 of enactment of this Act.

3 (c) OFFICE OF GOVERNMENT ETHICS PUBLIC AVAIL-
4 ABILITY.—Not later than 30 days after receiving a written
5 copy of a waiver or authorization under subsection (a)(1),
6 the Director of the Office of Government Ethics shall
7 make such waiver or authorization available to the public
8 on the website of the Office of Government Ethics.

9 (d) REPORT TO CONGRESS.—Not later than 45 days
10 after the date of enactment of this Act, the Director of
11 the Office of Government Ethics shall submit a report to
12 Congress on the impact of the application of subsection
13 (b), including the name of any individual who received a
14 waiver or authorization described in subsection (a) and
15 who, by operation of subsection (b), submitted the infor-
16 mation required by such subsection.

17 (e) DEFINITION OF COVERED EMPLOYEE.—In this
18 section, the term “covered employee”—

19 (1) means a non-career Presidential or Vice
20 Presidential appointee, non-career appointee in the
21 Senior Executive Service (or other SES-type sys-
22 tem), or an appointee to a position that has been ex-
23 cepted from the competitive service by reason of
24 being of a confidential or policymaking character

1 (Schedule C and other positions excepted under com-
2 parable criteria) in an executive agency; and

3 (2) does not include any individual appointed as
4 a member of the Senior Foreign Service or solely as
5 a uniformed service commissioned officer.

Strike section 8052 and insert the following:

6 **SEC. 8052. PRESIDENTIAL TRANSITION ETHICS PROGRAMS.**

7 The Presidential Transition Act of 1963 (3 U.S.C.
8 102 note) is amended—

9 (1) in section 3(f), by adding at the end the fol-
10 lowing:

11 “(3) Not later than 10 days after submitting an ap-
12 plication for a security clearance for any individual, and
13 not later than 10 days after any such individual is granted
14 a security clearance (including an interim clearance), each
15 eligible candidate (as that term is described in subsection
16 (h)(4)(A)) or the President-elect (as the case may be) shall
17 submit a report containing the name of such individual
18 to the Committee on Oversight and Reform of the House
19 of Representatives and the Committee on Homeland Secu-
20 rity and Governmental Affairs of the Senate.”; and

21 (2) in section 6(b)—

22 (A) in paragraph (1)—

23 (i) in subparagraph (A), by striking
24 “and” at the end;

1 (ii) in subparagraph (B), by striking
2 the period at the end and inserting a semi-
3 colon; and

4 (iii) by adding at the end the fol-
5 lowing:

6 “(C) a list of all positions each transition team
7 member has held outside the Federal Government
8 for the previous 12-month period, including paid and
9 unpaid positions;

10 “(D) sources of compensation for each transi-
11 tion team member exceeding \$5,000 a year for the
12 previous 12-month period;

13 “(E) a description of the role of each transition
14 team member, including a list of any policy issues
15 that the member expects to work on, and a list of
16 agencies the member expects to interact with, while
17 serving on the transition team;

18 “(F) a list of any issues from which each tran-
19 sition team member will be recused while serving as
20 a member of the transition team pursuant to the
21 transition team ethics plan outlined in section
22 4(g)(3); and

23 “(G) an affirmation that no transition team
24 member has a financial conflict of interest that pre-

1 includes the member from working on the matters de-
2 scribed in subparagraph (E).”;

3 (B) in paragraph (2), by inserting “not
4 later than 2 business days” after “public”; and

5 (C) by adding at the end the following:

6 “(3) The head of a Federal department or agency,
7 or their designee, shall not permit access to the Federal
8 department or agency, or employees of such department
9 or agency, that would not be provided to a member of the
10 public for any transition team member who does not make
11 the disclosures listed under paragraph (1).”.

