



# SECTION-BY-SECTION S 1, THE FOR THE PEOPLE ACT OF 2021

Section 1. Short title. States that the title of this Act is the “For the People Act of 2021.”

Section 2. Organization of Act into divisions; table of contents.

- States that the Act is divided into: Division A – Voting; Division B – Campaign Finance; and Division C – Ethics. Provides a table of contents.

Section 3. Findings of General Constitutional Authority.

- Details Congress’ explicit and broad authority granted by the Constitution to protect the right to vote, to regulate elections for federal office, and to defend the Nation’s democratic process.

Section 4. Standards for Judicial Review.

- Outlines the process and standards for judicial review for any provision or amendment of the Act, specifying venue requirements, notice requirements, appeal requirements and rules governing intervention by Members of Congress.

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# DIVISION A – VOTING

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## TITLE I – ELECTION ACCESS

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### Subtitle A – Voter Registration Modernization

- Requires each state to make available online voter registration, correction, cancellation and designation of party affiliation.
- Prohibiting states from requiring applicants to provide more than the last 4 digits of a Social Security number.
- Requires chief state election officials to automatically register to vote any eligible unregistered citizens, while protecting from prosecution ineligible voters mistakenly registered. Deems state agencies and federal offices within a state as contributing agencies for the purposes of registration.
- Requires states to permit voters to register on the day of a federal election, including during early voting.
- Limits the authority of states to remove registrants from the official list of eligible voters in elections for federal office in the state based on interstate voter registration crosschecks.
- Requires states to provide annual reports on voter registration statistics to the Election Assistance Commission.
- Provides HAVA funds to implement the voter registration modernization reforms.
- Makes it unlawful to hinder, interfere or prevent an individual from registering to vote. Instructs the Election Assistance Commission to develop best practices for states to deter and prevent such violations.

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### Subtitle B – Access to Voting for Individuals with Disabilities

- Requires states to promote access to voter registration and voting for persons with disabilities and older individuals. Funds grants to improve voting accessibility for persons with disabilities and creates a pilot program to allow persons with disabilities to register and vote from home.

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### Subtitle C – Prohibiting Voter Caging

- Prohibits the use of returned non-forwardable mail as the basis for removing registered voters from the rolls. Prohibits challenges to eligibility from individuals who are not election officials without an oath of good faith factual basis.
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#### Subtitle D – Prohibiting Deceptive Practices and Preventing Voter Intimidation

- Prohibits providing false information about elections to hinder or discourage voting and increases penalties for voter intimidation. Prescribes sentencing guidelines for those individuals found guilty of such deceptive practices.
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#### Subtitle E – Democracy Restoration

- Declares the right of citizens to vote in federal elections will not be denied because of a criminal conviction unless a citizen is serving a felony sentence in a correctional facility. Requires states and the federal government to notify individuals convicted of state or federal felonies, respectively, of their re-enfranchisement.
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#### Subtitle F – Promoting Accuracy, Integrity and Security Through Voter-Verified Permanent Paper Ballot

- Requires states to use individual, durable, voter-verified paper ballots and that said ballots are counted by hand or an optical character recognition device. Provides the voter an opportunity to correct ballot should a mistake be made and requires that ballots are not preserved in any manner that makes it possible to associate a voter to the ballot.
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#### Subtitle G – Provisional Ballots

- Requires that provisional ballots from eligible voters at incorrect polling places be counted.
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#### Subtitle H – Early Voting

- Requires at least 15 consecutive days of early voting for federal elections. Requires that early voting locations be near public transportation, in rural areas and open for at least 10 hours per day.
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### Subtitle I – Voting by Mail

- Prohibits a state from imposing restrictions on an individual’s ability to vote by mail.
  - Requires state to carry out a program to track and confirm the receipt of absentee ballots and makes this information available to the voter who cast the ballot.
  - Requires the prepayment of postage on return envelopes for voting materials, which includes any voter registration form, any application for an absentee ballot, and any blank absentee ballot transmitted by mail.
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### Subtitle J – Absent Uniformed Services Voters and Overseas Voters

- Requires states to send absentee ballots at least 45 days before an election and allows civil penalty for failure.
  - Requires the electronic transmission of blank absentee ballots to certain qualified individuals in the same manner as those sent to UOCAVA voters, but does not allow for the electronic return of these marked ballots.
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### Subtitle K – Poll Worker Recruitment and Training

- Requires the Election Assistance Commission to develop model training programs and award grants for training.
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### Subtitle L – Enhancement of Enforcement

- Allows individuals private rights of action and ability to file administrative complaints.
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### Subtitle M – Federal Election Integrity

- Prohibits state chief election officials from participating in federal campaigns.
  - Prohibits using official authorities to affect the results of elections.
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## Subtitle N – Promoting Voter Access Through Election Administration Improvements

- Treats universities as voter registration agencies.
- Requires states to notify an individual, not later than 7 seven days before election, if the individual's polling place has changed.
- Requires states to allow voters to sign sworn affidavits to vote in lieu of presenting photo ID.
- Provides accommodations for voters residing in Indian lands.
- Ensures equitable and efficient operation of polling places, reducing long lines and wait times for voters.
- Requires states to provide secured drop boxes for voted absentee ballots in elections for federal office.
- Prohibits states from restricting curbside voting.
- Imposes requirements for federal election contingency plans in response to natural disasters and emergencies.
- Clarifies that absentee ballots shall be carried expeditiously and free of postage and allows states to use Help America Vote Act funds for the costs of establishing a program to establish an absentee ballot tracking program with respect to federal elections.
- Requires the Attorney General to develop a state-based response system and hotline that provides information on voting, including voter registration, location and hours of polling places, and how to obtain absentee ballots, and provides immediate assistance to individuals encountering problems with registering to vote or voting.
- Reauthorizes Election Assistance Commission beginning in fiscal year 2021, eliminates the existing funding cap, requires each state to comply with any EAC request for post-election survey following any regularly scheduled general election for federal office beginning in November 2022, directs the Election Assistance Commission to assess the security, cybersecurity and effectiveness of the Commission's information technology systems and to review the effectiveness and efficiency of the state-based Help America Vote Act administrative complaint procedures for the investigation and resolution of allegations and violations, and repeals certain existing contracting exemptions for the Election Assistance Commission.
- Amends the National Voter Registration Act of 1993 and the Help America Vote Act of 2002 to include the Commonwealth of the Northern Mariana Islands.
- Clarifies that if any provision of this Title or amendment made by this Title is held unconstitutional, the remainder of the Title shall not be affected by the holding.

## Subtitle O – Severability Clause

- Clarifies that if any provision of this Title or amendment made by this Title is held unconstitutional, the remainder of the Title shall not be affected by the holding.
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## TITLE II – ELECTION INTEGRITY

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### Subtitle A – Findings Reaffirming Commitment of Congress to Restore the Voting Rights Act

- Declares that Congress finds that the *Shelby County* decision ushered in a new era of voter suppression and that Congress should build a record of voter suppression since *Shelby*. Declares that, per the Supreme Court’s ruling in *Shelby*, Congress should restore the protections of the Voting Rights Act by updating the formula for determining which jurisdictions are subject to federal preclearance.

### Subtitle B – Findings Relating to Native American Voting Rights

- Declares Congress’ intent to protect and promote Native Americans’ exercise of their constitutionally guaranteed right to vote, including voter registration and equal access to all voting mechanisms.

### Subtitle C – Findings Relating to District of Columbia Statehood

- Declares Congress’ perspective that District of Columbia residents deserve full Congressional voting rights and self-government, which only statehood can provide.

### Subtitle D – Territorial Voting Rights

- Declares Congress’ view that the right to vote is one of the most powerful instruments that residents of the territories of the United States have to ensure their voices are heard and establishes Congressional Task Force on Voting Rights of United States Citizen Residents of Territories of the United States.

### Subtitle E – Redistricting Reform

- Requires states to adopt independent redistricting commissions for purposes of drawing Congressional districts.

### Subtitle F – Saving Eligible Voters from Voter Purging

- Responds to the *Husted* decision by clarifying that failure to vote is not grounds for removing registered voters from the rolls.

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#### Subtitle G – No Effect on Authority of States to Provide Greater Opportunities for Voting

- Clarifies that the provisions in this title set a floor, not a ceiling, for state’s actions on voting rights.

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#### Subtitle H – Residence of Incarcerated Individuals

- Ends practice of “prison gerrymandering” by counting incarcerated persons in their former places of residence.

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#### Subtitle I – Severability Clause

- Clarifies that if any provision of this Title or amendment made by this Title is held unconstitutional, the remainder of the Title shall not be affected by the holding.
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## TITLE III – ELECTION SECURITY

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### Subtitle A – Financial Support for Election Infrastructure

- Establishes standards for election vendors based on cybersecurity and company ownership and expands the Election Assistance Commission’s ability to issue grants to harden our nation’s election infrastructure.
- Directs Election Assistance Commission to develop best practices and guidelines for ballot design.
- Directs the Election Assistance Commission to make available grants for states to replace voting machines that are not compliant paper ballot voting systems and carry out voting system security improvements.
- Requires “qualified election infrastructure vendors,” upon learning of a potential cybersecurity incident, to assess whether such incident occurred and to notify the Chair of the Election Assistance Commission and the Secretary of Homeland Security within three days.
- Requires the Election Assistance Commission to submit a report to the appropriate congressional committees on the activities carried out with the funds provided under this part.
- Authorizes \$1 billion for FY 2021. Authorizes \$175 million for FY 2022, 2024, 2026 and 2028.
- Requires states to undertake measures to prevent and deter cybersecurity incidents involving computerized voter registration databases.]
- Authorizes grants to states for conducting risk-limiting audits of results of elections.
- Establishes a competitive grant program to award grants to eligible entities for research and development that could improve the security of election infrastructure.

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### Subtitle B – Security Measures

- Requires the Department of Homeland Security to maintain the designation of election infrastructure as critical.
- Requires the Department of Homeland Security to provide timely threat information to chief state election officials.
- Directs the Director of National Intelligence to submit a report to Congress and each chief state election official at least 180 days before a general federal election detailing threats, including cybersecurity threats, to election infrastructure.

### Subtitle C – Enhancing Protection for United States Democratic Institutions

- Requires the President to produce a national strategy for protecting U.S. democratic institutions.
- Creates National Commission to Protect United States Democratic Institutions to counter threats.
- Requires the President to issue an implementation plan of the national strategy within 90 days.

### Subtitle D – Promoting Cybersecurity Through Improvements in Election Administration

- Requires the testing of voting systems nine months before the date of each regularly scheduled general election for federal office. Defines electronic poll books as part of voting systems and requires pre-election reports on voting system usage.

### Subtitle E – Preventing Election Hacking

- Establishes the ‘Election Security Bug Bounty Program’ to encourage independent assessments of election systems by technical experts.

### Subtitle F – Election Security Grants Advisory Committee

- Establishes election security grants advisory committee.

### Subtitle G – Miscellaneous Provisions

- Requires analysis of whether sufficient funds are provided for implementation of the bill.

### Subtitle H – Use of Voting Machines Manufactured in the United States

- Requires that states seek to use American-made voting machines.

### Subtitle I – Severability Clause

- Clarifies that if any provision of this Title or amendment made by this Title is held unconstitutional, the remainder of the Title shall not be affected by the holding.

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# DIVISION B – CAMPAIGN FINANCE

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## TITLE IV – CAMPAIGN FINANCE TRANSPARENCY

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### Subtitle A – Establishing Duty to Report Foreign Election Interference

- Expresses Congress' intent to curb the use of shell companies and other illicit activities that allow foreign money to enter and undermine our democracy.
- Amends the Federal Election Campaign Act to create a reporting requirement of disclosing reportable foreign contacts. Creates an obligation for each political committee to notify the Federal Bureau of Investigation and the Federal Election Commission of the contact and provide a summary of circumstances not later than one week after said contact.
- Establishes a federal campaign foreign contact reporting compliance system, whereby each political committee must establish a policy requiring all officials, employees and agents of such committee to notify the treasurer or other designated official of the committee of any reportable foreign contact not later than three days following the contact.
- Establishes a rule of construction such that nothing in the title or amendments made by the title shall be construed to impede legitimate journalistic activities or to impose any additional limitation on the right to express political views or engage in public discourse for any individual who resides in the United States, is not a citizen or national, and is not lawfully admitted for permanent residence.

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### Subtitle B – DISCLOSE Act

- Strengthens foreign money ban by prohibiting foreign nationals from participating in decision-making about contributions or expenditures by corporations and other entities.
- Prohibits the establishment of corporation to conceal election contributions and donations by foreign nationals.
- Requires super PACs, 501(c)4 groups and other organizations spending money in elections and on judicial nominations to disclose donors who contribute more than \$10,000. Shuts down the use of transfers between organizations to cloak the identity of the source contributor.
- Requires a "covered organization" to file a disclosure report within 24 hours of making \$10,000 or more of "campaign-related disbursements."
- Provides that donor information also need not be reported if such disclosure would subject the donor to serious threats, harassment or reprisals.

- Provides that a “covered organization” is a corporation (other than a section 501(c)(3) charity), a limited liability corporation, a section 501(c) non-profit organization (other than a section 501(c)(3) charity), a labor organization, a “political organization” under section 527 of the tax code, and a Super PAC.
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#### Subtitle C – Honest Ads

- Requires large online platforms to maintain and make public in machine readable format a complete record of any request to purchase qualified political advertisements made by a person whose aggregate requests on the online platform during the calendar year exceeds \$500.
  - Directs online platforms to implement measures to prevent foreign nationals from directly or indirectly purchasing political ads.
  - Adds “paid internet or paid digital communication” to the definition of public communication.
  - Adds “qualified internet or digital communication” to the definition of electioneering communication.
  - Requires broadcasters, providers of cable or satellite television and online platforms to make reasonable efforts to ensure that political advertising is not purchased by foreign nationals, directly or indirectly.
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#### Subtitle D – Stand By Every Ad

- Expands “stand by your ad” disclosure requirements to leaders of corporations, unions and other organizations purchasing political ads.
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#### Subtitle E – Deterring Foreign Interference in Elections

- Restricts the exchange of campaign information between candidates and foreign powers and clarifies the standard for determining coordination between campaigns and outside entities.
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#### Subtitle F – Secret Money Transfer

- Repeals existing prohibition on the IRS from promulgating rules to bring clarity to rules governing 501(c) political activity.
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#### Subtitle G - Shareholder Right-to-Know

- Repeals existing prohibition on the Securities and Exchange Commission from finalizing rules to afford shareholders the opportunity to know about the political spending of publicly traded companies. Requires shareholder authorization before a public company may make certain political expenditures.
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#### Subtitle H – Disclosure of Political Spending by Government Contractors

- Repeals existing prohibition on the Executive Branch from promulgating rules to require government contractors to disclose all of their political spending.
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#### Subtitle I – Limitation and Disclosure Requirements for Presidential Inaugural Committees

- Requires Presidential Inauguration Committees to disclose their expenditures, limits aggregate contributions and restricts funds being used on purposes unrelated to the inauguration.
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#### Subtitle I – Severability Clause

- Clarifies that if any provision of this Title or amendment made by this Title is held unconstitutional, the remainder of the Title shall not be affected by the holding.
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## TITLE V – CAMPAIGN FINANCE EMPOWERMENT

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### Subtitle A – Findings Relating to *Citizens United* Decision

- Expresses that Congress finds the *Citizens United* decision detrimental and the Constitution should be amended accordingly.
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### Subtitle B – Senate Elections

- Establishes a publicly financed 6-1 matching system on small-dollar donations for qualified Senate candidates who demonstrate broad-based support and reject high-dollar contributions. The voluntary system would be financed entirely through a surcharge on settlements paid by corporate law breakers and wealthy tax cheats. No taxpayer funds are permitted to be used in financing the matching system.
  - Establishes the Freedom From Influence Fund to provide matching funds to qualified candidates. The Freedom From Influence Fund will be funded solely by an assessment paid on federal fines, penalties and settlements for certain tax crimes and corporate malfeasance. Fines, penalties and settlements paid by natural persons will not be subject to the assessment, except for those paid by certain executive-level officers or equivalent officers. No taxpayer funds can be used for the Freedom From Influence Fund.
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### Subtitle C – Presidential Elections

- Establishes a publicly financed 6-1 matching system on the first \$200 of a contribution to the presidential campaign of a participating candidate.
  - The voluntary system would be financed entirely through a surcharge on settlements paid by corporate law breakers and wealthy tax cheats. No taxpayer funds are permitted to be used in financing the system.
  - Provides that a “matchable contribution” is a “direct contribution” made to a candidate by an individual in an aggregate amount of no greater than \$1,000.
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### Subtitle D – Personal Use Services as Authorized Campaign Expenditures

- Expands authorized campaign expenditures to include child care, elder service care, professional development and payments of health insurance costs, and for credible candidates meeting certain employment eligibility requirements, establishes a “right of return” to employment to make it easier for candidate of modest means to run and win office.

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### Subtitle E – Empowering Small Dollar Donations

- Incentivizes small dollar fundraising by removing restrictions on party spending from accounts funded by small dollar contributions.

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### Subtitle F – Severability Clause

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## TITLE VI – CAMPAIGN FINANCE OVERSIGHT

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### Subtitle A – Restoring Integrity to America’s Elections

- Restructures the Federal Election Commission to have five commissioners, in order to break gridlock. Makes permanent FEC’s civil penalty authority.

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### Subtitle B – Stopping Super PAC-Candidate Coordination

- Defines prohibited coordination between campaigns and super PACs. Creates “coordinated spender” category to ensure single-candidate super PACs do not operate as arms of campaigns.
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### Subtitle C – Disposal of Contributions or Donations

- Establishes deadline by which candidates not running again must disburse all campaign funds.

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### Subtitle D – Recommendations to Ensure Filing of Reports Before Date of Election

- Requires the Federal Election Commission to develop recommendations for requiring all political committees to submit FEC reports before an election.

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### Subtitle E – Severability Clause

- Clarifies that if any provision of this Title or amendment made by this Title is held unconstitutional, the remainder of the Title shall not be affected by the holding.
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# DIVISION C – ETHICS

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## TITLE VII – ETHICS STANDARDS

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### Subtitle A – Supreme Court Ethics

- Requires the development of a code of ethics for Supreme Court justices.
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### Subtitle B – Foreign Agents Registration

- Increases resources for FARA office, creates FARA investigation and enforcement unit in Department of Justice and provides authority to impose civil penalties.
  - Requires Foreign Agents to disclose transactions involving things of financial value conferred on officeholders.
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### Subtitle C – Lobbying Disclosure Reform

- Clarifies that counseling in support of lobbying contacts is considered lobbying under the Lobbying Disclosure Act and therefore triggers registration.
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### Subtitle D – Recusal of Presidential Appointees

- Requires all Presidential appointees to recuse themselves from any matter in which a party is the President, the President’s spouse or an entity in which the President or President’s spouse has a substantial interest.
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### Subtitle E – Clearinghouse on Lobbying Information

- Establishes a single clearinghouse for Lobbying Disclosure Act and Foreign Agents Registration Act registration forms.
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### Subtitle F – Foreign Lobbying

- Prevents lobbyists from working on behalf of foreign entities.
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#### Subtitle G – Severability Clause

- Clarifies that if any provision of this Title or amendment made by this Title is held unconstitutional, the remainder of the Title shall not be affected by the holding.

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### TITLE VIII – ETHICS REFORMS FOR THE PRESIDENT, VICE PRESIDENT AND FEDERAL OFFICERS AND EMPLOYEES

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#### Subtitle A – Executive Branch Conflict of Interest

- Prohibits incentive payments from corporations to individuals entering or leaving government service.
- Prohibits a federal employee from awarding a contract to a former employer for two years after leaving the company, and from working for a company after participating in a contract award to that company, for two years after leaving government service.

#### Subtitle B – Presidential Conflicts of Interest

- Requires the President and the Vice President, within 30 days of taking office, to divest financial interests that pose a conflict of interest or disclose information about their business interests.
- Requires the President and the Vice President to file new financial disclosure reports within 30 days of taking office.

#### Subtitle C – White House Ethics Transparency

- Requires Executive Branch ethics waivers to be disclosed to the Office of Government Ethics and to the public.

#### Subtitle D – Executive Branch Ethics Enforcement

- Reauthorizes the Office of Government Ethics.
- Enhances the Office of Government Ethics' enforcement mechanisms.

#### Subtitle E – Conflicts from Political Fundraising

- Require individuals nominated or appointed to Senate-confirmed positions and certain other senior government officials to disclose contributions by, solicited by or made on behalf of an individual.
  - Also requires disclosure of certain types of gifts to these individuals or their families. Requires the Office of Government Ethics to issue rules on addressing conflicts of interest identified in these disclosures.
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#### Subtitle F – Transition Team Ethics

- Requires information about transition team members’ roles and an affirmation that they are free from financial conflicts of interest.
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#### Subtitle G – Ethics Pledge for Senior Executive Branch Employees

- Codifies the Obama-era Executive Branch ethics pledge.
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#### Subtitle H – Travel on Private Aircraft by Senior Political Appointees

- Prohibits senior political appointees from using government funds for private aircraft, with limited exceptions.
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#### Subtitle I – Severability Clause

- Clarifies that if any provision of Title VIII or amendment made by Title VIII is held unconstitutional, the remainder of Title VIII shall not be affected by the holding.

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## TITLE IX – CONGRESSIONAL ETHICS REFORM

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### Subtitle A – Requiring Members of Congress to Reimburse Treasury for Amounts Paid as Settlements and Awards Under Congressional Accountability Act

- Prohibits Members of Congress from using taxpayer funds to settle any case of employment discrimination acts by the Members.

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### Subtitle B – Conflicts of Interest

- Prohibits Members from serving on boards of for-profit entities. Codifies rules prohibiting Members and staff from using official position to advance their financial interests or the financial interests of their immediate families.

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### Subtitle C – Campaign Finance and Lobbying Disclosure

- Requires the online linking of Federal Election Commission reports and Lobbying Disclosure Act reports.

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### Subtitle D – Access to Congressionally Mandated Reports

- Requires that all reports from federal agencies mandated by Congress be published online in a searchable and downloadable database.

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### Subtitle E – Reports on Outside Compensation Earned by Congressional Employees

- Codifies Senate rule requiring disclosure of providers of outside compensation to Congressional staff and applies it to the House of Representatives.

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### Subtitle F – Severability Clause

- Clarifies that if any provision of this Title or amendment made by this Title is held unconstitutional, the remainder of the Title shall not be affected by the holding.

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## TITLE X – PRESIDENTIAL AND VICE PRESIDENTIAL TAX TRANSPARENCY

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- Requires the disclosure of individual tax returns and certain business tax returns by Presidents and Vice Presidents, as well as certain candidates for the Presidency and Vice Presidency.
  - Specifies that such tax returns shall be publicly released by the Federal Election Commission.
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