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(Original Signature of Member)

119TH CONGRESS
1ST SESSION

H. R. _____

To amend section 7342 of title 5, United States Code, to require agencies to submit to the Office of Government Ethics and the Department of State the compiled listing of certain statements relating to the receipt and disposition of foreign gifts and decorations, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. DONALDS introduced the following bill; which was referred to the Committee on _____

A BILL

To amend section 7342 of title 5, United States Code, to require agencies to submit to the Office of Government Ethics and the Department of State the compiled listing of certain statements relating to the receipt and disposition of foreign gifts and decorations, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Gift Accountability,
5 Reporting, and Disclosures Act” or the “GARD Act”.

1 **SEC. 2. RECEIPT AND DISPOSITION OF FOREIGN GIFTS AND**
2 **DECORATIONS.**

3 (a) REVISIONS TO THE PROCESS REQUIRING COM-
4 PILATION OF STATEMENTS BY FEDERAL EMPLOYEES.—
5 Section 7342 of title 5, United States Code, is amended—

6 (1) in subsection (a)—

7 (A) in paragraph (1)—

8 (i) by redesignating subparagraph (G)
9 as subparagraph (H);

10 (ii) by inserting after subparagraph
11 (F) the following new subparagraph:

12 “(G) a candidate as defined in section 301
13 of the Federal Election Campaign Act of 1971
14 (52 U.S.C. 30101) for nomination or election to
15 the office of President, Vice President, or Mem-
16 ber of Congress;”;

17 (iii) in subparagraph (H) (as
18 redesignated in clause (i))—

19 (I) by striking “(F)” and insert-
20 ing “(G)” in each place it occurs; and

21 (II) by striking “a dependent
22 (within the meaning of section 152 of
23 the Internal Revenue Code of 1986)”
24 and inserting: “a relative (as defined
25 in section 13101);” and

26 (B) in paragraph (2)—

1 (i) in subparagraph (B), by striking
2 the “and” at the end;

3 (ii) in subparagraph (C), by adding at
4 the end “and”; and

5 (iii) by adding at the end the fol-
6 lowing new subparagraph:

7 “(D) any individual or entity that is not a
8 United States citizen, a permanent resident
9 alien, or an entity organized under the laws of
10 the United States or any jurisdiction within the
11 United States;”;

12 (C) in paragraph (6)—

13 (i) in subparagraph (C), by striking “;
14 and”;

15 (ii) by redesignating subparagraph
16 (D) as subparagraph (G); and

17 (iii) by inserting after subparagraph
18 (C), the following new subparagraphs:

19 “(D) the Federal Electoral Commission,
20 for candidates in an election for President, Vice
21 President, and Member of Congress, except as
22 provided in subparagraphs (E) and (F);

23 “(E) the Select Committee on Ethics of
24 the Senate, for a candidate in an election for

1 the Federal office of Senator who is serving as
2 a Senator;

3 “(F) the Committee on Standards of Offi-
4 cial Conduct of the House of Representatives,
5 for a candidate in an election for the Federal
6 office of Member of the House of Representa-
7 tives who is serving as a Member; and”;

8 (2) in subsection (b)—

9 (A) in paragraph (1), by striking the “or”
10 at the end;

11 (B) in paragraph (2), by striking the pe-
12 riod at the end and inserting “; or”; and

13 (C) by adding at the end the following new
14 paragraph:

15 “(3) accept a gift from a country of concern as
16 designated by the Secretary of State.”;

17 (3) in subsection (c)(3), by inserting “termi-
18 nating the official use of a gift under subparagraph
19 (B) or” before “accepting travel”;

20 (4) in subsection (f)—

21 (A) paragraph (1)—

22 (i) by striking “January 31” and in-
23 sserting “May 15”;

1 (ii) by inserting “Office of Govern-
2 ment Ethics and the” before “Secretary of
3 State”;

4 (iii) by striking “State who shall” and
5 inserting “State. The Secretary of State
6 shall”; and

7 (iv) by striking the period and insert-
8 ing at the end “within 30 days after May
9 15 of the filing year.”;

10 (B) in paragraph (2)—

11 (i) in subparagraph (B), by striking
12 “brief”;

13 (ii) in subparagraph (C), by striking
14 “, if known,”;

15 (iii) by amending subparagraph (E) to
16 read as follows:

17 “(E) the estimated fair market value in
18 the United States of the gift at the time of ac-
19 ceptance as determined by retail prices, price of
20 comparable items, or appraisal;”;

21 (iv) by redesignating subparagraph
22 (F) as subparagraph (G);

23 (v) by inserting after subparagraph
24 (E) the following:

1 “(F) the Personal Property Management
2 Foreign Gift Inventory Control Number (PPM)
3 of gifts transferred to the Government Services
4 Administration and any internal gift tracking
5 number relevant to the current location and
6 final disposition of the gift; and”;

7 (vi) by amending subparagraph (G),
8 as redesignated under clause (iv), to read
9 as follows:

10 “(G) current location and final disposition
11 of the gift using any of the following descrip-
12 tions:

13 “(i) Purchased by recipient.

14 “(ii) Deposited with the National Ar-
15 chives and Records Administration.

16 “(iii) Retained for official use by
17 agency.

18 “(iv) Approved by employing agency
19 for official use by employee.

20 “(v) Transferred according to agency
21 policy.

22 “(vi) Processed according to agency
23 guidance.”;

24 (C) in paragraph (3)(B), by striking
25 “brief”; and

1 (D) in paragraph (4)—

2 (i) in subparagraph (A)—

3 (I) by striking “delete” and in-
4 sserting “redact”;

5 (II) by inserting “Office of Gov-
6 ernment Ethics and the” after “in
7 writing to the”; and

8 (ii) in subparagraph (B), by inserting
9 “Office of Government Ethics and the”
10 after “provided to the”;

11 (5) in subsection (g)—

12 (A) in paragraph (1)—

13 (i) by striking “Each employing agen-
14 cy shall” and inserting “Each employing
15 agency, or a designated agency ethics offi-
16 cial as defined in section 13101, and in co-
17 ordination with the Office of Government
18 Ethics, shall”; and

19 (ii) by inserting “the Office of Gov-
20 ernment Ethics and” before “the Secretary
21 of State”; and

22 (B) by redesignating paragraph (2) as
23 paragraph (3); and

24 (C) by adding after paragraph (1) the fol-
25 lowing new paragraph:

1 “(3) Each employing agency—

2 “(A) shall impose a \$200 late fee for any em-
3 ployee who files a statement 30 days after the date
4 on which such statement is required to be submitted;
5 and

6 “(B) may waive the fee described in subpara-
7 graph (A) if a determination is made by the employ-
8 ing agency, or a designated agency ethics official as
9 defined in section 13101, that an employee has good
10 cause for the late submission.”; and

11 (6) by adding at the end the following new sub-
12 section:

13 “(l) Not later than 120 days after enactment of the
14 GARD Act, each employing agency shall adapt systems
15 to enable public access to the listings under this section
16 in a manner similar to the public access of financial disclo-
17 sure reports required under chapter 131.”.

18 (b) APPLICATION.—The amendments by this Act
19 shall apply to any individual required to submit a state-
20 ment under section 7342 of title 5, United States Code,
21 within 30 days after the date of enactment of this Act.