

112<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 3625

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## AN ACT

To change the effective date for the internet publication of certain information to prevent harm to the national security or endangering the military officers and civilian employees to whom the publication requirement applies, 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. CHANGED EFFECTIVE DATE FOR FINANCIAL**  
2 **DISCLOSURE FORMS OF CERTAIN OFFICERS**  
3 **AND EMPLOYEES.**

4 (a) IN GENERAL.—Except with respect to financial  
5 disclosure forms filed by officers and employees referred  
6 to in subsection (b), section 8(a)(1) and section 11(a)(1)  
7 of the STOCK Act (5 U.S.C. App. 105 note) shall take  
8 effect on December 8, 2012.

9 (b) FINANCIAL DISCLOSURE FORMS NOT SUBJECT  
10 TO NEW EFFECTIVE DATE.—Financial disclosure forms  
11 filed by the following individuals shall not be subject to  
12 the effective date under this section:

13 (1) The President.

14 (2) The Vice President.

15 (3) Any Member of Congress.

16 (4) Any candidate for Congress.

17 (5) Any officer occupying a position listed in  
18 section 5312 or section 5313 of title 5, United  
19 States Code, having been nominated by the Presi-  
20 dent and confirmed by the Senate to that position.

21 **SEC. 2. STUDY AND REPORT.**

22 (a) IN GENERAL.—Not later than 30 days after the  
23 date of enactment of this Act, the Director of the Office  
24 of Personnel Management shall contract with the National  
25 Academy of Public Administration (referred to in this sec-  
26 tion as the “National Academy”) to—

1           (1) conduct a study of issues raised by website  
2 publication of financial disclosure forms as is re-  
3 quired under the STOCK Act (Public Law 112–105;  
4 126 Stat. 291); and

5           (2) issue a report containing findings and rec-  
6 ommendations.

7       (b) SCOPE OF STUDY.—The study conducted under  
8 subsection (a)(1) shall—

9           (1) examine the nature, scope, and degree of  
10 risk, including risk of harm to national security, law  
11 enforcement, or other Federal missions and risk of  
12 endangerment, including to personal safety and se-  
13 curity, financial security (such as through identity  
14 theft), and privacy, of officers and employees and  
15 their family members, that may be posed by website  
16 and other publication of financial disclosure forms  
17 and associated personal information;

18           (2) examine any harm that may have arisen  
19 from the current online availability of financial dis-  
20 closure forms and associated personal information of  
21 employees of the legislative branch, including any  
22 harm to national security, law enforcement, or other  
23 Federal missions and any endangerment that may  
24 have occurred, including to personal safety and secu-  
25 rity, financial security (such as through identity

1 theft), and privacy, of such legislative branch offi-  
2 cers and employees or their family members; and

3 (3) include any other analysis that the National  
4 Academy believes is necessary or desirable on the  
5 topic of the study.

6 (c) REPORT.—Not later than 6 months after the date  
7 of enactment of this Act, the National Academy shall sub-  
8 mit to Congress and the President a report that con-  
9 tains—

10 (1) the findings of the study conducted under  
11 subsection (a)(1);

12 (2) recommendations for ways to avoid or miti-  
13 gate the risks identified in the study conducted  
14 under subsection (a)(1), consistent with the goal of  
15 providing appropriate public disclosure of potential  
16 conflicts of interest or instances of insider trading  
17 by Federal officers or employees; and

18 (3) any other recommendations that the Na-  
19 tional Academy believes are necessary or desirable.

20 **SEC. 3. PERIODIC TRANSACTION REPORTS FOR TRANS-**  
21 **ACTIONS OF SPOUSES AND CHILDREN.**

22 (a) IN GENERAL.—

23 (1) DATE REPORTING REQUIREMENT COM-  
24 MENCES IN HOUSE OF REPRESENTATIVES AND EX-  
25 ECUTIVE BRANCH.—Section 2 of the Act entitled

1 “An Act to prevent harm to the national security or  
2 endangering the military officers and civilian em-  
3 ployees to whom internet publication of certain in-  
4 formation applies, and for other purposes”, approved  
5 August 16, 2012 (5 U.S.C. App. 103 note), is  
6 amended by striking “September 30, 2012” and in-  
7 serting “January 1, 2013”.

8 (2) EXTENSION TO EXECUTIVE BRANCH.—Sec-  
9 tion 2 of the Act entitled “An Act to prevent harm  
10 to the national security or endangering the military  
11 officers and civilian employees to whom internet  
12 publication of certain information applies, and for  
13 other purposes”, approved August 16, 2012 (5  
14 U.S.C. App. 103 note), is amended by striking “for  
15 reporting individuals” and all that follows through  
16 “House of Representatives”.

17 (3) TECHNICAL AND CONFORMING AMEND-  
18 MENT.—Section 2 of the Act entitled “An Act to  
19 prevent harm to the national security or endangering  
20 the military officers and civilian employees to whom  
21 internet publication of certain information applies,  
22 and for other purposes”, approved August 16, 2012  
23 (5 U.S.C. App. 103 note), is amended by striking  
24 “such section 101” and inserting “section 101 of  
25 such Act (5 U.S.C. App. 101)”.

1 (b) EFFECTIVE DATE; RULE OF CONSTRUCTION.—

2 (1) EFFECTIVE DATE.—The amendments made  
3 by subsection (a) shall take effect on January 1,  
4 2013.

5 (2) RULE OF CONSTRUCTION.—Before January  
6 1, 2013, the amendments made by subsection (a)  
7 shall not affect the applicability of section 2 of the  
8 Act entitled “An Act to prevent harm to the national  
9 security or endangering the military officers and ci-  
10 vilian employees to whom internet publication of cer-  
11 tain information applies, and for other purposes”,  
12 approved August 16, 2012 (5 U.S.C. App. 103  
13 note), as in effect on the day before the effective  
14 date under paragraph (1).

15 (c) SAVINGS CLAUSE.—Nothing in the amendments  
16 made by subsection (a) shall be construed as affecting any  
17 requirement with respect to the House of Representatives  
18 or the executive branch in effect before January 1, 2013,  
19 with respect to the inclusion of transaction information for  
20 a report under section 103(l) of the Ethics in Government  
21 Act of 1978 (5 U.S.C. App. 103(l)).

22 (d) NO CHANGE TO EXISTING SENATE REQUIRE-  
23 MENTS.—Nothing in this section or the amendments made  
24 this section shall be construed as affecting the require-  
25 ment that took effect with respect to the Senate on July

1 3, 2012, which mandates the inclusion of transaction in-  
2 formation for spouses and dependent children for a report  
3 under section 103(l) of the Ethics in Government Act of  
4 1978 (5 U.S.C. App. 103(l)).

Passed the Senate September 22 (legislative day,  
September 21), 2012.

Attest:

*Secretary.*

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