

HR 1144

Transparency and Openness in Government Act

Congress: 112 (2011–2013, Ended)

Chamber: House

Policy Area: Government Operations and Politics

Introduced: Mar 17, 2011

Current Status: Referred to the Subcommittee on Technology, Information Policy, Intergovernmental Relations and Procurement Reform . (Apr 1, 2011)

Latest Action: Referred to the Subcommittee on Technology, Information Policy, Intergovernmental Relations and Procurement Reform . (Apr 1, 2011)

Official Text: <https://www.congress.gov/bill/112th-congress/house-bill/1144>

Sponsor

Name: Rep. Cummings, Elijah E. [D-MD-7]

Party: Democratic • **State:** MD • **Chamber:** House

Cosponsors (17 total)

Cosponsor	Party / State	Role	Date Joined
Del. Norton, Eleanor Holmes [D-DC-At Large]	D · DC		Mar 17, 2011
Rep. Braley, Bruce L. [D-IA-1]	D · IA		Mar 17, 2011
Rep. Clay, Wm. Lacy [D-MO-1]	D · MO		Mar 17, 2011
Rep. Connolly, Gerald E. [D-VA-11]	D · VA		Mar 17, 2011
Rep. Cooper, Jim [D-TN-5]	D · TN		Mar 17, 2011
Rep. Davis, Danny K. [D-IL-7]	D · IL		Mar 17, 2011
Rep. Kucinich, Dennis J. [D-OH-10]	D · OH		Mar 17, 2011
Rep. Lynch, Stephen F. [D-MA-9]	D · MA		Mar 17, 2011
Rep. Maloney, Carolyn B. [D-NY-14]	D · NY		Mar 17, 2011
Rep. Murphy, Christopher [D-CT-5]	D · CT		Mar 17, 2011
Rep. Quigley, Mike [D-IL-5]	D · IL		Mar 17, 2011
Rep. Speier, Jackie [D-CA-12]	D · CA		Mar 17, 2011
Rep. Tierney, John F. [D-MA-6]	D · MA		Mar 17, 2011
Rep. Towns, Edolphus [D-NY-10]	D · NY		Mar 17, 2011
Rep. Welch, Peter [D-VT-At Large]	D · VT		Mar 17, 2011
Rep. Yarmuth, John A. [D-KY-3]	D · KY		Mar 17, 2011
Rep. Thompson, Bennie G. [D-MS-2]	D · MS		Apr 4, 2011

Committee Activity

Committee	Chamber	Activity	Date
Oversight and Government Reform Committee	House	Referred to	Apr 1, 2011

Subjects & Policy Tags

Policy Area:

Government Operations and Politics

Related Bills

Bill	Relationship	Last Action
112 HR 3124	Related bill	Oct 13, 2011: Ordered to be Reported by Unanimous Consent.

Transparency and Openess in Government Act - Amends the Federal Advisory Committee Act (FACA) to require appointments to advisory committees to be made without regard to political affiliation or activity, unless otherwise required by federal statute. Directs the head of an agency, prior to appointing members to an advisory committee, to give interested persons an opportunity to suggest potential committee members.

Requires an individual appointed to an advisory committee who is not a full-time or permanent part-time officer or employee of the federal government to be designated as: (1) a special government employee if the individual is providing advice based on the individual's expertise or experience, or (2) a representative if the individual is representing the views of an entity outside of the federal government. Prohibits an agency from designating committee members as representatives to avoid subjecting them to federal ethics rules and requirements.

Requires agency heads to make available on the agency's Internet site specified information about the advisory committee and its activities. Requires the Comptroller General to review compliance by agencies with FACA.

Amends the Presidential Records Act to require the Archivist of the United States, when making available any presidential record not previously made publicly available, to: (1) promptly provide written notice of such determination to the former President during whose term of office the record was created and to the incumbent President, and (2) make the notice available to the public. Requires such a record to be made available upon the expiration of a specified period, except any record with respect to which the Archivist receives notification from a former or incumbent President of a claim of constitutionally based privilege against disclosure.

Prohibits the Archivist from making publicly available a presidential record that is subject to a privilege claim asserted by the incumbent President unless: (1) the incumbent President withdraws the privilege claim, or (2) the Archivist is otherwise directed by a final court order that is not subject to appeal.

Prohibits the Archivist from making available any original presidential records to anyone claiming access to them as a designated representative of a President or former President if that individual has been convicted of a crime relating to the review, removal, or destruction of the Archives' records.

Requires any presidential library fundraising organization to submit quarterly reports to National Archives and Records Administration (NARA) and specified congressional committees on contributors who gave such organization \$200 or more for the quarter.

Requires the Archivist to: (1) promulgate, periodically review, and amend, as necessary, regulations governing federal agency preservation of electronic messages that are federal records; (2) establish standards for the management of presidential records during a President's term of office, including records management controls necessary for the capture, management, and preservation of electronic messages and for ensuring that electronic messages are readily accessible for retrieval through electronic searches; (3) certify annually whether records management controls established by a President meet the requirements of the Presidential Records Act; (4) prescribe internal procedures to prevent the unauthorized removal of classified records from NARA or the destruction or damage of such records; and (5) prohibit access to presidential records by individuals who have been convicted of a crime relating to the review, retention, removal, or destruction of NARA records.

Authorizes the Comptroller General to obtain agency records required for performing audit, evaluation, and investigative duties.

Actions Timeline

- **Apr 1, 2011:** Referred to the Subcommittee on Technology, Information Policy, Intergovernmental Relations and Procurement Reform .
- **Mar 17, 2011:** Introduced in House
- **Mar 17, 2011:** Referred to the House Committee on Oversight and Government Reform.