

118TH CONGRESS  
2D SESSION

# S. 3664

To require executive branch employees to report certain royalties, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

JANUARY 25, 2024

Mr. PAUL introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

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## A BILL

To require executive branch employees to report certain royalties, 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 “Royalty Transparency  
5 Act”.

6 **SEC. 2. FINANCIAL DISCLOSURE REPORTS OF EXECUTIVE**  
7 **BRANCH EMPLOYEES.**

8 (a) CONTENTS OF REPORTS.—Section 13104(a)(1)  
9 of title 5, United States Code, is amended—

1           (1) in subparagraph (A), by inserting “, subject  
2 to subparagraph (C)” after “employment by the  
3 United States Government”; and

4           (2) by inserting after subparagraph (B) the fol-  
5 lowing:

6           “(C) ROYALTIES RECEIVED BY GOVERN-  
7 MENT EMPLOYEES.—Notwithstanding section  
8 12(c) of the Stevenson-Wydler Technology In-  
9 novation Act of 1980 (15 U.S.C. 3710a (c))  
10 and section 209 of title 35, if the reporting in-  
11 dividual is an officer or employee in the execu-  
12 tive branch (including a special Government  
13 employee, as defined in section 202 of title 18),  
14 the source and amount or value of any royalties  
15 received by the reporting individual, the spouse  
16 of the reporting individual, or a dependent child  
17 of the reporting individual during the reporting  
18 period described in subsection (d) or (e) of sec-  
19 tion 13103, as applicable, that were received as  
20 a result of an invention developed by the report-  
21 ing individual in the course of employment of  
22 the reporting individual with the United States  
23 Government, including any royalty interest pay-  
24 ment made under the Federal Technology  
25 Transfer Act of 1986 (Public Law 99–502; 100

1           Stat. 1785), an amendment made by such Act,  
2           or any other applicable authority.”.

3           (b) REVIEW OF REPORTS.—Section 13107(b) of title  
4 5, United States Code, is amended—

5           (1) in paragraph (1)—

6                   (A) in the first sentence, by inserting “and  
7                   shall, notwithstanding section 12 of the Steven-  
8                   son-Wydler Technology Act of 1980 (15 U.S.C.  
9                   3710a) and section 209 of title 35, publish such  
10                  report on the internet website of the agency, of-  
11                  fice, Clerk, or Secretary of the Senate, as the  
12                  case may be” after “to any person requesting  
13                  such inspection or copy”; and

14                  (B) in the second sentence—

15                          (i) by inserting “, notwithstanding  
16                          section 12 of the Stevenson-Wydler Tech-  
17                          nology Act of 1980 (15 U.S.C. 3710a) and  
18                          section 209 of title 35,” after “such report  
19                          shall”; and

20                          (ii) by inserting “and published on the  
21                          internet website of the agency, office,  
22                          Clerk, or Secretary of the Senate, as the  
23                          case may be,” after “made available for  
24                          public inspection”;

1           (2) by striking paragraph (2) and the matter  
2 following paragraph (2);

3           (3) by redesignating paragraph (3) as para-  
4 graph (2); and

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

6           “(3) PROCEDURE FOR RELEASING REPORTS TO  
7 MEMBERS OF CONGRESS.—Notwithstanding any  
8 other provision of law, not later than 30 days after  
9 receiving a request from a Member of Congress, any  
10 agency or supervising ethics office in the executive  
11 branch shall furnish to the Member of Congress an  
12 unredacted copy of any report received under this  
13 subchapter.”.

14           (c) CONFIDENTIAL REPORTS AND OTHER ADDI-  
15 TIONAL REQUIREMENTS.—Section 13109(a)(2) of title 5,  
16 United States Code, is amended—

17           (1) by striking “Any information” and inserting  
18 the following:

19           “(A) IN GENERAL.—Any information”;  
20 and

21           (2) by adding at the end the following:

22           “(B) SPECIAL GOVERNMENT EMPLOY-  
23 EES.—

24           “(i) DEFINITION.—For the purposes  
25 of this subparagraph, the term ‘sensitive

1 personal information' does not include the  
2 source or amount or value of any royalties  
3 received by a reporting individual.

4 “(ii) REDACTION AND PUBLICA-  
5 TION.—Upon receipt of a confidential fi-  
6 nancial disclosure report under this section  
7 of submitted by a special Government em-  
8 ployee, as defined in section 202 of title  
9 18, the recipient supervising ethics office  
10 shall—

11 “(I) redact any sensitive personal  
12 information from the confidential fi-  
13 nancial disclosure report; and

14 “(II) notwithstanding section 12  
15 of the Stevenson-Wydler Technology  
16 Act of 1980 (15 U.S.C. 3710a(c)) and  
17 section 209 of title 35, publish the re-  
18 dacted confidential financial disclosure  
19 report on the internet website of the  
20 agency by which the special Govern-  
21 ment employee is employed not later  
22 than 120 days after the date on which  
23 the recipient supervising ethics office  
24 receives the confidential financial dis-  
25 closure report.”.

1 **SEC. 3. GENERAL DISCLOSURE OF ROYALTIES.**

2 (a) DEFINITIONS.—In this section:

3 (1) AGENCY.—The term “agency” means an  
4 agency within the executive branch, as defined in  
5 section 13101 of title 5, United States Code.

6 (2) APPLICABLE PERSON.—The term “applica-  
7 ble person” means any individual or entity that ap-  
8 plies to—

9 (A) receive a grant from the Federal Gov-  
10 ernment; or

11 (B) serve as a contractor.

12 (3) CONTRACTOR.—The term “contractor” has  
13 the meaning given the term in section 7101 of title  
14 41, United States Code.

15 (4) COVERED ROYALTY.—The term “covered  
16 royalty” means any royalty received by an applicable  
17 person from any party other than the Federal Gov-  
18 ernment.

19 (b) AGENCY REQUIREMENT.—Before receiving any  
20 Federal grant or contract, each applicable person shall  
21 submit to the agency from which the applicable person  
22 seeks the grant or for which the applicable person seeks  
23 to serve as a contractor, as applicable, a report disclosing  
24 the source and amount or value of all covered royalties  
25 received by the applicable person during the 10-year pe-

1 riod preceding the date on which the applicable person re-  
2 ceives such Federal grant or contract.

3 (c) PROCEDURE FOR RELEASING REPORTS TO MEM-  
4 BERS OF CONGRESS.—Notwithstanding any other provi-  
5 sion of law, not later than 30 days after receiving a re-  
6 quest from a Member of Congress, an agency shall furnish  
7 to the Member of Congress an unredacted copy of any re-  
8 port submitted under subsection (b).

9 **SEC. 4. SEVERABILITY.**

10 If any provision of this Act, an amendment made by  
11 this Act, or the application of such provision or amend-  
12 ment to any person or circumstance is held to be unconsti-  
13 tutional, the remainder of this Act and the amendments  
14 made by this Act, and the application of the provision or  
15 the amendment to any other person or circumstance, shall  
16 not be affected.

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