

S. 3

To provide for the proactive disclosure of information to be made publicly available.

IN THE SENATE OF THE UNITED STATES

DECEMBER 13th, 2022

Mr. Twos (for themselves, and AG Charest) introduced the following
bill;

A BILL

To provide for the proactive disclosure of information to be made publicly available.

*Be it enacted by the Senate and House of Representatives of the United States of
America in Congress assembled,*

SECTION 1. SHORT TITLE

This Act may be cited as the “Proactive Disclosure Act.”

SEC. 2. PURPOSE

This bill is designed to ensure the public has greater access to information held by the federal government. It seeks to empower citizens by allowing them to access information directly from the federal government, thus promoting transparency and accountability on the part of the executive branch.

SEC. 3..DEFINITIONS

For the purposes of this bill, the following terms shall have the following meanings:

- (1) “Proactive Disclosure” shall mean the practice of making information available to the public without a specific request.
- (2) “Information” shall mean all records, documents, data, and materials held by the federal government that are not exempt from disclosure under the Freedom of Information Act (FOIA).

SEC. 4. PROACTIVE DISCLOSURE REQUIREMENTS

The Executive Office of the President shall create and maintain a website which shall provide access to Information held by the federal government that can be shared with the public-at-large. The website shall include a searchable database of Information, a regularly updated list of documents and materials, and a summary of the types of Information available. The Executive Office of the President shall also provide access to Information through a variety of other means, including open data portals, RSS feeds, and email alerts. The Executive Office of the President shall also identify Information which it believes should be made available to the public, and shall make such Information available in a timely manner.

SEC. 5. COMPLIANCE

The Executive Office of the President shall take steps to ensure that all Information is made available to the public in accordance with this bill. The Administration shall also take steps to ensure that the Information is accurate and up to date.

SEC. 6. ENFORCEMENT

The Executive Office of the President shall create and implement a system to track and monitor compliance with this bill. The Administration shall also create a system to respond to complaints regarding the availability of Information.

SEC. 7. REPORTING

The Executive Office of the President shall prepare and submit a report to Congress every six months regarding its progress in complying with this bill. The report shall include information on the number of documents and materials released, the types of documents and materials released, the number of requests for Information, and the number of complaints received.

SEC. 8. EFFECTIVE DATE

This Act shall take effect upon signature of the President and subsequent publication in the Federal Register.