

116TH CONGRESS  
1ST SESSION

# H. R. 3069

To suspend the authority of a State to administer funds under Federal block grant programs if the State does not enact certain conflict of interest protections, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 3, 2019

Mr. KILDEE introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committees on Education and Labor, Financial Services, Homeland Security, the Judiciary, Transportation and Infrastructure, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To suspend the authority of a State to administer funds under Federal block grant programs if the State does not enact certain conflict of interest protections, 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 “Make State Govern-  
5 ments More Open, Honest, and Transparent Act of  
6 2019”.

1 **SEC. 2. NATIONAL STANDARDS RELATING TO STATE CON-**  
2 **FLICT OF INTEREST PROTECTIONS.**

3 (a) **IN GENERAL.**—The head of a Federal agency  
4 that administers a Federal block grant program in a fiscal  
5 year shall take the following actions with respect to a  
6 State that is in noncompliance as described in subsection  
7 (b) on the first day of the fiscal year:

8 (1) Suspend the authority of the State or any  
9 political subdivision of the State to administer funds  
10 made available to the State or subdivision under the  
11 Federal block grant program in that fiscal year.

12 (2) Exercise the authority of the State de-  
13 scribed in paragraph (1) in that fiscal year, includ-  
14 ing the selection of the projects to be carried out in  
15 the State or subdivision under the Federal block  
16 grant program.

17 (b) **REQUIREMENT.**—A State shall be treated as  
18 being in noncompliance as described in this subsection  
19 with respect to a fiscal year if the Director of the Office  
20 of Government Ethics determines that the State has not  
21 enacted or is not enforcing one or more of the following  
22 laws on the first day of the fiscal year:

23 (1) A law that requires an individual serving as  
24 a member of the legislature of the State to prepare  
25 and make available to the public an annual report

1 disclosing the financial interests of the individual  
2 during the preceding year.

3 (2) A law that prohibits an individual serving  
4 as a member of the legislature of the State to solicit  
5 or require, either directly or indirectly, an employee  
6 of the individual to make a financial or in-kind con-  
7 tribution to a political party or a political campaign.

8 (3) A law that makes it unlawful for any per-  
9 son—

10 (A) who enters into any contract with the  
11 State (including any department or agency of  
12 the State) either for the rendition of personal  
13 services or furnishing any material, supplies, or  
14 equipment to the State or for selling any land  
15 or building to the State, if payment for the per-  
16 formance of such contract or payment for such  
17 material, supplies, equipment, land, or building  
18 is to be made in whole or in part from funds  
19 appropriated by the State, at any time between  
20 the commencement of negotiations for and the  
21 later of (i) the completion of performance  
22 under, or (ii) the termination of negotiations  
23 for, such contract or furnishing of material,  
24 supplies, equipment, land, or buildings, directly  
25 or indirectly to make any contribution of money

1 or other things of value, or to promise expressly  
2 or impliedly to make any such contribution to  
3 any political party, committee, or candidate for  
4 State public office or to any person for any po-  
5 litical purpose or use; or

6 (B) knowingly to solicit any such contribu-  
7 tion from any such person for any such purpose  
8 during any such period.

9 (c) DEFINITIONS.—In this section, the following defi-  
10 nitions apply:

11 (1) FEDERAL BLOCK GRANT PROGRAM.—The  
12 term “Federal block grant program” means each of  
13 the following:

14 (A) The Student Support and Academic  
15 Enrichment Grants program of the Department  
16 of Education.

17 (B) The Energy Efficiency and Conserva-  
18 tion Block Grant Program of the Department  
19 of Energy.

20 (C) The following programs of the Depart-  
21 ment of Health and Human Services:

22 (i) The Child Care and Development  
23 Block Grant program.

24 (ii) The Community Mental Health  
25 Services Block Grant program.

1 (iii) The Community Services Block  
2 Grant program.

3 (iv) The program for Low Income  
4 Home Energy Assistance grants.

5 (v) The Maternal and Child Health  
6 Services Block Grant program.

7 (vi) The Preventive Health and  
8 Health Services Block Grant program.

9 (vii) The Program of Block Grants to  
10 States for Social Services under title XX of  
11 the Social Security Act.

12 (viii) The Substance Abuse Prevention  
13 and Treatment Block Grant program.

14 (ix) The program of Block Grants to  
15 States for Temporary Assistance for Needy  
16 Families under part A of title IV of the  
17 Social Security Act.

18 (x) The Title V Abstinence Education  
19 Block Grant program.

20 (D) The Homeland Security Grant Pro-  
21 grams (Urban Area Security Initiative, State  
22 Homeland Security Grant Program, and Oper-  
23 ation Stonegarden) of the Department of  
24 Homeland Security.

1 (E) The following programs of the Depart-  
2 ment of Housing and Urban Development:

3 (i) The Community Development  
4 Block Grant program.

5 (ii) The Indian Community Develop-  
6 ment Block Grant program.

7 (iii) The Emergency Solutions Grant  
8 Program.

9 (iv) The HOME Investment Partner-  
10 ships Program.

11 (v) The Indian Housing Block Grant  
12 program.

13 (vi) The Native Hawaiian Housing  
14 Block Grant program.

15 (F) The Edward Byrne Memorial Justice  
16 Assistance Grant program of the Department of  
17 Justice.

18 (G) The Workforce Innovation and Oppor-  
19 tunity Act program of the Department of  
20 Labor.

21 (H) The following programs of the Depart-  
22 ment of Transportation:

23 (i) The Federal Aviation Administra-  
24 tion Airport Improvement State Block  
25 Grant Program.

1 (ii) The Surface Transportation Block  
2 Grant Program.

3 (2) STATE.—The term “State” means any of  
4 the 50 States, the District of Columbia, or Puerto  
5 Rico.

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