

April 4, 2013

The Hon. John Boehner
The Hon. Eric Cantor
The Hon. Nancy Pelosi
House of Representatives
Washington, D.C. 20515

RE: Delay the effective date of on-line disclosure requirement for executive branch personnel under the STOCK Act

Dear Speaker Boehner, Majority Leader Cantor and Minority Leader Pelosi:

As civic organizations that have been intimately involved in the passage and implementation of the “Stop Trading on Congressional Knowledge” (STOCK) Act (P.L. 112-105), we ask that you again delay implementation of the on-line disclosure requirements under Section 11 beyond what is currently mandated for President, Vice President, Congress and senior executive branch employees at Executive Schedule Levels I and II. This delay is to allow more time to consider implementation issues and possible changes, if any, to address potential privacy and security concerns raised by federal employees.

This would be identical to the earlier delay of implementation of Section 11 of the STOCK Act approved by Congress in P. L. 112-178 and P. L. 112-207. The earlier delay will expire on April 15, which does not provide Congress with sufficient time to deliberate whether revisions to narrow the scope of the on-line disclosure requirement, if any, are appropriate.

At Congress’ request, the National Academy of Public Administration (NAPA) has issued a review of the online disclosure of the STOCK Act. The study, which made very little effort to incorporate the views of civic organizations dedicated to transparency, offers conflicting recommendations, ranging from delaying implementation of the on-line disclosure provision to questioning the value of searchable, sortable and downloadable transparency databases altogether. The NAPA study also raises the possibility that broad-based transparency of personal financial records could risk intelligence service employees, but then recognizes that such transparency is already in place, and concludes that it “was unable to find any evidence” of such risk.

The limited approach used in the study and conflicting conclusions would be poor ground for Congress to make a hasty decision by April 15. We ask that Congress delay implementation of Section 11 until such time as this critical issue can be considered more carefully.

Sincerely,

Campaign Legal Center
Center for Effective Government (formerly OMB Watch)
Common Cause
Democracy 21

Public Citizen
Sunlight Foundation