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(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R.

To amend chapter 3 of title 5, United States Code, to require the publication of settlement agreements, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. PALMER introduced the following bill; which was referred to the Committee on _____

A BILL

To amend chapter 3 of title 5, United States Code, to require the publication of settlement agreements, 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 “Settlement Agreement
5 Information Database Act of 2026”.

1 **SEC. 2. INFORMATION REGARDING SETTLEMENT AGREE-**
2 **MENTS ENTERED INTO BY AGENCIES.**

3 (a) REQUIREMENTS FOR SETTLEMENT AGREE-
4 MENTS.—Subchapter I of chapter 3 of title 5, United
5 States Code, is amended by adding at the end the fol-
6 lowing:

7 **“§ 307. Information regarding settlement agreements**

8 “(a) DEFINITIONS.—In this section:

9 “(1) AGENCY.—The term ‘agency’ has the
10 meaning given the term in section 3502 of title 44.

11 “(2) COVERED SETTLEMENT AGREEMENT.—

12 “(A) IN GENERAL.—The term ‘covered set-
13 tlement agreement’ means a settlement agree-
14 ment or deferred prosecution agreement that
15 meets 1 or more of the following requirements:

16 “(i) Requires not less than
17 \$10,000,000 in total explicitly obligated
18 payments of a settling party on the date
19 on which the settlement agreement is exe-
20 cuted.

21 “(ii) Involves the appointment of a
22 special master or monitor.

23 “(iii) Involves a party that is a State,
24 metropolitan city, local government, coun-
25 ty, or other unit of government that is not
26 the Federal Government.

1 “(iv) Is designated as a covered settle-
2 ment agreement by the Director as a result
3 of meeting additional criteria determined
4 by the Director as described in subsection
5 (b)(2)(C).

6 “(B) EXCLUSIONS.—The term ‘covered
7 settlement agreement’ does not include a settle-
8 ment agreement that relates to any of the fol-
9 lowing:

10 “(i) The United States Trustee Pro-
11 gram.

12 “(ii) A Federal employee personnel
13 action, including an action before the
14 Equal Employment Opportunity Commis-
15 sion, the Office of Special Counsel, or the
16 Merit Systems Protection Board, or any
17 other internal personnel-related matter.

18 “(iii) A non-prosecution agreement or
19 plea bargain.

20 “(iv) The Internal Revenue Code of
21 1986.

22 “(v) Any matter that may be brought
23 as an action pursuant to chapter 46 of title
24 18.

1 “(3) DIRECTOR.—The term ‘Director’ means
2 the Director of the Office of Management and Budg-
3 et.

4 “(4) LOCAL GOVERNMENT.—The term ‘local
5 government’ has the meaning given the term in sec-
6 tion 6501 of title 31.

7 “(5) ORIGINATING AGENCY.—The term ‘origi-
8 nating agency’ means an agency on behalf of which
9 or at the request of which another agency executes
10 a settlement agreement.

11 “(6) SETTLEMENT AGREEMENT.—The term
12 ‘settlement agreement’ means an agreement (includ-
13 ing a consent decree) that—

14 “(A) is entered into by an agency; and

15 “(B) resolves an alleged violation of Fed-
16 eral, civil, or criminal law.

17 “(7) STATE.—The term ‘State’ means each of
18 the several States, the District of Columbia, each
19 territory or possession of the United States, and
20 each federally recognized Indian Tribe.

21 “(b) COVERED SETTLEMENT AGREEMENT INFORMA-
22 TION DATABASE.—

23 “(1) AGENCY REQUIREMENT.—

24 “(A) IN GENERAL.—Not later than 2 years
25 after the date of the enactment of this section,

1 the head of each agency that has entered into
2 a covered settlement agreement shall establish
3 and maintain a public online database that,
4 subject to subparagraph (B), contains the fol-
5 lowing information and documents to the extent
6 practicable:

7 “(i) A list (in a categorized and
8 searchable format) that includes each cov-
9 ered settlement agreement entered into by
10 such agency and publishes with respect to
11 each such covered settlement agreement
12 the following:

13 “(I) Whether the covered settle-
14 ment agreement resolves a civil or
15 criminal claim or both.

16 “(II) The date on which each
17 party settling a claim under the cov-
18 ered settlement agreement executes
19 such covered settlement agreement.

20 “(III) Any specific statutory pro-
21 vision alleged to have been violated, as
22 may be set forth in any corresponding
23 public letter or complaint.

24 “(IV) Any expressly denominated
25 amount of fees and other expenses of

1 attorneys provided by or to the United
2 States.

3 “(V) The amount, if any, each
4 party settling a claim under the cov-
5 ered settlement agreement is explicitly
6 obligated to pay as set forth in such
7 covered settlement agreement.

8 “(VI) The amount, if any, each
9 party settling a claim under the cov-
10 ered settlement agreement is obligated
11 to pay as expressly specified under the
12 covered settlement agreement as a
13 civil or criminal penalty or fine.

14 “(VII) Any payment made under
15 the covered settlement agreement, in-
16 cluding the amount of any payment
17 made to or by the Federal Govern-
18 ment.

19 “(VIII) The projected duration of
20 the covered settlement agreement, if
21 available.

22 “(IX) A list of any State, local
23 government, county, or any other unit
24 of government that is directly identi-

1 fied by the substantive terms of the
2 covered settlement agreement.

3 “(ii) A copy of each such covered set-
4 tlement agreement.

5 “(B) EXEMPTIONS.—The requirement to
6 publish a copy of or any other information with
7 respect to a covered settlement agreement pur-
8 suant to subparagraph (A) does not apply to
9 the extent such copy (or portion thereof) or in-
10 formation—

11 “(i) is subject to a confidentiality pro-
12 vision or court order that prohibits the dis-
13 closure of such copy (or portion) or infor-
14 mation; or

15 “(ii) would be subject to withholding
16 from public disclosure under section 552.

17 “(2) GUIDANCE.—Not later than 1 year after
18 the date of the enactment of this section, the Direc-
19 tor, in coordination with the Attorney General, shall
20 issue, and periodically update as necessary there-
21 after, guidance for the head of each agency to imple-
22 ment paragraph (1) that includes the following:

23 “(A) Specific dates by which such head
24 shall publish information necessary to maintain
25 the database of such agency pursuant to para-

1 graph (1)(A), which shall be not less frequently
2 than annually.

3 “(B) Data standards, including common
4 data elements and a common, nonproprietary,
5 searchable, machine-readable, and platform-
6 independent format, for the publication of infor-
7 mation pursuant to paragraph (1)(A).

8 “(C) Additional criteria that such head
9 shall use to determine if a settlement agreement
10 is likely to require significant compliance costs
11 such that such head shall designate such settle-
12 ment agreement as a covered settlement agree-
13 ment.

14 “(D) A requirement that such head shall
15 use a uniform resource locator for the establish-
16 ment of the database of such agency pursuant
17 to paragraph (1)(A) that—

18 “(i) is—

19 “(I) in a consistent format across
20 agencies; and

21 “(II) descriptive, memorable, and
22 pronounceable; and

23 “(ii) may be ‘agencyname.gov/settle-
24 ments’.

1 “(E) A process that such head may use to
2 request certification from the Director that a
3 database of such agency that exists on the date
4 of the enactment of this section complies with
5 this subsection.

6 “(F) A process for requiring the head of
7 not less than 1 agency to publish a covered set-
8 tlement agreement on a database required by
9 paragraph (1)(A) if—

10 “(i) multiple agencies are a party to
11 such covered settlement agreement; or

12 “(ii) such head enters into an addi-
13 tional covered settlement agreement at the
14 request of or on behalf of an originating
15 agency.

16 “(3) NON-DISCLOSURE TRANSPARENCY.—

17 “(A) REPORT ON NON-DISCLOSURE.—Not
18 later than 2 years after the date of the enact-
19 ment of this section, and not less frequently
20 than annually thereafter, the head of each
21 agency that establishes and maintains a data-
22 base pursuant to paragraph (1)(A) shall submit
23 to Congress and make publicly available on the
24 website of such agency a report on covered set-
25 tlement agreements that the agency does not

1 publicly disclose in the database for the covered
2 settlements published in the previous year.

3 “(B) REPORT CONTENTS.—The report de-
4 scribed in subparagraph (A) shall include—

5 “(i) the number of covered settlement
6 agreements that were fully exempted under
7 paragraph (1)(B);

8 “(ii) for each covered settlement
9 agreement fully exempted under paragraph
10 (1)(B), the specific exemption under that
11 paragraph that applies; and

12 “(iii) in the case of a full exemption
13 under paragraph (1)(B)(ii), the specific ex-
14 emptions under section 552 that apply.”.

15 (b) CLERICAL AMENDMENT.—The table of sections
16 for subchapter I of chapter 3 of title 5, United States
17 Code, is amended by adding at the end the following new
18 item:

“307. Information regarding settlement agreements.”.

19 (c) RULE OF CONSTRUCTION.—

20 (1) IN GENERAL.—Any information published
21 on a database established and maintained pursuant
22 to section 307(b)(1)(A) of title 5, United States
23 Code, as added by subsection (a), shall not affect the
24 terms of a settlement agreement or the interpreta-
25 tion or application of the settlement agreement.

1 (2) LEGAL RIGHTS.—The inclusion or omission
2 of information or documents in a database estab-
3 lished and maintained pursuant to section
4 307(b)(1)(A) of title 5, United States Code, as
5 added by subsection (a), shall not be construed as
6 creating any legal right or opportunity for judicial
7 review.

8 (3) FREEDOM OF INFORMATION ACT.—Nothing
9 in this Act, or the amendments made by this Act,
10 shall be construed to require the disclosure of infor-
11 mation or records that the head of an agency may
12 withhold from public disclosure under section 552 of
13 title 5, United States Code.

14 (4) CLASSIFIED INFORMATION.—Nothing in
15 this Act, or the amendments made by this Act, shall
16 be construed to require the disclosure of classified
17 information.

18 (d) APPLICABILITY.—This Act, and the amendments
19 made by this Act, shall apply with respect to—

20 (1) any covered settlement agreement (as de-
21 fined in section 307(a) of title 5, United States
22 Code, as added by subsection (a)) entered into on or
23 after the date of the enactment of this Act; and

24 (2) to the extent practicable, any such covered
25 settlement agreement that—

1 (A) was entered into on or after January
2 1, 2015; and
3 (B) remains in effect on or after the date
4 of the enactment of this Act.