

# ***In the House of Representatives, U. S.,***

*July 31, 2007.*

*Resolved*, That the bill from the Senate (S. 1) entitled “An Act to provide greater transparency in the legislative process”, do pass with the following

## **AMENDMENT:**

Strike out all after the enacting clause and insert:

1 ***SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.***

2       (a) *SHORT TITLE.*—*This Act may be cited as the*  
3 *“Honest Leadership and Open Government Act of 2007”.*

4       (b) *TABLE OF CONTENTS.*—*The table of contents for*  
5 *this Act is as follows:*

*Sec. 1. Short title and table of contents.*

### ***TITLE I—CLOSING THE REVOLVING DOOR***

*Sec. 101. Amendments to restrictions on former officers, employees, and elected officials of the executive and legislative branches.*

*Sec. 102. Wrongfully influencing a private entity’s employment decisions or practices.*

*Sec. 103. Notification of post-employment restrictions.*

*Sec. 104. Exception to restrictions on former officers, employees, and elected officials of the executive and legislative branch.*

*Sec. 105. Effective date.*

### ***TITLE II—FULL PUBLIC DISCLOSURE OF LOBBYING***

*Sec. 201. Quarterly filing of lobbying disclosure reports.*

*Sec. 202. Additional disclosure.*

*Sec. 203. Semiannual reports on certain contributions.*

*Sec. 204. Disclosure of bundled contributions.*

*Sec. 205. Electronic filing of lobbying disclosure reports.*

*Sec. 206. Prohibition on provision of gifts or travel by registered lobbyists to Members of Congress and to congressional employees.*

*Sec. 207. Disclosure of lobbying activities by certain coalitions and associations.*

*Sec. 208. Disclosure by registered lobbyists of past executive branch and congressional employment.*

- Sec. 209. Public availability of lobbying disclosure information; maintenance of information.*
- Sec. 210. Disclosure of enforcement for noncompliance.*
- Sec. 211. Increased civil and criminal penalties for failure to comply with lobbying disclosure requirements.*
- Sec. 212. Electronic filing and public database for lobbyists for foreign governments.*
- Sec. 213. Comptroller General audit and annual report.*
- Sec. 214. Sense of Congress.*
- Sec. 215. Effective date.*

### *TITLE III—MATTERS RELATING TO THE HOUSE OF REPRESENTATIVES*

- Sec. 301. Disclosure by Members and staff of employment negotiations.*
- Sec. 302. Prohibition on lobbying contacts with spouse of Member who is a registered lobbyist.*
- Sec. 303. Treatment of firms and other businesses whose members serve as House committee consultants.*
- Sec. 304. Posting of travel and financial disclosure reports on public website of Clerk of the House of Representatives.*
- Sec. 305. Prohibiting participation in lobbyist-sponsored events during political conventions.*
- Sec. 306. Exercise of rulemaking Authority.*

### *TITLE IV—CONGRESSIONAL PENSION ACCOUNTABILITY*

- Sec. 401. Loss of pensions accrued during service as a Member of Congress for abusing the public trust.*

### *TITLE V—SENATE LEGISLATIVE TRANSPARENCY AND ACCOUNTABILITY*

#### *Subtitle A—Procedural Reform*

- Sec. 511. Amendments to rule XXVIII.*
- Sec. 512. Notice of objecting to proceeding.*
- Sec. 513. Public availability of Senate committee and subcommittee meetings.*
- Sec. 514. Amendments and motions to recommit.*
- Sec. 515. Sense of the Senate on conference committee protocols.*

#### *Subtitle B—Earmark Reform*

- Sec. 521. Congressionally directed spending.*

#### *Subtitle C—Revolving Door Reform*

- Sec. 531. Post-employment restrictions.*
- Sec. 532. Disclosure by Members of Congress and staff of employment negotiations.*
- Sec. 533. Elimination of floor privileges for former Members, Senate officers, and Speakers of the House who are registered lobbyists or seek financial gain.*
- Sec. 534. Influencing hiring decisions.*
- Sec. 535. Notification of post-employment restrictions.*

*Subtitle D—Gift and Travel Reform*

*Sec. 541. Ban on gifts from registered lobbyists and entities that hire registered lobbyists.*

*Sec. 542. National party conventions.*

*Sec. 543. Proper valuation of tickets to entertainment and sporting events.*

*Sec. 544. Restrictions on registered lobbyist participation in travel and disclosure.*

*Sec. 545. Free attendance at a constituent event.*

*Sec. 546. Senate privately paid travel public website.*

*Subtitle E—Other Reforms*

*Sec. 551. Compliance with lobbying disclosure.*

*Sec. 552. Prohibit official contact with spouse or immediate family member of Member who is a registered lobbyist.*

*Sec. 553. Mandatory Senate ethics training for Members and staff.*

*Sec. 554. Annual report by Select Committee on Ethics.*

*Sec. 555. Exercise of rulemaking powers.*

*Sec. 555. Effective date and general provisions.*

*TITLE VI—PROHIBITED USE OF PRIVATE AIRCRAFT*

*Sec. 601. Restrictions on Use of Campaign Funds for Flights on Noncommercial Aircraft.*

*TITLE VII—MISCELLANEOUS PROVISIONS*

*Sec. 701. Sense of the Congress that any applicable restrictions on congressional officials and employees should apply to the executive and judicial branches.*

*Sec. 702. Knowing and willful falsification or failure to report.*

*Sec. 703. Rule of construction.*

1                   ***TITLE I—CLOSING THE***  
2                   ***REVOLVING DOOR***  
3   ***SEC. 101. AMENDMENTS TO RESTRICTIONS ON FORMER OF-***  
4                   ***FICERS, EMPLOYEES, AND ELECTED OFFI-***  
5                   ***CIALS OF THE EXECUTIVE AND LEGISLATIVE***  
6                   ***BRANCHES.***

7           (a) *VERY SENIOR EXECUTIVE PERSONNEL.*—*The mat-*  
8 *ter after subparagraph (C) in section 207(d)(1) of title 18,*  
9 *United States Code, is amended by striking “within 1 year”*  
10 *and inserting “within 2 years”.*

1       **(b) RESTRICTIONS ON LOBBYING BY MEMBERS OF**  
 2 **CONGRESS AND EMPLOYEES OF CONGRESS.**—*Subsection (e)*  
 3 *of section 207 of title 18, United States Code, is amended—*

4           *(1) by redesignating paragraph (7) as para-*  
 5 *graph (9);*

6           *(2) by redesignating paragraphs (2) through (6)*  
 7 *as paragraphs (3) through (7), respectively;*

8           *(3) by striking paragraph (1) and inserting the*  
 9 *following:*

10           **“(1) MEMBERS OF CONGRESS AND ELECTED OF-**  
 11 **FICERS OF THE HOUSE.—**

12           **“(A) SENATORS.**—*Any person who is a*  
 13 *Senator and who, within 2 years after that per-*  
 14 *son leaves office, knowingly makes, with the in-*  
 15 *tent to influence, any communication to or ap-*  
 16 *pearance before any Member, officer, or employee*  
 17 *of either House of Congress or any employee of*  
 18 *any other legislative office of the Congress, on be-*  
 19 *half of any other person (except the United*  
 20 *States) in connection with any matter on which*  
 21 *such former Senator seeks action by a Member,*  
 22 *officer, or employee of either House of Congress,*  
 23 *in his or her official capacity, shall be punished*  
 24 *as provided in section 216 of this title.*

1           “(B) MEMBERS AND OFFICERS OF THE  
2       HOUSE OF REPRESENTATIVES.—(i) Any person  
3       who is a Member of the House of Representatives  
4       or an elected officer of the House of Representa-  
5       tives and who, within 1 year after that person  
6       leaves office, knowingly makes, with the intent to  
7       influence, any communication to or appearance  
8       before any of the persons described in clause (ii)  
9       or (iii), on behalf of any other person (except the  
10      United States) in connection with any matter on  
11      which such former Member of Congress or elected  
12      officer seeks action by a Member, officer, or em-  
13      ployee of either House of Congress, in his or her  
14      official capacity, shall be punished as provided  
15      in section 216 of this title.

16           “(ii) The persons referred to in clause (i)  
17      with respect to appearances or communications  
18      by a former Member of the House of Representa-  
19      tives are any Member, officer, or employee of ei-  
20      ther House of Congress and any employee of any  
21      other legislative office of the Congress.

22           “(iii) The persons referred to in clause (i)  
23      with respect to appearances or communications  
24      by a former elected officer are any Member, offi-  
25      cer, or employee of the House of Representatives.

1           “(2) *OFFICERS AND STAFF OF THE SENATE.*—

2           *Any person who is an elected officer of the Senate, or*  
 3           *an employee of the Senate to whom paragraph (7)(A)*  
 4           *applies, and who, within 1 year after that person*  
 5           *leaves office or employment, knowingly makes, with*  
 6           *the intent to influence, any communication to or ap-*  
 7           *pearance before any Senator or any officer or em-*  
 8           *ployee of the Senate, on behalf of any other person*  
 9           *(except the United States) in connection with any*  
 10          *matter on which such former elected officer or former*  
 11          *employee seeks action by a Senator or an officer or*  
 12          *employee of the Senate, in his or her official capacity,*  
 13          *shall be punished as provided in section 216 of this*  
 14          *title.”;*

15           (4) *in paragraph (3) (as redesignated by para-*  
 16          *graph (2) of this subsection)—*

17                   (A) *in subparagraph (A), by striking “of a*  
 18                   *Senator or an employee of a Member of the*  
 19                   *House of Representatives” and inserting “of a*  
 20                   *Member of the House of Representatives to whom*  
 21                   *paragraph (7)(A) applies”; and*

22                   (B) *in subparagraph (B)—*

23                           (i) *in clause (i), by striking “Senator*  
 24                           *or”; and*

1                   (ii) in clause (ii), by striking “Senator  
2                   or”;

3                   (5) in paragraph (4) (as redesignated by para-  
4                   graph (2) of this subsection)—

5                   (A) by striking “committee of Congress”  
6                   and inserting “committee of the House of Rep-  
7                   resentatives, or an employee of a joint committee  
8                   of the Congress whose pay is disbursed by the  
9                   Clerk of the House of Representatives, to whom  
10                  paragraph (7)(A) applies”; and

11                  (B) by inserting “or joint committee (as the  
12                  case may be)” after “committee” each subsequent  
13                  place that term appears;

14                  (6) in paragraph (5) (as redesignated by para-  
15                  graph (2) of this subsection)—

16                  (A) in subparagraph (A), by striking “or  
17                  an employee on the leadership staff of the Sen-  
18                  ate” and inserting “to whom paragraph (7)(A)  
19                  applies”; and

20                  (B) in subparagraph (B), by striking “the  
21                  following:” and all that follows through the end  
22                  of clause (ii) and inserting “any Member of the  
23                  leadership of the House of Representatives and  
24                  any employee on the leadership staff of the  
25                  House of Representatives.”;

(7) in paragraph (6)(A) (as redesignated by paragraph (2) of this subsection), by inserting “to whom paragraph (7)(B) applies” after “office of the Congress”;

(8) in paragraph (7) (as redesignated by paragraph (2) of this subsection)—

(A) in subparagraph (A), by striking “and (4)” and inserting “(4), and (5)”; and

(B) in subparagraph (B)—

(i) by striking “(5)” and inserting “(6)”; and

(ii) in subparagraph (B), by striking “(or any comparable adjustment pursuant to interim authority of the President)”; and

(iii) by striking “level 5 of the Senior Executive Service” and inserting “level IV of the Executive Schedule”;

(9) by inserting after paragraph (7) (as redesignated by paragraph (2) of this subsection) the following:

“(8) *EXCEPTION.*—This subsection shall not apply to contacts with the staff of the Secretary of the Senate or the Clerk of the House of Representatives regarding compliance with lobbying disclosure re-



1        *quirements under the Lobbying Disclosure Act of*  
 2        *1995.” ; and*

3                *(10) in paragraph (9)(G) (as redesignated by*  
 4        *paragraph (1) of this subsection)—*

5                *(A) by striking “the Copyright Royalty Tri-*  
 6        *bunal,”; and*

7                *(B) by striking “or (4)” and inserting “(4),*  
 8        *or (5)”.*

9        **SEC. 102. WRONGFULLY INFLUENCING A PRIVATE ENTITY’S**

10                **EMPLOYMENT DECISIONS OR PRACTICES.**

11        *(a) IN GENERAL.—Chapter 11 of title 18, United*  
 12        *States Code, is amended by adding at the end the following:*

13        **“§227. Wrongfully influencing a private entity’s em-**  
 14                **ployment decisions by a Member of Con-**  
 15                **gress**

16        *“Whoever, being a Senator or Representative in, or a*  
 17        *Delegate or Resident Commissioner to, the Congress or an*  
 18        *employee of either House of Congress, with the intent to in-*  
 19        *fluence, solely on the basis of partisan political affiliation,*  
 20        *an employment decision or employment practice of any pri-*  
 21        *vate entity—*

22                *“(1) takes or withholds, or offers or threatens to*  
 23        *take or withhold, an official act, or*

24                *“(2) influences, or offers or threatens to influ-*  
 25        *ence, the official act of another,*

1 *shall be fined under this title or imprisoned for not more*  
 2 *than 15 years, or both, and may be disqualified from hold-*  
 3 *ing any office of honor, trust, or profit under the United*  
 4 *States.”.*

5 (b) *NO INFERENCE.*—*Nothing in section 227 of title*  
 6 *18, United States Code, as added by this section, shall be*  
 7 *construed to create any inference with respect to whether*  
 8 *the activity described in section 227 of title 18, United*  
 9 *States Code, was a criminal or civil offense before the enact-*  
 10 *ment of this Act, including under section 201(b), 201(c),*  
 11 *any of sections 203 through 209, or section 872, of title 18,*  
 12 *United States Code.*

13 (c) *CONFORMING AMENDMENT.*—*The table of sections*  
 14 *for chapter 11 of title 18, United States Code, is amended*  
 15 *by adding at the end the following:*

“227. Wrongfully influencing a private entity’s employment decisions by a Mem-  
 ber of Congress.”.

16 **SEC. 103. NOTIFICATION OF POST-EMPLOYMENT RESTRIC-**  
 17 **TIONS.**

18 (a) *NOTIFICATION OF POST-EMPLOYMENT RESTRIC-*  
 19 *TIONS.*—*After a Member of Congress or an elected officer*  
 20 *of either House of Congress leaves office, or after the termi-*  
 21 *nation of employment with the House of Representatives or*  
 22 *the Senate of an employee who is covered under paragraph*  
 23 *(2), (3), (4), or (5) of section 207(e) of title 18, United*  
 24 *States Code, the Clerk of the House of Representatives, after*

1 *consultation with the Committee on Standards of Official*  
 2 *Conduct, or the Secretary of the Senate, as the case may*  
 3 *be, shall notify the Member, officer, or employee of the begin-*  
 4 *ning and ending date of the prohibitions that apply to the*  
 5 *Member, officer, or employee under section 207(e) of that*  
 6 *title.*

7       (b) *POSTING ON INTERNET.*—*The Clerk of the House*  
 8 *of Representatives, with respect to notifications under sub-*  
 9 *section (a) relating to Members, officers, and employees of*  
 10 *the House, and the Secretary of the Senate, with respect*  
 11 *to such notifications relating to Members, officers, and em-*  
 12 *ployees of the Senate, shall post the information contained*  
 13 *in such notifications on the public Internet site of the Office*  
 14 *of the Clerk or the Secretary of the Senate, as the case may*  
 15 *be, in a format that, to the extent technically practicable,*  
 16 *is searchable, sortable, and downloadable.*

17 **SEC. 104. EXCEPTION TO RESTRICTIONS ON FORMER OFFI-**  
 18 **CERS, EMPLOYEES, AND ELECTED OFFICIALS**  
 19 **OF THE EXECUTIVE AND LEGISLATIVE**  
 20 **BRANCH.**

21       (a) *IN GENERAL.*—*Section 207(j)(1) of title 18, United*  
 22 *States Code, is amended—*

23               (1) *by striking “The restrictions” and inserting*  
 24 *the following:*

25                       “(A) *IN GENERAL.*—*The restrictions*”;

1           (2) *by moving the remaining text 2 ems to the*  
 2     *right; and*

3           (3) *by adding at the end the following:*

4                     “(B) *TRIBAL ORGANIZATIONS AND INTER-*  
 5     *TRIBAL CONSORTIUMS.—The restrictions con-*  
 6     *tained in this section shall not apply to acts au-*  
 7     *thorized by section 104(j) of the Indian Self-De-*  
 8     *termination and Education Assistance Act (25*  
 9     *U.S.C. 450i(j)).”.*

10       (b) *CONFORMING AMENDMENT.—Section 104(j) of the*  
 11     *Indian Self-Determination and Education Assistance Act*  
 12     *(25 U.S.C. 450i(j)) is amended to read as follows:*

13       “(j) *Anything in sections 205 and 207 of title 18,*  
 14     *United States Code, to the contrary notwithstanding—*

15                     “(1) *an officer or employee of the United States*  
 16     *assigned to a tribal organization (as defined in sec-*  
 17     *tion 4(l)) or an inter-tribal consortium (as defined in*  
 18     *section 501), as authorized under section 3372 of title*  
 19     *5, United States Code, or section 2072 of the Revised*  
 20     *Statutes (25 U.S.C. 48) may act as agent or attorney*  
 21     *for, and appear on behalf of, such tribal organization*  
 22     *or inter-tribal consortium in connection with any*  
 23     *matter related to a tribal governmental activity or*  
 24     *Federal Indian program or service pending before*  
 25     *any department, agency, court, or commission, in-*

1 *cluding any matter in which the United States is a*  
2 *party or has a direct and substantial interest: Pro-*  
3 *vided, That such officer or employee must advise in*  
4 *writing the head of the department, agency, court, or*  
5 *commission with which the officer or employee is*  
6 *dealing or appearing on behalf of the tribal organiza-*  
7 *tion or inter-tribal consortium of any personal and*  
8 *substantial involvement with the matter involved; and*

9 *“(2) a former officer or employee of the United*  
10 *States who is carrying out official duties as an em-*  
11 *ployee or as an elected or appointed official of a trib-*  
12 *al organization (as defined in section 4(l)) or inter-*  
13 *tribal consortium (as defined in section 501) may act*  
14 *as agent or attorney for, and appear on behalf of,*  
15 *such tribal organization or intra-tribal consortium in*  
16 *connection with any matter related to a tribal govern-*  
17 *mental activity or Federal Indian program or service*  
18 *pending before any department, agency, court, or*  
19 *commission, including any matter in which the*  
20 *United States is a party or has a direct and substan-*  
21 *tial interest: Provided, That such former officer or*  
22 *employee must advise in writing the head of the de-*  
23 *partment, agency, court, or commission with which*  
24 *the former officer or employee is dealing or appearing*  
25 *on behalf of the tribal organization or inter-tribal*

1       *consortium of any personal and substantial involve-*  
 2       *ment the he or she may have had as an officer or em-*  
 3       *ployee of the United States in connection with the*  
 4       *matter involved.”.*

5       (c) *EFFECT OF SECTION.—Except as expressly identi-*  
 6       *fied in this section and in the amendments made by this*  
 7       *section, nothing in this section or the amendments made*  
 8       *by this section affects any other provision of law.*

9       **SEC. 105. EFFECTIVE DATE.**

10       (a) *SECTION 101.—The amendments made by section*  
 11       *101 shall apply to individuals who leave Federal office or*  
 12       *employment to which such amendments apply on or after*  
 13       *the date of adjournment of the first session of the 110th Con-*  
 14       *gress sine die or December 31, 2007, whichever date is ear-*  
 15       *lier.*

16       (b) *SECTION 102.—The amendments made by section*  
 17       *102 shall take effect on the date of the enactment of this*  
 18       *Act.*

19       (c) *SECTION 103.—*

20               (1) *NOTIFICATION OF POST-EMPLOYMENT RE-*  
 21       *STRICTIONS.—Subsection (a) of section 103 shall take*  
 22       *effect on the 60th day after the date of the enactment*  
 23       *of this Act.*

24               (2) *POSTING OF INFORMATION.—Subsection (b)*  
 25       *of section 103 shall take effect January 1, 2008, ex-*

1       *cept that the Secretary of the Senate and the Clerk of*  
 2       *the House of Representatives shall post the informa-*  
 3       *tion contained in notifications required by that sub-*  
 4       *section that are made on or after the effective date*  
 5       *provided under paragraph (1) of this subsection.*

6       (d) *SECTION 104.—The amendments made by section*  
 7       *104 shall take effect on the date of the enactment of this*  
 8       *Act, except that section 104(j)(2) of the Indian Self-Deter-*  
 9       *mination and Education Assistance Act (as amended by*  
 10       *section 104(b)) shall apply to individuals who leave Federal*  
 11       *office or employment to which such amendments apply on*  
 12       *or after the 60th day after the date of the enactment of this*  
 13       *Act.*

## 14       **TITLE II—FULL PUBLIC** 15       **DISCLOSURE OF LOBBYING**

### 16       **SEC. 201. QUARTERLY FILING OF LOBBYING DISCLOSURE** 17       **REPORTS.**

18       (a) *QUARTERLY FILING REQUIRED.—Section 5 of the*  
 19       *Lobbying Disclosure Act of 1995 (2 U.S.C. 1604) is amend-*  
 20       *ed—*

21               (1) *in subsection (a)—*

22                       (A) *by striking “SEMIANNUAL” and insert-*  
 23                       *ing “QUARTERLY”;*

24                       (B) *by striking “45 days” and all that fol-*  
 25                       *lows through “section 4,” and inserting “20 days*

1       *after the end of the quarterly period beginning*  
 2       *on the first day of January, April, July, and*  
 3       *October of each year in which a registrant is reg-*  
 4       *istered under section 4, or on the first business*  
 5       *day after such 20th day if the 20th day is not*  
 6       *a business day,”; and*

7               *(C) by striking “such semiannual period”*  
 8       *and inserting “such quarterly period”; and*  
 9       *(2) in subsection (b)—*

10              *(A) in the matter preceding paragraph (1),*  
 11       *by striking “semiannual report” and inserting*  
 12       *“quarterly report”;*

13              *(B) in paragraph (2), by striking “semi-*  
 14       *annual filing period” and inserting “quarterly*  
 15       *period”;*

16              *(C) in paragraph (3), by striking “semi-*  
 17       *annual period” and inserting “quarterly pe-*  
 18       *riod”; and*

19              *(D) in paragraph (4), by striking “semi-*  
 20       *annual filing period” and inserting “quarterly*  
 21       *period”.*

22       ***(b) CONFORMING AMENDMENTS.—***

23              ***(1) DEFINITION.—****Section 3(10) of the Lobbying*  
 24       *Disclosure Act of 1995 (2 U.S.C. 1602) is amended by*



1        *striking “six month period” and inserting “3-month*  
 2        *period”.*

3                (2) *REGISTRATION.*—*Section 4 of the Lobbying*  
 4        *Disclosure Act of 1995 (2 U.S.C. 1603) is amended—*

5                (A) *in subsection (a)(1), by inserting after*  
 6                *“earlier,” the following: “or on the first business*  
 7                *day after such 45th day if the 45th day is not*  
 8                *a business day,” ; and*

9                (B) *in subsection (a)(3)(A), by striking*  
 10                *“semiannual period” and inserting “quarterly*  
 11                *period”.*

12                (3) *ENFORCEMENT.*—*Section 6 of the Lobbying*  
 13        *Disclosure Act of 1995 (2 U.S.C. 1605) is amended in*  
 14        *paragraph (6) by striking “semiannual period” and*  
 15        *inserting “quarterly period”.*

16                (4) *ESTIMATES.*—*Section 15 of the Lobbying*  
 17        *Disclosure Act of 1995 (2 U.S.C. 1610) is amended—*

18                (A) *in subsection (a)(1), by striking “semi-*  
 19                *annual period” and inserting “quarterly pe-*  
 20                *riod”; and*

21                (B) *in subsection (b)(1), by striking “semi-*  
 22                *annual period” and inserting “quarterly pe-*  
 23                *riod”.*

(5) *DOLLAR AMOUNTS.*—Section 4 of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1603) is further amended—

(A) in subsection (a)(3)(A)(i), by striking “\$5,000” and inserting “\$2,500”;

(B) in subsection (a)(3)(A)(ii), by striking “\$20,000” and inserting “\$10,000”;

(C) in subsection (b)(3)(A), by striking “\$10,000” and inserting “\$5,000”; and

(D) in subsection (b)(4), by striking “\$10,000” and inserting “\$5,000”.

(6) *REPORTS.*—Section 5(c) of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1604(c)) is further amended—

(A) in paragraph (1), by striking “\$10,000” and “\$20,000” and inserting “\$5,000” and “\$10,000”, respectively; and

(B) in paragraph (2), by striking “\$10,000” both places such term appears and inserting “\$5,000”.

**SEC. 202. ADDITIONAL DISCLOSURE.**

Section 5(b) of The Lobbying Disclosure Act of 1995 (2 U.S.C. 1604(b)) is amended—

(1) in paragraph (3), by striking “and” after the semicolon;

1           (2) *in paragraph (4), by striking the period and*  
 2           *inserting “; and”; and*

3           (3) *by adding at the end of the following:*

4           “(5) *for each client, immediately after listing the*  
 5           *client, an identification of whether the client is a*  
 6           *State or local government or a department, agency,*  
 7           *special purpose district, or other instrumentality con-*  
 8           *trolled by one or more State or local governments.”.*

9   **SEC. 203. SEMIANNUAL REPORTS ON CERTAIN CONTRIBU-**  
 10           **TIONS.**

11           (a) *OTHER CONTRIBUTIONS.*—*Section 5 of the Lob-*  
 12           *bying Disclosure Act of 1995 (2 U.S.C. 1604) is further*  
 13           *amended by adding at the end the following:*

14           “(d) *SEMIANNUAL REPORTS ON CERTAIN CONTRIBU-*  
 15           *TIONS.*—

16           “(1) *IN GENERAL.*—*Not later than 30 days after*  
 17           *the end of the semiannual period beginning on the*  
 18           *first day of January and July of each year, or on the*  
 19           *first business day after such 30th day if the 30th day*  
 20           *is not a business day, each person or organization*  
 21           *who is registered or is required to register under*  
 22           *paragraph (1) or (2) of section 4(a), and each em-*  
 23           *ployee who is or is required to be listed as a lobbyist*  
 24           *under section 4(b)(6) or subsection (b)(2)(C) of this*  
 25           *section, shall file a report with the Secretary of the*

1       *Senate and the Clerk of the House of Representatives*  
2       *containing—*

3               “(A) *the name of the person or organiza-*  
4               *tion;*

5               “(B) *in the case of an employee, his or her*  
6               *employer;*

7               “(C) *the names of all political committees*  
8               *established or controlled by the person or organi-*  
9               *zation;*

10              “(D) *the name of each Federal candidate or*  
11              *officeholder, leadership PAC, or political party*  
12              *committee, to whom aggregate contributions*  
13              *equal to or exceeding \$200 were made by the per-*  
14              *son or organization, or a political committee es-*  
15              *tablished or controlled by the person or organiza-*  
16              *tion within the semiannual period, and the date*  
17              *and amount of each such contribution made*  
18              *within the semiannual period;*

19              “(E) *the date, recipient, and amount of*  
20              *funds contributed or disbursed during the semi-*  
21              *annual period by the person or organization or*  
22              *a political committee established or controlled by*  
23              *the person or organization—*

24                      “(i) *to pay the cost of an event to*  
25                      *honor or recognize a covered legislative*

1           *branch official or covered executive branch*  
 2           *official;*

3           “(ii) *to an entity that is named for a*  
 4           *covered legislative branch official, or to a*  
 5           *person or entity in recognition of such offi-*  
 6           *cial;*

7           “(iii) *to an entity established, fi-*  
 8           *nanced, maintained, or controlled by a cov-*  
 9           *ered legislative branch official or covered ex-*  
 10           *ecutive branch official, or an entity des-*  
 11           *ignated by such official; or*

12           “(iv) *to pay the costs of a meeting, re-*  
 13           *treat, conference, or other similar event held*  
 14           *by, or in the name of, 1 or more covered leg-*  
 15           *islative branch officials or covered executive*  
 16           *branch officials,*

17           *except that this subparagraph shall not apply if*  
 18           *the funds are provided to a person who is re-*  
 19           *quired to report the receipt of the funds under*  
 20           *section 304 of the Federal Election Campaign*  
 21           *Act of 1971 (2 U.S.C. 434);*

22           “(F) *the name of each Presidential library*  
 23           *foundation, and each Presidential inaugural*  
 24           *committee, to whom contributions equal to or ex-*  
 25           *ceeding \$200 were made by the person or organi-*

1        *zation, or a political committee established or*  
 2        *controlled by the person or organization, within*  
 3        *the semiannual period, and the date and amount*  
 4        *of each such contribution within the semiannual*  
 5        *period; and*

6                *“(G) a certification by the person or organi-*  
 7        *zation filing the report that the person or orga-*  
 8        *nization—*

9                *“(i) has read and is familiar with*  
 10        *those provisions of the Standing Rules of*  
 11        *the Senate and the Rules of the House of*  
 12        *Representatives relating to the provision of*  
 13        *gifts and travel; and*

14                *“(ii) has not provided, requested, or di-*  
 15        *rected a gift, including travel, to a Member*  
 16        *of Congress or an officer or employee of ei-*  
 17        *ther House of Congress with knowledge that*  
 18        *receipt of the gift would violate rule XXXV*  
 19        *of the Standing Rules of the Senate or rule*  
 20        *XXV of the Rules of the House of Represent-*  
 21        *atives.*

22                *“(2) DEFINITION.—In this subsection, the term*  
 23        *‘leadership PAC’ has the meaning given such term in*  
 24        *section 304(i)(8)(B) of the Federal Election Cam-*  
 25        *paign Act of 1971.”.*

1       (b) *EFFECTIVE DATE.*—*The amendment made by sub-*  
 2 *section (a) shall apply with respect to the first semiannual*  
 3 *period described in section 5(d)(1) of the Lobbying Disclo-*  
 4 *sure Act of 1995 (as added by this section) that begins after*  
 5 *the date of the enactment of this Act and each succeeding*  
 6 *semiannual period.*

7       (c) *REPORT ON REQUIRING QUARTERLY REPORTS.*—  
 8 *The Clerk of the House of Representatives and the Secretary*  
 9 *of the Senate shall submit a report to the Congress, not later*  
 10 *than 1 year after the date on which the first reports are*  
 11 *required to be made under section 5(d) of the Lobbying Dis-*  
 12 *closure Act of 1995 (as added by this section), on the feasi-*  
 13 *bility of requiring the reports under such section 5(d) to*  
 14 *be made on a quarterly, rather than a semiannual, basis.*

15       (d) *SENSE OF CONGRESS.*—*It is the sense of the Con-*  
 16 *gress that after the end of the 2-year period beginning on*  
 17 *the day on which the amendment made by subsection (a)*  
 18 *of this section first applies, the reports required under sec-*  
 19 *tion 5(d) of the Lobbying Disclosure Act of 1995 (as added*  
 20 *by this section) should be made on a quarterly basis if it*  
 21 *is practicably feasible to do so.*

22 **SEC. 204. DISCLOSURE OF BUNDLED CONTRIBUTIONS.**

23       (a) *DISCLOSURE.*—*Section 304 of the Federal Election*  
 24 *Campaign Act of 1971 (2 U.S.C. 434) is amended by add-*  
 25 *ing at the end the following new subsection:*

1 “(i) *DISCLOSURE OF BUNDLED CONTRIBUTIONS.*—

2 “(1) *REQUIRED DISCLOSURE.*—Each committee  
3 described in paragraph (6) shall include in the first  
4 report required to be filed under this section after  
5 each covered period (as defined in paragraph (2)) a  
6 separate schedule setting forth the name, address, and  
7 employer of each person reasonably known by the  
8 committee to be a person described in paragraph (7)  
9 who provided 2 or more bundled contributions to the  
10 committee in an aggregate amount greater than the  
11 applicable threshold (as defined in paragraph (3))  
12 during the covered period, and the aggregate amount  
13 of the bundled contributions provided by each such  
14 person during the covered period.

15 “(2) *COVERED PERIOD.*—In this subsection, a  
16 ‘covered period’ means, with respect to a committee—

17 “(A) the period beginning January 1 and  
18 ending June 30 of each year;

19 “(B) the period beginning July 1 and end-  
20 ing December 31 of each year; and

21 “(C) any reporting period applicable to the  
22 committee under this section during which any  
23 person described in paragraph (7) provided 2 or  
24 more bundled contributions to the committee in



1        *an aggregate amount greater than the applicable*  
 2        *threshold.*

3        *“(3) APPLICABLE THRESHOLD.—*

4                *“(A) IN GENERAL.—In this subsection, the*  
 5        *‘applicable threshold’ is \$15,000, except that in*  
 6        *determining whether the amount of bundled con-*  
 7        *tributions provided to a committee by a person*  
 8        *described in paragraph (7) exceeds the applicable*  
 9        *threshold, there shall be excluded any contribu-*  
 10       *tion made to the committee by the person or the*  
 11       *person’s spouse.*

12               *“(B) INDEXING.—In any calendar year*  
 13       *after 2007, section 315(c)(1)(B) shall apply to*  
 14       *the amount applicable under subparagraph (A)*  
 15       *in the same manner as such section applies to*  
 16       *the limitations established under subsections*  
 17       *(a)(1)(A), (a)(1)(B), (a)(3), and (h) of such sec-*  
 18       *tion, except that for purposes of applying such*  
 19       *section to the amount applicable under subpara-*  
 20       *graph (A), the ‘base period’ shall be 2006.*

21               *“(4) PUBLIC AVAILABILITY.—The Commission*  
 22       *shall ensure that, to the greatest extent practicable—*

23               *“(A) information required to be disclosed*  
 24       *under this subsection is publicly available*  
 25       *through the Commission website in a manner*

1       *that is searchable, sortable, and downloadable;*  
2       *and*

3               *“(B) the Commission’s public database con-*  
4       *taining information disclosed under this sub-*  
5       *section is linked electronically to the websites*  
6       *maintained by the Secretary of the Senate and*  
7       *the Clerk of the House of Representatives con-*  
8       *taining information filed pursuant to the Lob-*  
9       *bying Disclosure Act of 1995.*

10              *“(5) REGULATIONS.—Not later than 6 months*  
11       *after the date of enactment of the Honest Leadership*  
12       *and Open Government Act of 2007, the Commission*  
13       *shall promulgate regulations to implement this sub-*  
14       *section. Under such regulations, the Commission—*

15              *“(A) may, notwithstanding paragraphs (1)*  
16       *and (2), provide for quarterly filing of the sched-*  
17       *ule described in paragraph (1) by a committee*  
18       *which files reports under this section more fre-*  
19       *quently than on a quarterly basis;*

20              *“(B) shall provide guidance to committees*  
21       *with respect to whether a person is reasonably*  
22       *known by a committee to be a person described*  
23       *in paragraph (7), which shall include a require-*  
24       *ment that committees consult the websites main-*  
25       *tained by the Secretary of the Senate and the*

1        *Clerk of the House of Representatives containing*  
 2        *information filed pursuant to the Lobbying Dis-*  
 3        *closure Act of 1995;*

4            *“(C) may not exempt the activity of a per-*  
 5        *son described in paragraph (7) from disclosure*  
 6        *under this subsection on the grounds that the*  
 7        *person is authorized to engage in fundraising for*  
 8        *the committee or any other similar grounds; and*

9            *“(D) shall provide for the broadest possible*  
 10       *disclosure of activities described in this sub-*  
 11       *section by persons described in paragraph (7)*  
 12       *that is consistent with this subsection.*

13        *“(6) COMMITTEES DESCRIBED.—A committee de-*  
 14       *scribed in this paragraph is an authorized committee*  
 15       *of a candidate, a leadership PAC, or a political party*  
 16       *committee.*

17        *“(7) PERSONS DESCRIBED.—A person described*  
 18       *in this paragraph is any person, who, at the time a*  
 19       *contribution is forwarded to a committee as described*  
 20       *in paragraph (8)(A)(i) or is received by a committee*  
 21       *as described in paragraph (8)(A)(ii), is—*

22            *“(A) a current registrant under section 4(a)*  
 23        *of the Lobbying Disclosure Act of 1995;*

24            *“(B) an individual who is listed on a cur-*  
 25        *rent registration filed under section 4(b)(6) of*

1        *such Act or a current report under section*  
 2        *5(b)(2)(C) of such Act; or*

3                *“(C) a political committee established or*  
 4        *controlled by such a registrant or individual.*

5                *“(8) DEFINITIONS.—For purposes of this sub-*  
 6        *section, the following definitions apply:*

7                *“(A) BUNDLED CONTRIBUTION.—The term*  
 8        *‘bundled contribution’ means, with respect to a*  
 9        *committee described in paragraph (6) and a per-*  
 10        *son described in paragraph (7), a contribution*  
 11        *(subject to the applicable threshold) which is—*

12                *“(i) forwarded from the contributor or*  
 13        *contributors to the committee by the person;*  
 14        *or*

15                *“(ii) received by the committee from a*  
 16        *contributor or contributors, but credited by*  
 17        *the committee or candidate involved (or, in*  
 18        *the case of a leadership PAC, by the indi-*  
 19        *vidual referred to in subparagraph (B) in-*  
 20        *volved) to the person through records, des-*  
 21        *ignations, or other means of recognizing*  
 22        *that a certain amount of money has been*  
 23        *raised by the person.*

24                *“(B) LEADERSHIP PAC.—The term ‘leader-*  
 25        *ship PAC’ means, with respect to a candidate for*

1           *election to Federal office or an individual hold-*  
 2           *ing Federal office, a political committee that is*  
 3           *directly or indirectly established, financed,*  
 4           *maintained or controlled by the candidate or the*  
 5           *individual but which is not an authorized com-*  
 6           *mittee of the candidate or individual and which*  
 7           *is not affiliated with an authorized committee of*  
 8           *the candidate or individual, except that such*  
 9           *term does not include a political committee of a*  
 10          *political party.”.*

11          ***(b) EFFECTIVE DATE.***—*The amendment made by sub-*  
 12          *section (a) shall apply with respect to reports filed under*  
 13          *section 304 of the Federal Election Campaign Act after the*  
 14          *expiration of the 3-month period which begins on the date*  
 15          *that the regulations required to be promulgated by the Fed-*  
 16          *eral Election Commission under section 304(i)(5) of such*  
 17          *Act (as added by subsection (a)) become final.*

18          **SEC. 205. ELECTRONIC FILING OF LOBBYING DISCLOSURE**  
 19                               **REPORTS.**

20          *Section 5 of the Lobbying Disclosure Act of 1995 (2*  
 21          *U.S.C. 1604) is further amended by adding at the end the*  
 22          *following:*

23          ***“(e) ELECTRONIC FILING REQUIRED.***—*A report re-*  
 24          *quired to be filed under this section shall be filed in elec-*  
 25          *tronic form, in addition to any other form that the Sec-*

1 *retary of the Senate or the Clerk of the House of Representa-*  
 2 *tives may require or allow. The Secretary of the Senate and*  
 3 *the Clerk of the House of Representatives shall use the same*  
 4 *electronic software for receipt and recording of filings under*  
 5 *this Act.”.*

6 **SEC. 206. PROHIBITION ON PROVISION OF GIFTS OR TRAV-**  
 7 **EL BY REGISTERED LOBBYISTS TO MEMBERS**  
 8 **OF CONGRESS AND TO CONGRESSIONAL EM-**  
 9 **PLOYEES.**

10 (a) *PROHIBITION.—The Lobbying Disclosure Act of*  
 11 *1995 (2 U.S.C. 1601 et seq.) is amended by adding at the*  
 12 *end the following:*

13 **“SEC. 25. PROHIBITION ON PROVISION OF GIFTS OR TRAV-**  
 14 **EL BY REGISTERED LOBBYISTS TO MEMBERS**  
 15 **OF CONGRESS AND TO CONGRESSIONAL EM-**  
 16 **PLOYEES.**

17 *“(a) PROHIBITION.—Any person described in sub-*  
 18 *section (b) may not make a gift or provide travel to a cov-*  
 19 *ered legislative branch official if the person has knowledge*  
 20 *that the gift or travel may not be accepted by that covered*  
 21 *legislative branch official under the Rules of the House of*  
 22 *Representatives or the Standing Rules of the Senate (as the*  
 23 *case may be).*

24 *“(b) PERSONS SUBJECT TO PROHIBITION.—The per-*  
 25 *sons subject to the prohibition under subsection (a) are any*

1 lobbyist that is registered or is required to register under  
 2 section 4(a)(1), any organization that employs 1 or more  
 3 lobbyists and is registered or is required to register under  
 4 section 4(a)(2), and any employee listed or required to be  
 5 listed as a lobbyist by a registrant under section 4(b)(6)  
 6 or 5(b)(2)(C).”.

7 (b) *EFFECTIVE DATE.*—The amendment made by this  
 8 section shall take effect on the date of the enactment of this  
 9 Act.

10 **SEC. 207. DISCLOSURE OF LOBBYING ACTIVITIES BY CER-**  
 11 **TAIN COALITIONS AND ASSOCIATIONS.**

12 (a) *IN GENERAL.*—

13 (1) *DISCLOSURE.*—Section 4(b)(3) of the Lob-  
 14 bying Disclosure Act of 1995 (2 U.S.C. 1603(b)(3)) is  
 15 amended—

16 (A) by amending subparagraph (A) to read  
 17 as follows:

18 “(A) contributes more than \$5,000 to the  
 19 registrant or the client in the quarterly period to  
 20 fund the lobbying activities of the registrant;  
 21 and”; and

22 (B) by amending subparagraph (B) to read  
 23 as follows:

1                   “(B) actively participates in the planning,  
2                   supervision, or control of such lobbying activi-  
3                   ties;”.

4                   (2)    *UPDATING OF INFORMATION.*—Section  
5                   5(b)(1) of the Lobbying Disclosure Act of 1995 (2  
6                   U.S.C. 1604(b)(1)) is amended by inserting “, includ-  
7                   ing information under section 4(b)(3)” after “initial  
8                   registration”.

9                   (b) *NO DONOR OR MEMBERSHIP LIST DISCLOSURE.*—  
10                  Section 4(b) of The Lobbying Disclosure Act of 1995 (2  
11                  U.S.C. 1603(b)) is amended by adding at the end the fol-  
12                  lowing:

13                “No disclosure is required under paragraph (3)(B) if the  
14                organization that would be identified as affiliated with the  
15                client is listed on the client’s publicly accessible Internet  
16                website as being a member of or contributor to the client,  
17                unless the organization in whole or in major part plans,  
18                supervises, or controls such lobbying activities. If a reg-  
19                istrant relies upon the preceding sentence, the registrant  
20                must disclose the specific Internet address of the web page  
21                containing the information relied upon. Nothing in para-  
22                graph (3)(B) shall be construed to require the disclosure of  
23                any information about individuals who are members of, or  
24                donors to, an entity treated as a client by this Act or an  
25                organization identified under that paragraph.”.



1 **SEC. 208. DISCLOSURE BY REGISTERED LOBBYISTS OF PAST**  
 2 **EXECUTIVE BRANCH AND CONGRESSIONAL**  
 3 **EMPLOYMENT.**

4 *Section 4(b)(6) of the Lobbying Disclosure Act of 1995*  
 5 *(2 U.S.C. 1603(b)(6)) is amended by striking “in the 2*  
 6 *years” and all that follows through “Act)” and inserting*  
 7 *“in the 20 years before the date on which the employee first*  
 8 *acted”.*

9 **SEC. 209. PUBLIC AVAILABILITY OF LOBBYING DISCLOSURE**  
 10 **INFORMATION; MAINTENANCE OF INFORMA-**  
 11 **TION.**

12 *(a) PUBLIC AVAILABILITY.—Section 6 of the Lobbying*  
 13 *Disclosure Act of 1995 (2 U.S.C. 1605) is further amend-*  
 14 *ed—*

15 *(1) in paragraph (7), by striking “and” at the*  
 16 *end;*

17 *(2) in paragraph (8), by striking the period at*  
 18 *the end and inserting a semicolon; and*

19 *(3) by adding at the end the following new para-*  
 20 *graphs:*

21 *“(9) maintain all registrations and reports filed*  
 22 *under this Act, and make them available to the public*  
 23 *over the Internet, without a fee or other access charge,*  
 24 *in a searchable, sortable, and downloadable manner,*  
 25 *to the extent technically practicable, that—*

1           “(A) includes the information contained in  
2           the registrations and reports;

3           “(B) is searchable and sortable to the max-  
4           imum extent practicable, including searchable  
5           and sortable by each of the categories of informa-  
6           tion described in section 4(b) or 5(b); and

7           “(C) provides electronic links or other ap-  
8           propriate mechanisms to allow users to obtain  
9           relevant information in the database of the Fed-  
10          eral Election Commission; and

11          “(10) retain the information contained in a reg-  
12          istration or report filed under this Act for a period  
13          of 6 years after the registration or report (as the case  
14          may be) is filed.”.

15          (b) *AVAILABILITY OF REPORTS.*—Section 6(4) of the  
16          Lobbying Disclosure Act of 1995 (2 U.S.C. 1605) is amend-  
17          ed by inserting before the semicolon at the end the following:  
18          “and, in the case of a report filed in electronic form under  
19          section 5(e), make such report available for public inspec-  
20          tion over the Internet as soon as technically practicable  
21          after the report is so filed”.

22          (c) *AUTHORIZATION OF APPROPRIATIONS.*—There are  
23          authorized to be appropriated such sums as may be nec-  
24          essary to carry out paragraph (9) of section 6 of the Lob-

1 *bying Disclosure Act of 1995 (2 U.S.C. 1605), as added by*  
 2 *subsection (a) of this section.*

3 **SEC. 210. DISCLOSURE OF ENFORCEMENT FOR NON-**  
 4 **COMPLIANCE.**

5 *Section 6 of The Lobbying Disclosure Act of 1995 (2*  
 6 *U.S.C. 1605) is further amended—*

7 *(1) by striking “The Secretary” and inserting*  
 8 *“(a) IN GENERAL.—The Secretary”; ;*

9 *(2) in paragraph (9), by striking “and” at the*  
 10 *end;*

11 *(3) in paragraph (10), by striking the period*  
 12 *and inserting “; and”;*

13 *(4) by adding after paragraph (10) the fol-*  
 14 *lowing:*

15 *“(11) make publicly available, on a semiannual*  
 16 *basis, the aggregate number of registrants referred to*  
 17 *the United States Attorney for the District of Colum-*  
 18 *bia for noncompliance as required by paragraph*  
 19 *(8).”; and*

20 *(5) by adding at the end the following:*

21 *“(b) ENFORCEMENT REPORT.—*

22 *“(1) REPORT.—The Attorney General shall re-*  
 23 *port to the congressional committees referred to in*  
 24 *paragraph (2), after the end of each semiannual pe-*  
 25 *riod beginning on January 1 and July 1, the aggre-*

1 *gate number of enforcement actions taken by the De-*  
 2 *partment of Justice under this Act during that semi-*  
 3 *annual period and, by case, any sentences imposed,*  
 4 *except that such report shall not include the names of*  
 5 *individuals, or personally identifiable information,*  
 6 *that is not already a matter of public record.*

7 “(2) COMMITTEES.—The congressional commit-  
 8 tees referred to in paragraph (1) are the Committee  
 9 on Homeland Security and Governmental Affairs and  
 10 the Committee on the Judiciary of the Senate and the  
 11 Committee on the Judiciary of the House of Rep-  
 12 resentatives.”.

13 **SEC. 211. INCREASED CIVIL AND CRIMINAL PENALTIES FOR**  
 14 **FAILURE TO COMPLY WITH LOBBYING DIS-**  
 15 **CLOSURE REQUIREMENTS.**

16 (a) IN GENERAL.—Section 7 of the Lobbying Disclo-  
 17 sure Act of 1995 (2 U.S.C. 1606) is amended—

18 (1) by striking “Whoever” and inserting “(a)  
 19 CIVIL PENALTY.—Whoever”;

20 (2) by striking “\$50,000” and inserting  
 21 “\$200,000”; and

22 (3) by adding at the end the following:

23 “(b) CRIMINAL PENALTY.—Whoever knowingly and  
 24 corruptly fails to comply with any provision of this Act

1 *shall be imprisoned for not more than 5 years or fined*  
 2 *under title 18, United States Code, or both.”.*

3 (b) *EFFECTIVE DATE.*—*The amendments made by sub-*  
 4 *section (a) shall apply to any violation committed on or*  
 5 *after the date of the enactment of this Act.*

6 **SEC. 212. ELECTRONIC FILING AND PUBLIC DATABASE FOR**  
 7 **LOBBYISTS FOR FOREIGN GOVERNMENTS.**

8 (a) *ELECTRONIC FILING.*—*Section 2 of the Foreign*  
 9 *Agents Registration Act of 1938, as amended (22 U.S.C.*  
 10 *612), is amended by adding at the end the following new*  
 11 *subsection:*

12 “(g) *ELECTRONIC FILING OF REGISTRATION STATE-*  
 13 *MENTS AND SUPPLEMENTS.*—*A registration statement or*  
 14 *supplement required to be filed under this section shall be*  
 15 *filed in electronic form, in addition to any other form that*  
 16 *may be required by the Attorney General.”.*

17 (b) *PUBLIC DATABASE.*—*Section 6 of the Foreign*  
 18 *Agents Registration Act of 1938, as amended (22 U.S.C.*  
 19 *616), is amended by adding at the end the following new*  
 20 *subsection:*

21 “(d) *PUBLIC DATABASE OF REGISTRATION STATE-*  
 22 *MENTS AND UPDATES.*—

23 “(1) *IN GENERAL.*—*The Attorney General shall*  
 24 *maintain, and make available to the public over the*  
 25 *Internet, without a fee or other access charge, in a*

1       searchable, sortable, and downloadable manner, to the  
 2       extent technically practicable, an electronic database  
 3       that—

4               “(A) includes the information contained in  
 5       registration statements and updates filed under  
 6       this Act; and

7               “(B) is searchable and sortable, at a min-  
 8       imum, by each of the categories of information  
 9       described in section 2(a).

10       “(2) *ACCOUNTABILITY.*—The Attorney General  
 11       shall make each registration statement and update  
 12       filed in electronic form pursuant to section 2(g) avail-  
 13       able for public inspection over the Internet as soon as  
 14       technically practicable after the registration statement  
 15       or update is filed.”.

16       “(c) *EFFECTIVE DATE.*—The amendments made by this  
 17       section shall take effect on the 90th day after the date of  
 18       the enactment of this Act.

19       **SEC. 213. COMPTROLLER GENERAL AUDIT AND ANNUAL RE-**  
 20       **PORT.**

21       “(a) *ANNUAL AUDITS AND REPORTS.*—The Lobbying  
 22       Disclosure Act of 1995 ( 2 U.S.C. 1601 et seq.) is further  
 23       amended by adding at the end the following:

1 **“SEC. 26. ANNUAL AUDITS AND REPORTS BY COMPTROLLER**

2 **GENERAL.**

3 “(a) *AUDIT.*—On an annual basis, the Comptroller  
 4 General shall audit the extent of compliance or noncompli-  
 5 ance with the requirements of this Act by lobbyists, lobbying  
 6 firms, and registrants through a random sampling of pub-  
 7 licly available lobbying registrations and reports filed  
 8 under this Act during each calendar year.

9 “(b) *REPORTS TO CONGRESS.*—

10 “(1) *ANNUAL REPORTS.*—Not later than April 1  
 11 of each year, the Comptroller General shall submit to  
 12 the Congress a report on the review required by sub-  
 13 section (a) for the preceding calendar year. The report  
 14 shall include the Comptroller General’s assessment of  
 15 the matters required to be emphasized by that sub-  
 16 section and any recommendations of the Comptroller  
 17 General to—

18 “(A) improve the compliance by lobbyists,  
 19 lobbying firms, and registrants with the require-  
 20 ments of this Act; and

21 “(B) provide the Department of Justice  
 22 with the resources and authorities needed for the  
 23 effective enforcement of this Act.

24 “(2) *ASSESSMENT OF COMPLIANCE.*—The annual  
 25 report under paragraph (1) shall include an assess-

1        *ment of compliance by registrants with the require-*  
 2        *ments of section 4(b)(3).*

3        “(c) *ACCESS TO INFORMATION.—The Comptroller Gen-*  
 4        *eral may, in carrying out this section, request information*  
 5        *from and access to any relevant documents from any person*  
 6        *registered under paragraph (1) or (2) of section 4(a) and*  
 7        *each employee who is listed as a lobbyist under section*  
 8        *4(b)(6) or section 5(b)(2)(C) if the material requested re-*  
 9        *lates to the purposes of this section. The Comptroller Gen-*  
 10       *eral may request such person to submit in writing such in-*  
 11       *formation as the Comptroller General may prescribe. The*  
 12       *Comptroller General may notify the Congress in writing if*  
 13       *a person from whom information has been requested under*  
 14       *this subsection refuses to comply with the request within*  
 15       *45 days after the request is made.”.*

16       (b) *INITIAL AUDIT AND REPORT.—The initial audit*  
 17       *under subsection (a) of section 26 of the Lobbying Disclo-*  
 18       *sure Act of 1995 (as added by subsection (a) of this section)*  
 19       *shall be made with respect to lobbying registrations and re-*  
 20       *ports filed during the first calendar quarter of 2008, and*  
 21       *the initial report under subsection (b) of such section shall*  
 22       *be filed, with respect to those registrations and reports, not*  
 23       *later than 6 months after the end of that calendar quarter.*

24       **SEC. 214. SENSE OF CONGRESS.**

25       *It is the sense of the Congress that—*



1           (1) *the use of a family relationship by a lobbyist*  
2           *who is an immediate family member of a Member of*  
3           *Congress to gain special advantages over other lobby-*  
4           *ists is inappropriate; and*

5           (2) *the lobbying community should develop pro-*  
6           *posals for multiple self-regulatory organizations*  
7           *which could—*

8                   (A) *provide for the creation of standards for*  
9                   *the organizations appropriate to the type of lob-*  
10                  *bying and individuals to be served;*

11                  (B) *provide training for the lobbying com-*  
12                  *munity on law, ethics, reporting requirements,*  
13                  *and disclosure requirements;*

14                  (C) *provide for the development of edu-*  
15                  *cational materials for the public on how to re-*  
16                  *sponsibly hire a lobbyist or lobby firm;*

17                  (D) *provide standards regarding reasonable*  
18                  *fees charged to clients;*

19                  (E) *provide for the creation of a third-party*  
20                  *certification program that includes ethics train-*  
21                  *ing; and*

22                  (F) *provide for disclosure of requirements to*  
23                  *clients regarding fee schedules and conflict of in-*  
24                  *terest rules.*

1 **SEC. 215. EFFECTIVE DATE.**

2 *Except as otherwise provided in sections 203, 204, 206,*  
 3 *211, 212, and 213, the amendments made by this title shall*  
 4 *apply with respect to registrations under the Lobbying Dis-*  
 5 *closure Act of 1995 having an effective date of January 1,*  
 6 *2008, or later and with respect to quarterly reports under*  
 7 *that Act covering calendar quarters beginning on or after*  
 8 *January 1, 2008.*

9 **TITLE III—MATTERS RELATING**  
 10 **TO THE HOUSE OF REP-**  
 11 **RESENTATIVES**

12 **SEC. 301. DISCLOSURE BY MEMBERS AND STAFF OF EM-**  
 13 **PLOYMENT NEGOTIATIONS.**

14 *(a) IN GENERAL.—The Rules of the House of Rep-*  
 15 *resentatives are amended by redesignating rules XXVII and*  
 16 *XXVIII as rules XXVIII and XXIX, respectively, and by*  
 17 *inserting after rule XXVI the following new rule:*

18 **“RULE XXVII**

19 **“DISCLOSURE BY MEMBERS AND STAFF OF EMPLOYMENT**  
 20 **NEGOTIATIONS**

21 *“1. A Member, Delegate, or Resident Commissioner*  
 22 *shall not directly negotiate or have any agreement of future*  
 23 *employment or compensation until after his or her successor*  
 24 *has been elected, unless such Member, Delegate, or Resident*  
 25 *Commissioner, within 3 business days after the commence-*  
 26 *ment of such negotiation or agreement of future employment*

1 *or compensation, files with the Committee on Standards of*  
 2 *Official Conduct a statement, which must be signed by the*  
 3 *Member, Delegate, or Resident Commissioner, regarding*  
 4 *such negotiations or agreement, including the name of the*  
 5 *private entity or entities involved in such negotiations or*  
 6 *agreement, and the date such negotiations or agreement*  
 7 *commenced.*

8       *“2. An officer or an employee of the House earning*  
 9 *in excess of 75 percent of the salary paid to a Member shall*  
 10 *notify the Committee on Standards of Official Conduct that*  
 11 *he or she is negotiating or has any agreement of future em-*  
 12 *ployment or compensation.*

13       *“3. The disclosure and notification under this rule*  
 14 *shall be made within 3 business days after the commence-*  
 15 *ment of such negotiation or agreement of future employment*  
 16 *or compensation.*

17       *“4. A Member, Delegate, or Resident Commissioner,*  
 18 *and an officer or employee to whom this rule applies, shall*  
 19 *recuse himself or herself from any matter in which there*  
 20 *is a conflict of interest or an appearance of a conflict for*  
 21 *that Member, Delegate, Resident Commissioner, officer, or*  
 22 *employee under this rule and shall notify the Committee*  
 23 *on Standards of Official Conduct of such recusal. A Mem-*  
 24 *ber, Delegate, or Resident Commissioner making such*  
 25 *recusal shall, upon such recusal, submit to the Clerk for*

1 *public disclosure the statement of disclosure under clause*  
 2 *1 with respect to which the recusal was made.”.*

3 (b) *EFFECTIVE DATE.*—*The amendment made by sub-*  
 4 *section (a) shall take effect on the date of the enactment*  
 5 *of this Act, and shall apply to negotiations commenced, and*  
 6 *agreements entered into, on or after that date.*

7 **SEC. 302. PROHIBITION ON LOBBYING CONTACTS WITH**  
 8 **SPOUSE OF MEMBER WHO IS A REGISTERED**  
 9 **LOBBYIST.**

10 *Rule XXV of the Rules of the House of Representatives*  
 11 *is amended by adding at the end the following new clause:*

12 “7. *A Member, Delegate, or Resident Commissioner*  
 13 *shall prohibit all staff employed by that Member, Delegate,*  
 14 *or Resident Commissioner (including staff in personal,*  
 15 *committee, and leadership offices) from making any lob-*  
 16 *bying contact (as defined in section 3 of the Lobbying Dis-*  
 17 *closure Act of 1995) with that individual’s spouse if that*  
 18 *spouse is a lobbyist under the Lobbying Disclosure Act of*  
 19 *1995 or is employed or retained by such a lobbyist for the*  
 20 *purpose of influencing legislation.”.*

21 **SEC. 303. TREATMENT OF FIRMS AND OTHER BUSINESSES**  
 22 **WHOSE MEMBERS SERVE AS HOUSE COM-**  
 23 **MITTEE CONSULTANTS.**

24 *Clause 18(b) of rule XXIII of the Rules of the House*  
 25 *of Representatives is amended by adding at the end the fol-*

1    *lowing: “In the case of such an individual who is a member*  
 2    *or employee of a firm, partnership, or other business orga-*  
 3    *nization, the other members and employees of the firm,*  
 4    *partnership, or other business organization shall be subject*  
 5    *to the same restrictions on lobbying that apply to the indi-*  
 6    *vidual under this paragraph.”.*

7    **SEC. 304. POSTING OF TRAVEL AND FINANCIAL DISCLO-**  
 8                    **SURE REPORTS ON PUBLIC WEBSITE OF**  
 9                    **CLERK OF THE HOUSE OF REPRESENTATIVES.**

10        *(a) REQUIRING POSTING ON INTERNET.—The Clerk of*  
 11    *the House of Representatives shall post on the public Inter-*  
 12    *net site of the Office of the Clerk, in a format that is search-*  
 13    *able, sortable, and downloadable, to the extent technically*  
 14    *practicable, each of the following:*

15            *(1) The advance authorizations, certifications,*  
 16        *and disclosures filed with respect to transportation,*  
 17        *lodging, and related expenses for travel under clause*  
 18        *5(b) of rule XXV of the Rules of the House of Rep-*  
 19        *resentatives by Members (including Delegates and*  
 20        *Resident Commissioners to the Congress), officers, and*  
 21        *employees of the House.*

22            *(2) The reports filed under section 103(h)(1) of*  
 23        *the Ethics in Government Act of 1978 by Members of*  
 24        *the House of Representatives (including Delegates and*  
 25        *Resident Commissioners to the Congress).*

1       (b) *APPLICABILITY AND TIMING.*—

2               (1) *APPLICABILITY.*—Subject to paragraph (2),  
3       subsection (a) shall apply with respect to information  
4       received by the Clerk of the House of Representatives  
5       on or after the date of the enactment of this Act.

6               (2) *TIMING.*—The Clerk of the House of Rep-  
7       resentatives shall—

8                       (A) not later than August 1, 2008, post the  
9       information required by subsection (a) that the  
10      Clerk receives by June 1, 2008; and

11                      (B) not later than the end of each 45-day  
12      period occurring after information is required to  
13      be posted under subparagraph (A), post the in-  
14      formation required by subsection (a) that the  
15      Clerk has received since the last posting under  
16      this subsection.

17               (3) *OMISSION OF PERSONALLY IDENTIFIABLE IN-*  
18      *FORMATION.*—Members of the House of Representa-  
19      tives (including Delegates and Resident Commis-  
20      sioners to the Congress) shall be permitted to omit  
21      personally identifiable information not required to be  
22      disclosed on the reports posted on the public Internet  
23      site under this section (such as home address, Social  
24      Security numbers, personal bank account numbers,

1       home telephone, and names of children) prior to the  
2       posting of such reports on such public Internet site.

3               (4) *ASSISTANCE IN PROTECTING PERSONAL IN-*  
4       *FORMATION.—The Clerk of the House of Representa-*  
5       *tives, in consultation with the Committee on Stand-*  
6       *ards of Official Conduct, shall include in any infor-*  
7       *mational materials concerning any disclosure that*  
8       *will be posted on the public Internet site under this*  
9       *section an explanation of the procedures for pro-*  
10       *tecting personally identifiable information as de-*  
11       *scribed in this section.*

12       (c) *RETENTION.—The Clerk shall maintain the infor-*  
13       *mation posted on the public Internet site of the Office of*  
14       *the Clerk under this section for a period of 6 years after*  
15       *receiving the information.*

16       **SEC. 305. PROHIBITING PARTICIPATION IN LOBBYIST-SPON-**  
17                       **SORED EVENTS DURING POLITICAL CONVEN-**  
18                       **TIONS.**

19       *Rule XXV of the Rules of the House of Representatives,*  
20       *as amended by section 302, is amended by adding at the*  
21       *end the following new clause:*

22               “8. *During the dates on which the national political*  
23       *party to which a Member (including a Delegate or Resident*  
24       *Commissioner) belongs holds its convention to nominate a*  
25       *candidate for the office of President or Vice President, the*

1 *Member may not participate in an event honoring that*  
 2 *Member, other than in his or her capacity as a candidate*  
 3 *for such office, if such event is directly paid for by a reg-*  
 4 *istered lobbyist under the Lobbying Disclosure Act of 1995*  
 5 *or a private entity that retains or employs such a registered*  
 6 *lobbyist.”.*

7 **SEC. 306. EXERCISE OF RULEMAKING AUTHORITY.**

8 *The provisions of this title are adopted by the House*  
 9 *of Representatives—*

10 *(1) as an exercise of the rulemaking power of the*  
 11 *House; and*

12 *(2) with full recognition of the constitutional*  
 13 *right of the House to change those rules at any time,*  
 14 *in the same manner, and to the same extent as in the*  
 15 *case of any other rule of the House.*

16 **TITLE IV—CONGRESSIONAL**  
 17 **PENSION ACCOUNTABILITY**

18 **SEC. 401. LOSS OF PENSIONS ACCRUED DURING SERVICE**

19 **AS A MEMBER OF CONGRESS FOR ABUSING**  
 20 **THE PUBLIC TRUST.**

21 *(a) CIVIL SERVICE RETIREMENT SYSTEM.—Section*  
 22 *8332 of title 5, United States Code, is amended by adding*  
 23 *at the end the following:*

24 *“(o)(1) Notwithstanding any other provision of this*  
 25 *subchapter, the service of an individual finally convicted*



1 of an offense described in paragraph (2) shall not be taken  
 2 into account for purposes of this subchapter, except that this  
 3 sentence applies only to service rendered as a Member (irre-  
 4 spective of when rendered). Any such individual (or other  
 5 person determined under section 8342(c), if applicable)  
 6 shall be entitled to be paid so much of such individual's  
 7 lump-sum credit as is attributable to service to which the  
 8 preceding sentence applies.

9 “(2)(A) An offense described in this paragraph is any  
 10 offense described in subparagraph (B) for which the fol-  
 11 lowing apply:

12 “(i) Every act or omission of the individual (re-  
 13 ferred to in paragraph (1)) that is needed to satisfy  
 14 the elements of the offense occurs while the individual  
 15 is a Member.

16 “(ii) Every act or omission of the individual  
 17 that is needed to satisfy the elements of the offense di-  
 18 rectly relates to the performance of the individual's of-  
 19 ficial duties as a Member.

20 “(iii) The offense is committed after the date of  
 21 enactment of this subsection.

22 “(B) An offense described in this subparagraph is only  
 23 the following, and only to the extent that the offense is a  
 24 felony:

1           “(i) *An offense under section 201 of title 18 (re-*  
 2           *lating to bribery of public officials and witnesses).*

3           “(ii) *An offense under section 219 of title 18 (re-*  
 4           *lating to officers and employees acting as agents of*  
 5           *foreign principals).*

6           “(iii) *An offense under section 1343 of title 18*  
 7           *(relating to fraud by wire, radio, or television, in-*  
 8           *cluding as part of a scheme to deprive citizens of hon-*  
 9           *est services thereby).*

10          “(iv) *An offense under section 104(a) of the For-*  
 11          *oreign Corrupt Practices Act of 1977 (relating to pro-*  
 12          *hibited foreign trade practices by domestic concerns).*

13          “(v) *An offense under section 1957 of title 18 (re-*  
 14          *lating to engaging in monetary transactions in prop-*  
 15          *erty derived from specified unlawful activity).*

16          “(vi) *An offense under section 1512 of title 18*  
 17          *(relating to tampering with a witness, victim, or an*  
 18          *informant).*

19          “(vii) *An offense under chapter 96 of title 18 (re-*  
 20          *lating to racketeer influenced and corrupt organiza-*  
 21          *tions).*

22          “(viii) *An offense under section 371 of title 18*  
 23          *(relating to conspiracy to commit offense or to de-*  
 24          *fraud United States), to the extent of any conspiracy*  
 25          *to commit an act which constitutes—*

1                   “(I) an offense under clause (i), (ii), (iii),  
2                   (iv), (v), (vi), or (vii); or

3                   “(II) an offense under section 207 of title 18  
4                   (relating to restrictions on former officers, em-  
5                   ployees, and elected officials of the executive and  
6                   legislative branches).

7                   “(ix) Perjury committed under section 1621 of  
8                   title 18 in falsely denying the commission of an act  
9                   which constitutes—

10                   “(I) an offense under clause (i), (ii), (iii),  
11                   (iv), (v), (vi), or (vii); or

12                   “(II) an offense under clause (viii), to the  
13                   extent provided in such clause.

14                   “(x) Subornation of perjury committed under  
15                   section 1622 of title 18 in connection with the false  
16                   denial or false testimony of another individual as  
17                   specified in clause (ix).

18                   “(3) An individual convicted of an offense described  
19                   in paragraph (2) shall not, after the date of the final convic-  
20                   tion, be eligible to participate in the retirement system  
21                   under this subchapter or chapter 84 while serving as a  
22                   Member.

23                   “(4) The Office of Personnel Management shall pre-  
24                   scribe any regulations necessary to carry out this sub-  
25                   section. Such regulations shall include—

1           “(A) provisions under which interest on any  
 2           lump-sum payment under the second sentence of  
 3           paragraph (1) shall be limited in a manner similar  
 4           to that specified in the last sentence of section  
 5           8316(b); and

6           “(B) provisions under which the Office may pro-  
 7           vide for—

8                   “(i) the payment, to the spouse or children  
 9                   of any individual referred to in the first sentence  
 10                  of paragraph (1), of any amounts which (but for  
 11                  this clause) would otherwise have been nonpay-  
 12                  able by reason of such first sentence, subject to  
 13                  paragraph (5); and

14                   “(ii) an appropriate adjustment in the  
 15                  amount of any lump-sum payment under the  
 16                  second sentence of paragraph (1) to reflect the  
 17                  application of clause (i).

18           “(5) Regulations to carry out clause (i) of paragraph  
 19           (4)(B) shall include provisions to ensure that the authority  
 20           to make any payment to the spouse or children of an indi-  
 21           vidual under such clause shall be available only to the ex-  
 22           tent that the application of such clause is considered nec-  
 23           essary and appropriate taking into account the totality of  
 24           the circumstances, including the financial needs of the  
 25           spouse or children, whether the spouse or children partici-

1 *pated in an offense described in paragraph (2) of which*  
 2 *such individual was finally convicted, and what measures,*  
 3 *if any, may be necessary to ensure that the convicted indi-*  
 4 *vidual does not benefit from any such payment.*

5 “(6) *For purposes of this subsection—*

6 “(A) *the terms ‘finally convicted’ and ‘final con-*  
 7 *viction’ refer to a conviction (i) which has not been*  
 8 *appealed and is no longer appealable because the time*  
 9 *for taking an appeal has expired, or (ii) which has*  
 10 *been appealed and the appeals process for which is*  
 11 *completed;*

12 “(B) *the term ‘Member’ has the meaning given*  
 13 *such term by section 2106, notwithstanding section*  
 14 *8331(2); and*

15 “(C) *the term ‘child’ has the meaning given such*  
 16 *term by section 8341.”.*

17 (b) *FEDERAL EMPLOYEES’ RETIREMENT SYSTEM.—*  
 18 *Section 8411 of title 5, United States Code, is amended by*  
 19 *adding at the end the following:*

20 “(l)(1) *Notwithstanding any other provision of this*  
 21 *chapter, the service of an individual finally convicted of an*  
 22 *offense described in paragraph (2) shall not be taken into*  
 23 *account for purposes of this chapter, except that this sen-*  
 24 *tence applies only to service rendered as a Member (irre-*  
 25 *spective of when rendered). Any such individual (or other*

1 *person determined under section 8424(d), if applicable)*  
 2 *shall be entitled to be paid so much of such individual's*  
 3 *lump-sum credit as is attributable to service to which the*  
 4 *preceding sentence applies.*

5       “(2) *An offense described in this paragraph is any of-*  
 6 *fense described in section 8332(o)(2)(B) for which the fol-*  
 7 *lowing apply:*

8               “(A) *Every act or omission of the individual (re-*  
 9 *ferred to in paragraph (1)) that is needed to satisfy*  
 10 *the elements of the offense occurs while the individual*  
 11 *is a Member.*

12               “(B) *Every act or omission of the individual*  
 13 *that is needed to satisfy the elements of the offense di-*  
 14 *rectly relates to the performance of the individual's of-*  
 15 *ficial duties as a Member.*

16               “(C) *The offense is committed after the date of*  
 17 *enactment of this subsection.*

18       “(3) *An individual convicted of an offense described*  
 19 *in paragraph (2) shall not, after the date of the final convic-*  
 20 *tion, be eligible to participate in the retirement system*  
 21 *under this chapter while serving as a Member.*

22       “(4) *The Office of Personnel Management shall pre-*  
 23 *scribe any regulations necessary to carry out this sub-*  
 24 *section. Such regulations shall include—*

1           “(A) provisions under which interest on any  
2           lump-sum payment under the second sentence of  
3           paragraph (1) shall be limited in a manner similar  
4           to that specified in the last sentence of section  
5           8316(b); and

6           “(B) provisions under which the Office may pro-  
7           vide for—

8                   “(i) the payment, to the spouse or children  
9                   of any individual referred to in the first sentence  
10                  of paragraph (1), of any amounts which (but for  
11                  this clause) would otherwise have been nonpay-  
12                  able by reason of such first sentence, subject to  
13                  paragraph (5); and

14                   “(ii) an appropriate adjustment in the  
15                  amount of any lump-sum payment under the  
16                  second sentence of paragraph (1) to reflect the  
17                  application of clause (i).

18           “(5) Regulations to carry out clause (i) of paragraph  
19           (4)(B) shall include provisions to ensure that the authority  
20           to make any payment under such clause to the spouse or  
21           children of an individual shall be available only to the ex-  
22           tent that the application of such clause is considered nec-  
23           essary and appropriate taking into account the totality of  
24           the circumstances, including the financial needs of the  
25           spouse or children, whether the spouse or children partici-

1 *pated in an offense described in paragraph (2) of which*  
 2 *such individual was finally convicted, and what measures,*  
 3 *if any, may be necessary to ensure that the convicted indi-*  
 4 *vidual does not benefit from any such payment.*

5 “(6) *For purposes of this subsection—*

6 “(A) *the terms ‘finally convicted’ and ‘final con-*  
 7 *viction’ refer to a conviction (i) which has not been*  
 8 *appealed and is no longer appealable because the time*  
 9 *for taking an appeal has expired, or (ii) which has*  
 10 *been appealed and the appeals process for which is*  
 11 *completed;*

12 “(B) *the term ‘Member’ has the meaning given*  
 13 *such term by section 2106, notwithstanding section*  
 14 *8401(20); and*

15 “(C) *the term ‘child’ has the meaning given such*  
 16 *term by section 8441.”.*

17 ***TITLE V—SENATE LEGISLATIVE***  
 18 ***TRANSPARENCY AND AC-***  
 19 ***COUNTABILITY***

20 ***Subtitle A—Procedural Reform***

21 ***SEC. 511. AMENDMENTS TO RULE XXVIII.***

22 (a) *OUT OF SCOPE MATERIAL AMENDMENT.—Rule*  
 23 *XXVIII of the Standing Rules of the Senate is amended*  
 24 *by—*



1           (1) redesignating paragraphs 4 through 6 as  
2           paragraphs 6 through 8, respectively; and

3           (2) striking paragraphs 2 and 3 and inserting  
4           the following:

5           “2. (a) Conferees shall not insert in their report matter  
6           not committed to them by either House, nor shall they strike  
7           from the bill matter agreed to by both Houses.

8           “(b) If matter which was agreed to by both Houses is  
9           stricken from the bill a point of order may be made against  
10          the report, and if the point of order is sustained, the report  
11          is rejected or shall be recommitted to the committee of con-  
12          ference if the House of Representatives has not already acted  
13          thereon.

14          “(c) If new matter is inserted in the report, a point  
15          of order may be made against the conference report and  
16          it shall be disposed of as provided under paragraph 4.

17          “3. (a) In any case in which a disagreement to an  
18          amendment in the nature of a substitute has been referred  
19          to conferees—

20                 “(1) it shall be in order for the conferees to re-  
21                 port a substitute on the same subject matter;

22                 “(2) the conferees may not include in the report  
23                 matter not committed to them by either House; and

1           “(3) the conferees may include in their report in  
2           any such case matter which is a germane modifica-  
3           tion of subjects in disagreement.

4           “(b) In any case in which the conferees violate sub-  
5           paragraph (a), a point of order may be made against the  
6           conference report and it shall be disposed of as provided  
7           under paragraph 4.

8           “4. (a) A Senator may raise a point of order that one  
9           or more provisions of a conference report violates paragraph  
10          2 or paragraph 3, as the case may be. The Presiding Officer  
11          may sustain the point of order as to some or all of the provi-  
12          sions against which the Senator raised the point of order.

13          “(b) If the Presiding Officer sustains the point of order  
14          as to any of the provisions against which the Senator raised  
15          the point of order, then those provisions against which the  
16          Presiding Officer sustains the point of order shall be strick-  
17          en. After all other points of order under this paragraph have  
18          been disposed of—

19                 “(1) the Senate shall proceed to consider the  
20                 question of whether the Senate should recede from its  
21                 amendment to the House bill, or its disagreement to  
22                 the amendment of the House, and concur with a fur-  
23                 ther amendment, which further amendment shall con-  
24                 sist of only that portion of the conference report that  
25                 has not been stricken;

1           “(2) the question in clause (1) shall be decided  
2           under the same debate limitation as the conference re-  
3           port; and

4           “(3) no further amendment shall be in order.

5           “5. (a) Any Senator may move to waive any or all  
6 points of order under paragraph 2 or 3 with respect to the  
7 pending conference report by an affirmative vote of three-  
8 fifths of the Members, duly chosen and sworn. All motions  
9 to waive under this paragraph shall be debatable collectively  
10 for not to exceed 1 hour equally divided between the Major-  
11 ity Leader and the Minority Leader or their designees. A  
12 motion to waive all points of order under this paragraph  
13 shall not be amendable.

14          “(b) All appeals from rulings of the Chair under para-  
15 graph 4 shall be debatable collectively for not to exceed 1  
16 hour, equally divided between the Majority and the Minor-  
17 ity Leader or their designees. An affirmative vote of three-  
18 fifths of the Members of the Senate, duly chosen and sworn,  
19 shall be required in the Senate to sustain an appeal of the  
20 ruling of the Chair under paragraph 4.”.

21          (b) PUBLIC AVAILABILITY AMENDMENT.—

22               (1) IN GENERAL.—Rule XXVIII of the Standing  
23 Rules of the Senate is amended by adding at the end  
24 the following:

1       “9. (a)(1) *It shall not be in order to vote on the adop-*  
 2 *tion of a report of a committee of conference unless such*  
 3 *report has been available to Members and to the general*  
 4 *public for at least 48 hours before such vote. If a point of*  
 5 *order is sustained under this paragraph, then the conference*  
 6 *report shall be set aside.*

7       “(2) *For purposes of this paragraph, a report of a com-*  
 8 *mittee of conference is made available to the general public*  
 9 *as of the time it is posted on a publicly accessible website*  
 10 *controlled by a Member, committee, Library of Congress,*  
 11 *or other office of Congress, or the Government Printing Of-*  
 12 *fice, as reported to the Presiding Officer by the Secretary*  
 13 *of the Senate.*

14       “(b)(1) *This paragraph may be waived in the Senate*  
 15 *with respect to the pending conference report by an affirma-*  
 16 *tive vote of three-fifths of the Members, duly chosen and*  
 17 *sworn. A motion to waive this paragraph shall be debatable*  
 18 *for not to exceed 1 hour equally divided between the Major-*  
 19 *ity Leader and the Minority Leader or their designees.*

20       “(2) *An affirmative vote of three-fifths of the Members,*  
 21 *duly chosen and sworn, shall be required to sustain an ap-*  
 22 *peal of the ruling of the Chair on a point of order raised*  
 23 *under this paragraph. An appeal of the ruling of the Chair*  
 24 *shall be debatable for not to exceed 1 hour equally divided*

1 *between the Majority and the Minority Leader or their des-*  
 2 *ignees*

3       “(c) *This paragraph may be waived by joint agree-*  
 4 *ment of the Majority Leader and the Minority Leader of*  
 5 *the Senate, upon their certification that such waiver is nec-*  
 6 *essary as a result of a significant disruption to Senate fa-*  
 7 *cilities or to the availability of the Internet.”.*

8           (2) *IMPLEMENTATION.—Not later than 60 days*  
 9 *after the date of enactment of this section, the Com-*  
 10 *mittee on Rules and Administration, in consultation*  
 11 *with the Secretary of the Senate and the Clerk of the*  
 12 *House of Representatives, and the Government Print-*  
 13 *ing Office shall promulgate regulations for the imple-*  
 14 *mentation of the requirements of paragraph 9 of rule*  
 15 *XXVIII of the Standing Rules of the Senate, as added*  
 16 *by this section.*

17 **SEC. 512. NOTICE OF OBJECTING TO PROCEEDING.**

18       (a) *IN GENERAL.—The Majority and Minority Lead-*  
 19 *ers of the Senate or their designees shall recognize a notice*  
 20 *of intent of a Senator who is a member of their caucus to*  
 21 *object to proceeding to a measure or matter only if the Sen-*  
 22 *ator—*

23           (1) *following the objection to a unanimous con-*  
 24 *sent to proceeding to, and, or passage of, a measure*  
 25 *or matter on their behalf, submits the notice of intent*

1       *in writing to the appropriate leader or their designee;*  
 2       *and*

3               *(2) not later than 6 session days after the sub-*  
 4       *mission under paragraph (1), submits for inclusion*  
 5       *in the Congressional Record and in the applicable*  
 6       *calendar section described in subsection (b) the fol-*  
 7       *lowing notice:*

8       *“I, Senator \_\_\_\_\_, intend to object to proceedings*  
 9       *to \_\_\_\_\_, dated \_\_\_\_\_ for the following rea-*  
 10       *sons\_\_\_\_\_.”.*

11       *(b) CALENDAR.—*

12               *(1) IN GENERAL.—The Secretary of the Senate*  
 13       *shall establish for both the Senate Calendar of Busi-*  
 14       *ness and the Senate Executive Calendar a separate*  
 15       *section entitled “Notice of Intent to Object to Pro-*  
 16       *ceeding”.*

17               *(2) CONTENT.—The section required by para-*  
 18       *graph (1) shall include—*

19                       *(A) the name of each Senator filing a notice*  
 20       *under subsection (a)(2);*

21                       *(B) the measure or matter covered by the*  
 22       *calendar that the Senator objects to; and*

23                       *(C) the date the objection was filed.*

24               *(3) NOTICE.—A Senator who has notified their*  
 25       *respective leader and who has withdrawn their objec-*

1        *tion within the 6 session day period is not required*  
 2        *to submit a notification under subsection (a)(2).*

3        *(c) REMOVAL.—A Senator may have an item with re-*  
 4        *spect to the Senator removed from a calendar to which it*  
 5        *was added under subsection (b) by submitting for inclusion*  
 6        *in the Congressional Record the following notice:*

7        *“I, Senator \_\_\_\_\_, do not object to proceed to*  
 8        *\_\_\_\_\_, dated \_\_\_\_\_.”.*

9        **SEC. 513. PUBLIC AVAILABILITY OF SENATE COMMITTEE**  
 10        **AND SUBCOMMITTEE MEETINGS.**

11        *(a) IN GENERAL.—Paragraph 5(e) of rule XXVI of the*  
 12        *Standing Rules of the Senate is amended by—*

13                *(1) inserting after “(e)” the following: “(1)”; and*

14                *(2) adding at the end the following:*

15        *“(2)(A) Except with respect to meetings closed in ac-*  
 16        *cordance with this rule, each committee and subcommittee*  
 17        *shall make publicly available through the Internet a video*  
 18        *recording, audio recording, or transcript of any meeting not*  
 19        *later than 21 business days after the meeting occurs.*

20        *“(B) Information required by subclause (A) shall be*  
 21        *available until the end of the Congress following the date*  
 22        *of the meeting.*

23        *“(C) The Committee on Rules and Administration*  
 24        *may waive this clause upon request based on the inability*

1 *of a committee or subcommittee to comply with this clause*  
 2 *due to technical or logistical reasons.”.*

3 (b) *EFFECTIVE DATE.*—*This section shall take effect*  
 4 *90 days after the date of enactment of this Act.*

5 **SEC. 514. AMENDMENTS AND MOTIONS TO RECOMMIT.**

6 *Paragraph 1 of rule XV of the Standing Rules of the*  
 7 *Senate is amended to read as follows:*

8 “1.(a) *An amendment and any instruction accom-*  
 9 *panying a motion to recommit shall be reduced to writing*  
 10 *and read and identical copies shall be provided by the Sen-*  
 11 *ator offering the amendment or instruction to the desks of*  
 12 *the Majority Leader and the Minority Leader before being*  
 13 *debated.*

14 “(b) *A motion shall be reduced to writing, if desired*  
 15 *by the Presiding Officer or by any Senator, and shall be*  
 16 *read before being debated.”.*

17 **SEC. 515. SENSE OF THE SENATE ON CONFERENCE COM-**  
 18 **MITTEE PROTOCOLS.**

19 *It is the sense of the Senate that—*

20 (1) *conference committees should hold regular,*  
 21 *formal meetings of all conferees that are open to the*  
 22 *public;*

23 (2) *all conferees should be given adequate notice*  
 24 *of the time and place of all such meetings;*



1           (3) all conferees should be afforded an oppor-  
 2           tunity to participate in full and complete debates of  
 3           the matters that such conference committees may rec-  
 4           ommend to their respective Houses; and

5           (4) the text of a report of a committee of con-  
 6           ference shall not be changed after the Senate signature  
 7           sheets have been signed by a majority of the Senate  
 8           conferees.

## 9           ***Subtitle B—Earmark Reform***

### 10 ***SEC. 521. CONGRESSIONALLY DIRECTED SPENDING.***

11           *The Standing Rules of the Senate are amended by add-*  
 12           *ing at the end the following:*

#### 13                                   “*RULE XLIV*

#### 14           “*CONGRESSIONALLY DIRECTED SPENDING AND RELATED* 15                                   *ITEMS*

16           “1. (a) *It shall not be in order to vote on a motion*  
 17           *to proceed to consider a bill or joint resolution reported by*  
 18           *any committee unless the chairman of the committee of ju-*  
 19           *risdiction or the Majority Leader or his or her designee cer-*  
 20           *tifies—*

21                   “(1) *that each congressionally directed spending*  
 22           *item, limited tax benefit, and limited tariff benefit, if*  
 23           *any, in the bill or joint resolution, or in the com-*  
 24           *mittee report accompanying the bill or joint resolu-*  
 25           *tion, has been identified through lists, charts, or other*

1       *similar means including the name of each Senator*  
 2       *who submitted a request to the committee for each*  
 3       *item so identified; and*

4               “(2) *that the information in clause (1) has been*  
 5       *available on a publicly accessible congressional*  
 6       *website in a searchable format at least 48 hours before*  
 7       *such vote.*

8               “(b) *If a point of order is sustained under this para-*  
 9       *graph, the motion to proceed shall be suspended until the*  
 10       *sponsor of the motion or his or her designee has requested*  
 11       *resumption and compliance with this paragraph has been*  
 12       *achieved.*

13               “2. (a) *It shall not be in order to vote on a motion*  
 14       *to proceed to consider a Senate bill or joint resolution not*  
 15       *reported by committee unless the chairman of the committee*  
 16       *of jurisdiction or the Majority Leader or his or her designee*  
 17       *certifies—*

18               “(1) *that each congressionally directed spending*  
 19       *item, limited tax benefit, and limited tariff benefit, if*  
 20       *any, in the bill or joint resolution, has been identified*  
 21       *through lists, charts, or other similar means, includ-*  
 22       *ing the name of each Senator who submitted a request*  
 23       *to the sponsor of the bill or joint resolution for each*  
 24       *item so identified; and*

1           “(2) that the information in clause (1) has been  
 2           available on a publicly accessible congressional  
 3           website in a searchable format at least 48 hours before  
 4           such vote.

5           “(b) If a point of order is sustained under this para-  
 6           graph, the motion to proceed shall be suspended until the  
 7           sponsor of the motion or his or her designee has requested  
 8           resumption and compliance with this paragraph has been  
 9           achieved.

10          “3. (a) It shall not be in order to vote on the adoption  
 11          of a report of a committee of conference unless the chairman  
 12          of the committee of jurisdiction or the Majority Leader or  
 13          his or her designee certifies—

14               “(1) that each congressionally directed spending  
 15               item, limited tax benefit, and limited tariff benefit, if  
 16               any, in the conference report, or in the joint state-  
 17               ment of managers accompanying the conference re-  
 18               port, has been identified through lists, charts, or other  
 19               means, including the name of each Senator who sub-  
 20               mitted a request to the committee of jurisdiction for  
 21               each item so identified; and

22               “(2) that the information in clause (1) has been  
 23               available on a publicly accessible congressional  
 24               website at least 48 hours before such vote.

1       “(b) If a point of order is sustained under this para-  
 2 graph, then the conference report shall be set aside.

3       “4. (a) If during consideration of a bill or joint resolu-  
 4 tion, a Senator proposes an amendment containing a con-  
 5 gressionally directed spending item, limited tax benefit, or  
 6 limited tariff benefit which was not included in the bill or  
 7 joint resolution as placed on the calendar or as reported  
 8 by any committee, in a committee report on such bill or  
 9 joint resolution, or a committee report of the Senate on a  
 10 companion measure, then as soon as practicable, the Sen-  
 11 ator shall ensure that a list of such items (and the name  
 12 of any Senator who submitted a request to the Senator for  
 13 each respective item included in the list) is printed in the  
 14 Congressional Record.

15       “(b) If a committee reports a bill or joint resolution  
 16 that includes congressionally directed spending items, lim-  
 17 ited tax benefits, or limited tariff benefits in the bill or joint  
 18 resolution, or in the committee report accompanying the bill  
 19 or joint resolution, the committee shall as soon as prac-  
 20 ticable identify on a publicly accessible congressional  
 21 website each such item through lists, charts, or other similar  
 22 means, including the name of each Senator who submitted  
 23 a request to the committee for each item so identified. Avail-  
 24 ability on the Internet of a committee report that contains

1 *the information described in this subparagraph shall satisfy*  
 2 *the requirements of this subparagraph.*

3 “(c) *To the extent technically feasible, information*  
 4 *made available on publicly accessible congressional websites*  
 5 *under paragraphs 3 and 4 shall be provided in a searchable*  
 6 *format.*

7 “5. *For the purpose of this rule—*

8 “(a) *the term ‘congressionally directed spending*  
 9 *item’ means a provision or report language included*  
 10 *primarily at the request of a Senator providing, au-*  
 11 *thorizing, or recommending a specific amount of dis-*  
 12 *cretionary budget authority, credit authority, or other*  
 13 *spending authority for a contract, loan, loan guar-*  
 14 *antee, grant, loan authority, or other expenditure*  
 15 *with or to an entity, or targeted to a specific State,*  
 16 *locality or Congressional district, other than through*  
 17 *a statutory or administrative formula-driven or com-*  
 18 *petitive award process;*

19 “(b) *the term ‘limited tax benefit’ means—*

20 “(1) *any revenue provision that—*

21 “(A) *provides a Federal tax deduction,*  
 22 *credit, exclusion, or preference to a par-*  
 23 *ticular beneficiary or limited group of bene-*  
 24 *ficiaries under the Internal Revenue Code of*  
 25 *1986; and*

1                   “(B) contains eligibility criteria that  
 2                   are not uniform in application with respect  
 3                   to potential beneficiaries of such provision;

4                   “(c) the term ‘limited tariff benefit’ means a pro-  
 5                   vision modifying the Harmonized Tariff Schedule of  
 6                   the United States in a manner that benefits 10 or  
 7                   fewer entities; and

8                   “(d) except as used in subparagraph 8(e), the  
 9                   term ‘item’ when not preceded by ‘congressionally di-  
 10                  rected spending’ means any provision that is a con-  
 11                  gressionally directed spending item, a limited tax  
 12                  benefit, or a limited tariff benefit.

13                  “6. (a) A Senator who requests a congressionally di-  
 14                  rected spending item, a limited tax benefit, or a limited  
 15                  tariff benefit in any bill or joint resolution (or an accom-  
 16                  panying report) or in any conference report (or an accom-  
 17                  panying joint statement of managers) shall provide a writ-  
 18                  ten statement to the chairman and ranking member of the  
 19                  committee of jurisdiction, including—

20                       “(1) the name of the Senator;

21                       “(2) in the case of a congressionally directed  
 22                       spending item, the name and location of the intended  
 23                       recipient or, if there is no specifically intended recipi-  
 24                       ent, the intended location of the activity;

1           “(3) in the case of a limited tax or tariff benefit,  
 2           identification of the individual or entities reasonably  
 3           anticipated to benefit, to the extent known to the Sen-  
 4           ator;

5           “(4) the purpose of such congressionally directed  
 6           spending item or limited tax or tariff benefit; and

7           “(5) a certification that neither the Senator nor  
 8           the Senator’s immediate family has a pecuniary in-  
 9           terest in the item, consistent with the requirements of  
 10          paragraph 9.

11          “(b) With respect to each item included in a Senate  
 12          bill or joint resolution (or accompanying report) reported  
 13          by committee or considered by the Senate, or included in  
 14          a conference report (or joint statement of managers accom-  
 15          panying the conference report) considered by the Senate,  
 16          each committee of jurisdiction shall make available for pub-  
 17          lic inspection on the Internet the certifications under sub-  
 18          paragraph (a)(5) as soon as practicable.

19          “7. In the case of a bill, joint resolution, or conference  
 20          report that contains congressionally directed spending items  
 21          in any classified portion of a report accompanying the  
 22          measure, the committee of jurisdiction shall, to the greatest  
 23          extent practicable, consistent with the need to protect na-  
 24          tional security (including intelligence sources and methods),  
 25          include on the list required by paragraph 1, 2, or 3 as the

1 case may be, a general program description in unclassified  
 2 language, funding level, and the name of the sponsor of that  
 3 congressionally directed spending item.

4 “8. (a) A Senator may raise a point of order against  
 5 one or more provisions of a conference report if they con-  
 6 stitute new directed spending provisions. The Presiding Of-  
 7 ficer may sustain the point of order as to some or all of  
 8 the provisions against which the Senator raised the point  
 9 of order.

10 “(b) If the Presiding Officer sustains the point of order  
 11 as to any of the provisions against which the Senator raised  
 12 the point of order, then those provisions against which the  
 13 Presiding Officer sustains the point of order shall be strick-  
 14 en. After all other points of order under this paragraph have  
 15 been disposed of—

16 “(1) the Senate shall proceed to consider the  
 17 question of whether the Senate should recede from its  
 18 amendment to the House bill, or its disagreement to  
 19 the amendment of the House, and concur with a fur-  
 20 ther amendment, which further amendment shall con-  
 21 sist of only that portion of the conference report that  
 22 has not been stricken; and

23 “(2) the question in clause (1) shall be decided  
 24 under the same debate limitation as the conference re-  
 25 port and no further amendment shall be in order.



1       “(c) *Any Senator may move to waive any or all points*  
 2 *of order under this paragraph with respect to the pending*  
 3 *conference report by an affirmative vote of three-fifths of*  
 4 *the Members, duly chosen and sworn. All motions to waive*  
 5 *under this paragraph shall be debatable collectively for not*  
 6 *to exceed 1 hour equally divided between the Majority Lead-*  
 7 *er and the Minority Leader or their designees. A motion*  
 8 *to waive all points of order under this paragraph shall not*  
 9 *be amendable.*

10       “(d) *All appeals from rulings of the Chair under this*  
 11 *paragraph shall be debatable collectively for not to exceed*  
 12 *1 hour, equally divided between the Majority and the Mi-*  
 13 *nority Leader or their designees. An affirmative vote of*  
 14 *three-fifths of the Members of the Senate, duly chosen and*  
 15 *sworn, shall be required in the Senate to sustain an appeal*  
 16 *of the ruling of the Chair under this paragraph.*

17       “(e) *The term ‘new directed spending provision’ as*  
 18 *used in this paragraph means any item that consists of a*  
 19 *specific provision containing a specific level of funding for*  
 20 *any specific account, specific program, specific project, or*  
 21 *specific activity, when no specific funding was provided for*  
 22 *such specific account, specific program, specific project, or*  
 23 *specific activity in the measure originally committed to the*  
 24 *conferees by either House.*

1       *“9. No Member, officer, or employee of the Senate shall*  
 2 *knowingly use his official position to introduce, request, or*  
 3 *otherwise aid the progress or passage of congressionally di-*  
 4 *rected spending items, limited tax benefits, or limited tariff*  
 5 *benefits a principal purpose of which is to further only his*  
 6 *pecuniary interest, only the pecuniary interest of his imme-*  
 7 *diate family, or only the pecuniary interest of a limited*  
 8 *class of persons or enterprises, when he or his immediate*  
 9 *family, or enterprises controlled by them, are members of*  
 10 *the affected class.*

11       *“10. Any Senator may move to waive application of*  
 12 *paragraph 1, 2, or 3 with respect to a measure by an af-*  
 13 *firmative vote of three-fifths of the Members, duly chosen*  
 14 *and sworn. A motion to waive under this paragraph with*  
 15 *respect to a measure shall be debatable for not to exceed*  
 16 *1 hour equally divided between the Majority Leader and*  
 17 *the Minority Leader or their designees. With respect to*  
 18 *points of order raised under paragraphs 1, 2, or 3, only*  
 19 *one appeal from a ruling of the Chair shall be in order,*  
 20 *and debate on such an appeal from a ruling of the Chair*  
 21 *on such point of order shall be limited to one hour.*

22       *“11. Any Senator may move to waive all points of*  
 23 *order under this rule with respect to the pending measure*  
 24 *or motion by an affirmative vote of three-fifths of the Mem-*  
 25 *bers, duly chosen and sworn. All motions to waive all points*

1 of order with respect to a measure or motion as provided  
 2 by this paragraph shall be debatable collectively for not to  
 3 exceed 1 hour equally divided between the Majority Leader  
 4 and the Minority Leader or their designees. A motion to  
 5 waive all points of order with respect to a measure or mo-  
 6 tion as provided by this paragraph shall not be amendable.

7 “12. Paragraph 1, 2, or 3 of this rule may be waived  
 8 by joint agreement of the Majority Leader and the Minority  
 9 Leader of the Senate upon their certification that such  
 10 waiver is necessary as a result of a significant disruption  
 11 to Senate facilities or to the availability of the Internet.”.

## 12 ***Subtitle C—Revolving Door Reform***

### 13 ***SEC. 531. POST-EMPLOYMENT RESTRICTIONS.***

14 (a) *APPLICATION TO ENTITY.*—Paragraph 8 of rule  
 15 XXXVII of the Standing Rules of the Senate is amended  
 16 by—

17 (1) inserting after “by such a registered lobbyist”  
 18 the following “or an entity that employs or retains a  
 19 registered lobbyist”; and

20 (2) striking “one year” and inserting “2 years”.

21 (b) *PROHIBITION.*—Paragraph 9 of rule XXXVII of the  
 22 Standing Rules of the Senate is amended—

23 (1) in the first sentence, by inserting after “by  
 24 such a registered lobbyist” the following: “or an entity  
 25 that employs or retains a registered lobbyist”;

1           (2) *in the second sentence, by inserting after “by*  
 2           *such a registered lobbyist” the following: “or an entity*  
 3           *that employs or retains a registered lobbyist”;*

4           (3) *by designating the first and second sentences*  
 5           *as subparagraphs (a) and (b), respectively; and*

6           (4) *by adding at the end the following:*

7           “(c) *If an officer of the Senate or an employee on the*  
 8           *staff of a Member or on the staff of a committee whose rate*  
 9           *of pay is equal to or greater than 75 percent of the rate*  
 10           *of pay of a Member and employed at such rate for more*  
 11           *than 60 days in a calendar year, upon leaving that posi-*  
 12           *tion, becomes a registered lobbyist, or is employed or re-*  
 13           *tained by such a registered lobbyist or an entity that em-*  
 14           *ployes or retains a registered lobbyist for the purpose of in-*  
 15           *fluencing legislation, such employee may not lobby any*  
 16           *Member, officer, or employee of the Senate for a period of*  
 17           *1 year after leaving that position.”.*

18           (c) *EFFECTIVE DATE.—Paragraph 9(c) of rule*  
 19           *XXXVII of the Standing Rules of the Senate shall apply*  
 20           *to individuals who leave office or employment to which such*  
 21           *paragraph applies on or after the date of adjournment of*  
 22           *the first session of the 110th Congress sine die or December*  
 23           *31, 2007, whichever date is earlier.*

1 **SEC. 532. DISCLOSURE BY MEMBERS OF CONGRESS AND**  
 2 **STAFF OF EMPLOYMENT NEGOTIATIONS.**

3 *Rule XXXVII of the Standing Rules of the Senate is*  
 4 *amended by—*

5 *(1) redesignating paragraph 12 as paragraph*  
 6 *13; and*

7 *(2) adding after paragraph 11 the following:*

8 *“12. (a) A Member shall not negotiate or have any ar-*  
 9 *rangement concerning prospective private employment*  
 10 *until after his or her successor has been elected, unless such*  
 11 *Member files a signed statement with the Secretary of the*  
 12 *Senate, for public disclosure, regarding such negotiations*  
 13 *or arrangements not later than 3 business days after the*  
 14 *commencement of such negotiation or arrangement, includ-*  
 15 *ing the name of the private entity or entities involved in*  
 16 *such negotiations or arrangements, and the date such nego-*  
 17 *tiations or arrangements commenced.*

18 *“(b) A Member shall not negotiate or have any ar-*  
 19 *rangement concerning prospective employment for a job in-*  
 20 *volving lobbying activities as defined by the Lobbying Dis-*  
 21 *closure Act of 1995 until after his or her successor has been*  
 22 *elected.*

23 *“(c)(1) An employee of the Senate earning in excess*  
 24 *of 75 percent of the salary paid to a Senator shall notify*  
 25 *the Select Committee on Ethics that he or she is negotiating*

1 *or has any arrangement concerning prospective private em-*  
 2 *ployment.*

3 “(2) *The notification under this subparagraph shall be*  
 4 *made not later than 3 business days after the commence-*  
 5 *ment of such negotiation or arrangement.*

6 “(3) *An employee to whom this subparagraph applies*  
 7 *shall—*

8 “(A) *recuse himself or herself from—*

9 “(i) *any contact or communication with the*  
 10 *prospective employer on issues of legislative in-*  
 11 *terest to the prospective employer; and*

12 “(ii) *any legislative matter in which there*  
 13 *is a conflict of interest or an appearance of a*  
 14 *conflict for that employee under this subpara-*  
 15 *graph; and*

16 “(B) *notify the Select Committee on Ethics of*  
 17 *such recusal.”.*

18 **SEC. 533. ELIMINATION OF FLOOR PRIVILEGES FOR**  
 19 **FORMER MEMBERS, SENATE OFFICERS, AND**  
 20 **SPEAKERS OF THE HOUSE WHO ARE REG-**  
 21 **ISTERED LOBBYISTS OR SEEK FINANCIAL**  
 22 **GAIN.**

23 *Rule XXIII of the Standing Rules of the Senate is*  
 24 *amended by—*

25 (1) *inserting “1.” before “Other”;*

1           (2) inserting after “*Ex-Senators and Senators-*  
 2       *elect*” the following: “, except as provided in para-  
 3       *graph 2*”;

4           (3) inserting after “*Ex-Secretaries and ex-Ser-*  
 5       *geants at Arms of the Senate*” the following: “, except  
 6       *as provided in paragraph 2*”;

7           (4) inserting after “*Ex-Speakers of the House of*  
 8       *Representatives*” the following: “, except as provided  
 9       *in paragraph 2*”; and

10          (5) adding at the end the following:

11        “2.(a) *The floor privilege provided in paragraph 1*  
 12       *shall not apply, when the Senate is in session, to an indi-*  
 13       *vidual covered by this paragraph who is—*

14               “(1) *a registered lobbyist or agent of a foreign*  
 15       *principal; or*

16               “(2) *in the employ of or represents any party or*  
 17       *organization for the purpose of influencing, directly*  
 18       *or indirectly, the passage, defeat, or amendment of*  
 19       *any Federal legislative proposal.*

20        “(b) *The Committee on Rules and Administration may*  
 21       *promulgate regulations to allow individuals covered by this*  
 22       *paragraph floor privileges for ceremonial functions and*  
 23       *events designated by the Majority Leader and the Minority*  
 24       *Leader.*

1       “3. *A former Member of the Senate may not exercise*  
 2 *privileges to use Senate athletic facilities or Member-only*  
 3 *parking spaces if such Member is—*

4               “(a) *a registered lobbyist or agent of a foreign*  
 5 *principal; or*

6               “(b) *in the employ of or represents any party or*  
 7 *organization for the purpose of influencing, directly*  
 8 *or indirectly, the passage, defeat, or amendment of*  
 9 *any Federal legislative proposal.”.*

10 **SEC. 534. INFLUENCING HIRING DECISIONS.**

11       *Rule XLIII of the Standing Rules of the Senate is*  
 12 *amended by adding at the end the following:*

13       “6. *No Member, with the intent to influence solely on*  
 14 *the basis of partisan political affiliation an employment*  
 15 *decision or employment practice of any private entity,*  
 16 *shall—*

17               “(a) *take or withhold, or offer or threaten to take*  
 18 *or withhold, an official act; or*

19               “(b) *influence, or offer or threaten to influence*  
 20 *the official act of another.”.*

21 **SEC. 535. NOTIFICATION OF POST-EMPLOYMENT RESTRIC-**  
 22 **TIONS.**

23       (a) *IN GENERAL.*—*After a Senator or an elected officer*  
 24 *of the Senate leaves office or after the termination of em-*  
 25 *ployment with the Senate of an employee of the Senate, the*



1 *Secretary of the Senate shall notify the Member, officer, or*  
 2 *employee of the beginning and ending date of the prohibi-*  
 3 *tions that apply to the Member, officer, or employee under*  
 4 *rule XXXVII of the Standing Rules of the Senate.*

5 (b) *EFFECTIVE DATE.*—*This section shall take effect*  
 6 *60 days after the date of enactment of this Act.*

## 7 ***Subtitle D—Gift and Travel Reform***

### 8 ***SEC. 541. BAN ON GIFTS FROM REGISTERED LOBBYISTS*** 9 ***AND ENTITIES THAT HIRE REGISTERED LOB-*** 10 ***BYISTS.***

11 *Paragraph 1(a)(2) of rule XXXV of the Standing Rules*  
 12 *of the Senate is amended by—*

13 (1) *inserting “(A)” after “(2)”;* and

14 (2) *adding at the end the following:*

15 “(B) *A Member, officer, or employee may not know-*  
 16 *ingly accept a gift from a registered lobbyist, an agent of*  
 17 *a foreign principal, or a private entity that retains or em-*  
 18 *ployes a registered lobbyist or an agent of a foreign prin-*  
 19 *cipal, except as provided in subparagraphs (c) and (d).”.*

### 20 ***SEC. 542. NATIONAL PARTY CONVENTIONS.***

21 *Paragraph (1)(d) of rule XXXV of the Standing Rules*  
 22 *of the Senate is amended by adding at the end the following:*

23 “(5) *During the dates of the national party convention*  
 24 *for the political party to which a Member belongs, a Member*  
 25 *may not participate in an event honoring that Member,*

1 *other than in his or her capacity as the party's presidential*  
 2 *or vice presidential nominee or presumptive nominee, if*  
 3 *such event is directly paid for by a registered lobbyist or*  
 4 *a private entity that retains or employs a registered lob-*  
 5 *byist.”.*

6 **SEC. 543. PROPER VALUATION OF TICKETS TO ENTERTAIN-**  
 7 **MENT AND SPORTING EVENTS.**

8 *Paragraph 1(c)(1) of rule XXXV of the Standing Rules*  
 9 *of the Senate is amended by—*

10 *(1) inserting “(A)” before “Anything”; and*

11 *(2) adding at the end the following:*

12 *“(B) The market value of a ticket to an enter-*  
 13 *tainment or sporting event shall be the face value of*  
 14 *the ticket or, in the case of a ticket without a face*  
 15 *value, the value of the ticket with the highest face*  
 16 *value for the event, except that if a ticket holder can*  
 17 *establish in advance of the event to the Select Com-*  
 18 *mittee on Ethics that the ticket at issue is equivalent*  
 19 *to another ticket with a face value, then the market*  
 20 *value shall be set at the face value of the equivalent*  
 21 *ticket. In establishing equivalency, the ticket holder*  
 22 *shall provide written and independently verifiable in-*  
 23 *formation related to the primary features of the ticket,*  
 24 *including, at a minimum, the seat location, access to*  
 25 *parking, availability of food and refreshments, and*

1        *access to venue areas not open to the public. The Se-*  
 2        *lect Committee on Ethics may make a determination*  
 3        *of equivalency only if such information is provided in*  
 4        *advance of the event.”.*

5    **SEC. 544. RESTRICTIONS ON REGISTERED LOBBYIST PAR-**  
 6                                    **TICIPATION IN TRAVEL AND DISCLOSURE.**

7        *(a) PROHIBITION.—Paragraph 2 of rule XXXV of the*  
 8        *Standing Rules of the Senate is amended—*

9                    *(1) in subparagraph (a)(1), by—*

10                                    *(A) adding after “foreign principal” the fol-*  
 11                                    *lowing: “or a private entity that retains or em-*  
 12                                    *ployes 1 or more registered lobbyists or agents of*  
 13                                    *a foreign principal”;*

14                                    *(B) striking the dash and inserting “com-*  
 15                                    *plies with the requirements of this paragraph.”;*  
 16                                    *and*

17                                    *(C) striking clauses (A) and (B);*

18                                    *(2) by redesignating subparagraph (a)(2) as sub-*  
 19                                    *paragraph (a)(3) and adding after subparagraph*  
 20                                    *(a)(1) the following:*

21                    *“(2)(A) Notwithstanding clause (1), a reimbursement*  
 22                    *(including payment in kind) to a Member, officer, or em-*  
 23                    *ployee of the Senate from an individual, other than a reg-*  
 24                    *istered lobbyist or agent of a foreign principal, that is a*  
 25                    *private entity that retains or employs 1 or more registered*

1 *lobbyists or agents of a foreign principal shall be deemed*  
 2 *to be a reimbursement to the Senate under clause (1) if—*

3       “(i) *the reimbursement is for necessary transpor-*  
 4 *tation, lodging, and related expenses for travel to a*  
 5 *meeting, speaking engagement, factfinding trip, or*  
 6 *similar event described in clause (1) in connection*  
 7 *with the duties of the Member, officer, or employee*  
 8 *and the reimbursement is provided only for attend-*  
 9 *ance at or participation for 1-day (exclusive of travel*  
 10 *time and an overnight stay) at an event described in*  
 11 *clause (1); or*

12       “(ii) *the reimbursement is for necessary trans-*  
 13 *portation, lodging, and related expenses for travel to*  
 14 *a meeting, speaking engagement, factfinding trip, or*  
 15 *similar event described in clause (1) in connection*  
 16 *with the duties of the Member, officer, or employee*  
 17 *and the reimbursement is from an organization des-*  
 18 *ignated under section 501(c)(3) of the Internal Rev-*  
 19 *enue Code of 1986.*

20       “(B) *When deciding whether to preapprove a trip*  
 21 *under this clause, the Select Committee on Ethics shall*  
 22 *make a determination consistent with regulations issued*  
 23 *pursuant to section 544(b) of the Honest Leadership and*  
 24 *Open Government Act of 2007. The committee through regu-*  
 25 *lations to implement subclause (A)(i) may permit a longer*

1 *stay when determined by the committee to be practically*  
 2 *required to participate in the event, but in no event may*  
 3 *the stay exceed 2 nights.”;*

4 *(3) in subparagraph (a)(3), as redesignated, by*  
 5 *striking “clause (1)” and inserting “clauses (1) and*  
 6 *(2)”;*

7 *(4) in subparagraph (b), by inserting before*  
 8 *“Each” the following: “Before an employee may ac-*  
 9 *cept reimbursement pursuant to subparagraph (a),*  
 10 *the employee shall receive advance written authoriza-*  
 11 *tion from the Member or officer under whose direct*  
 12 *supervision the employee works.”;*

13 *(5) in subparagraph (c)—*

14 *(A) by inserting before “Each” the fol-*  
 15 *lowing: “Each Member, officer, or employee that*  
 16 *receives reimbursement under this paragraph*  
 17 *shall disclose the expenses reimbursed or to be re-*  
 18 *imbursed, the authorization under subparagraph*  
 19 *(b) (for an employee), and a copy of the certifi-*  
 20 *cation in subparagraph (e)(1) to the Secretary of*  
 21 *the Senate not later than 30 days after the travel*  
 22 *is completed.”;*

23 *(B) by striking “subparagraph (a)(1)” and*  
 24 *inserting “this subparagraph”;*

1                   (C) in clause (5), by striking “and” after  
2                   the semicolon;

3                   (D) by redesignating clause (6) as clause  
4                   (7); and

5                   (E) by inserting after clause (5) the fol-  
6                   lowing:

7                   “(6) a description of meetings and events at-  
8                   tended; and”;

9                   (6) by redesignating subparagraphs (d) and (e)  
10                  as subparagraphs (f) and (g), respectively;

11                  (7) by adding after subparagraph (c) the fol-  
12                  lowing:

13                  “(d)(1) A Member, officer, or employee of the Senate  
14                  may not accept a reimbursement (including payment in  
15                  kind) for transportation, lodging, or related expenses under  
16                  subparagraph (a) for a trip that was—

17                  “(A) planned, organized, or arranged by or at  
18                  the request of a registered lobbyist or agent of a for-  
19                  eign principal; or

20                  “(B)(i) for trips described under subparagraph  
21                  (a)(2)(A)(i) on which a registered lobbyist accom-  
22                  panies the Member, officer, or employee on any seg-  
23                  ment of the trip; or

24                  “(ii) for all other trips allowed under this para-  
25                  graph, on which a registered lobbyist accompanies the

1        *Member, officer, or employee at any point throughout*  
 2        *the trip.*

3        *“(2) The Select Committee on Ethics shall issue regula-*  
 4        *tions identifying de minimis activities by registered lobby-*  
 5        *ists or foreign agents that would not violate this subpara-*  
 6        *graph.*

7        *“(e) A Member, officer, or employee shall, before accept-*  
 8        *ing travel otherwise permissible under this paragraph from*  
 9        *any source—*

10        *“(1) provide to the Select Committee on Ethics*  
 11        *a written certification from such source that—*

12                *“(A) the trip will not be financed in any*  
 13                *part by a registered lobbyist or agent of a foreign*  
 14                *principal;*

15                *“(B) the source either—*

16                        *“(i) does not retain or employ reg-*  
 17                        *istered lobbyists or agents of a foreign prin-*  
 18                        *cipal and is not itself a registered lobbyist*  
 19                        *or agent of a foreign principal; or*

20                        *“(ii) certifies that the trip meets the re-*  
 21                        *quirements of subclause (i) or (ii) of sub-*  
 22                        *paragraph (a)(2)(A);*

23                *“(C) the source will not accept from a reg-*  
 24                *istered lobbyist or agent of a foreign principal or*  
 25                *a private entity that retains or employs 1 or*

1        *more registered lobbyists or agents of a foreign*  
 2        *principal, funds earmarked directly or indirectly*  
 3        *for the purpose of financing the specific trip; and*

4                *“(D) the trip will not in any part be*  
 5        *planned, organized, requested, or arranged by a*  
 6        *registered lobbyist or agent of a foreign principal*  
 7        *and the traveler will not be accompanied on the*  
 8        *trip consistent with the applicable requirements*  
 9        *of subparagraph (d)(1)(B) by a registered lob-*  
 10       *byist or agent of a foreign principal, except as*  
 11       *permitted by regulations issued under subpara-*  
 12       *graph (d)(2); and*

13                *“(2) after the Select Committee on Ethics has*  
 14       *promulgated regulations pursuant to section 544(b) of*  
 15       *the Honest Leadership and Open Government Act of*  
 16       *2007, obtain the prior approval of the committee for*  
 17       *such reimbursement.”; and*

18                *(8) by striking subparagraph (g), as redesign-*  
 19       *ated, and inserting the following:*

20                *“(g) The Secretary of the Senate shall make all ad-*  
 21       *vance authorizations, certifications, and disclosures filed*  
 22       *pursuant to this paragraph available for public inspection*  
 23       *as soon as possible after they are received, but in no event*  
 24       *prior to the completion of the relevant travel.”.*

25                *(b) GUIDELINES.—*



1           (1) *IN GENERAL.*—*Except as provided in para-*  
2           *graph (4) and not later than 60 days after the date*  
3           *of enactment of this Act and at annual intervals*  
4           *thereafter, the Select Committee on Ethics shall de-*  
5           *velop and revise, as necessary—*

6                   (A) *guidelines, for purposes of imple-*  
7                   *menting the amendments made by subsection (a),*  
8                   *on evaluating a trip proposal and judging the*  
9                   *reasonableness of an expense or expenditure, in-*  
10                  *cluding guidelines related to evaluating—*

11                       (i) *the stated mission of the organiza-*  
12                       *tion sponsoring the trip;*

13                       (ii) *the organization's prior history of*  
14                       *sponsoring congressional trips, if any;*

15                       (iii) *other educational activities per-*  
16                       *formed by the organization besides spon-*  
17                       *soring congressional trips;*

18                       (iv) *whether any trips previously spon-*  
19                       *sored by the organization led to an inves-*  
20                       *tigation by the Select Committee on Ethics;*

21                       (v) *whether the length of the trip and*  
22                       *the itinerary is consistent with the official*  
23                       *purpose of the trip;*

24                       (vi) *whether there is an adequate con-*  
25                       *nection between a trip and official duties;*

1                   (vii) the reasonableness of an amount  
2                   spent by a sponsor of the trip;

3                   (viii) whether there is a direct and im-  
4                   mediate relationship between a source of  
5                   funding and an event; and

6                   (ix) any other factor deemed relevant  
7                   by the Select Committee on Ethics; and

8                   (B) regulations describing the information  
9                   it will require individuals subject to the require-  
10                  ments of the amendments made by subsection (a)  
11                  to submit to the committee in order to obtain the  
12                  prior approval of the committee for travel under  
13                  paragraph 2 of rule XXXV of the Standing Rules  
14                  of the Senate, including any required certifi-  
15                  cations.

16               (2) *CONSIDERATION.*—In developing and revis-  
17               ing guidelines under paragraph (1)(A), the committee  
18               shall take into account the maximum per diem rates  
19               for official Federal Government travel published an-  
20               nually by the General Services Administration, the  
21               Department of State, and the Department of Defense.

22               (3) *UNREASONABLE EXPENSE.*—For purposes of  
23               this subsection, travel on a flight described in para-  
24               graph 1(c)(1)(C)(ii) of rule XXXV of the Standing

1       *Rules of the Senate shall not be considered to be a*  
 2       *reasonable expense.*

3               (4) *EXTENSION.*—*The deadline for the initial*  
 4       *guidelines required by paragraph (1) may be extended*  
 5       *for 30 days by the Committee on Rules and Adminis-*  
 6       *tration.*

7       (c) *REIMBURSEMENT FOR NONCOMMERCIAL AIR TRAV-*  
 8       *EL.*—

9               (1) *CHARTER RATES.*—*Paragraph 1(c)(1) of rule*  
 10       *XXXV of the Standing Rules of the Senate is amend-*  
 11       *ed by adding at the end the following:*

12               “(C)(i) *Fair market value for a flight on an air-*  
 13       *craft described in item (ii) shall be the pro rata share*  
 14       *of the fair market value of the normal and usual*  
 15       *charter fare or rental charge for a comparable plane*  
 16       *of comparable size, as determined by dividing such*  
 17       *cost by the number of Members, officers, or employees*  
 18       *of Congress on the flight.*

19               “(ii) *A flight on an aircraft described in this*  
 20       *item is any flight on an aircraft that is not—*

21               “(I) *operated or paid for by an air carrier*  
 22       *or commercial operator certificated by the Fed-*  
 23       *eral Aviation Administration and required to be*  
 24       *conducted under air carrier safety rules; or*

1           “(II) in the case of travel which is abroad,  
 2           an air carrier or commercial operator certifi-  
 3           cated by an appropriate foreign civil aviation  
 4           authority and the flight is required to be con-  
 5           ducted under air carrier safety rules.

6           “(iii) This subclause shall not apply to an air-  
 7           craft owned or leased by a governmental entity or by  
 8           a Member of Congress or a Member’s immediate fam-  
 9           ily member (including an aircraft owned by an entity  
 10          that is not a public corporation in which the Member  
 11          or Member’s immediate family member has an owner-  
 12          ship interest), provided that the Member does not use  
 13          the aircraft anymore than the Member’s or immediate  
 14          family member’s proportionate share of ownership al-  
 15          lows.”.

16          (2) UNOFFICIAL OFFICE ACCOUNTS.—Paragraph  
 17          1 of rule XXXVIII of the Standing Rules of the Sen-  
 18          ate is amended by adding at the end the following:

19          “(c) For purposes of reimbursement under this rule,  
 20          fair market value of a flight on an aircraft shall be deter-  
 21          mined as provided in paragraph 1(c)(1)(C) of rule XXXV.”.

22          (d) REVIEW OF TRAVEL ALLOWANCES.—Not later than  
 23          90 days after the date of enactment of this Act, the Sub-  
 24          committee on the Legislative Branch of the Senate Com-  
 25          mittee on Appropriations, in consultation with the Com-

1 *mittee on Rules and Administration of the Senate, shall*  
 2 *consider and propose, as necessary in the discretion of the*  
 3 *subcommittee, any adjustment to the Senator's Official Per-*  
 4 *sonnel and Office Expense Account needed in light of the*  
 5 *enactment of this section, and any modifications of Federal*  
 6 *statutes or appropriations measures needed to accomplish*  
 7 *such adjustments.*

8       *(e) SEPARATELY REGULATED EXPENSES.—Nothing in*  
 9 *this section or section 541 is meant to alter treatment under*  
 10 *law or Senate rules of expenses that are governed by the*  
 11 *Foreign Gifts and Decorations Act or the Mutual Edu-*  
 12 *cational and Cultural Exchange Act.*

13       *(f) EFFECTIVE DATE.—The amendments made by sub-*  
 14 *sections (a) and (b) shall take effect 60 days after the date*  
 15 *of enactment of this Act or the date the Select Committee*  
 16 *on Ethics issues new guidelines as required by subsection*  
 17 *(b), whichever is later. Subsection (c) shall take effect on*  
 18 *the date of enactment of this Act.*

19 **SEC. 545. FREE ATTENDANCE AT A CONSTITUENT EVENT.**

20       *(a) IN GENERAL.—Paragraph 1(c) of rule XXXV of*  
 21 *the Standing Rules of the Senate is amended by adding*  
 22 *at the end the following:*

23               *“(24) Subject to the restrictions in subparagraph*  
 24       *(a)(2)(A), free attendance at a constituent event per-*  
 25       *mitted pursuant to subparagraph (g).”.*

1       (b) *IN GENERAL.*—Paragraph 1 of rule XXXV of the  
 2 *Standing Rules of the Senate* is amended by adding at the  
 3 *end the following:*

4       “(g)(1) *A Member, officer, or employee may accept an*  
 5 *offer of free attendance in the Member’s home State at a*  
 6 *conference, symposium, forum, panel discussion, dinner*  
 7 *event, site visit, viewing, reception, or similar event, pro-*  
 8 *vided by a sponsor of the event, if—*

9               “(A) *the cost of meals provided the Member, offi-*  
 10 *cer, or employee is less than \$50;*

11              “(B)(i) *the event is sponsored by constituents of,*  
 12 *or a group that consists primarily of constituents of,*  
 13 *the Member (or the Member by whom the officer or*  
 14 *employee is employed); and*

15              “(ii) *the event will be attended primarily by a*  
 16 *group of at least 5 constituents of the Member (or the*  
 17 *Member by whom the officer or employee is employed)*  
 18 *provided that a registered lobbyist shall not attend the*  
 19 *event; and*

20              “(C)(i) *the Member, officer, or employee partici-*  
 21 *pates in the event as a speaker or a panel partici-*  
 22 *pant, by presenting information related to Congress*  
 23 *or matters before Congress, or by performing a cere-*  
 24 *monial function appropriate to the Member’s, offi-*  
 25 *cer’s, or employee’s official position; or*

1           “(ii) attendance at the event is appropriate to  
2           the performance of the official duties or representative  
3           function of the Member, officer, or employee.

4           “(2) A Member, officer, or employee who attends an  
5           event described in clause (1) may accept a sponsor’s unsolic-  
6           ited offer of free attendance at the event for an accom-  
7           panying individual if others in attendance will generally  
8           be similarly accompanied or if such attendance is appro-  
9           priate to assist in the representation of the Senate.

10          “(3) For purposes of this subparagraph, the term ‘free  
11          attendance’ has the same meaning given such term in sub-  
12          paragraph (d).”.

13       **SEC. 546. SENATE PRIVATELY PAID TRAVEL PUBLIC**  
14                               **WEBSITE.**

15          (a) *TRAVEL DISCLOSURE.*—Not later than January 1,  
16          2008, the Secretary of the Senate shall establish a publicly  
17          available website without fee or without access charge, that  
18          contains information on travel that is subject to disclosure  
19          under paragraph 2 of rule XXXV of the Standing Rules  
20          of the Senate, that includes, with respect to travel occurring  
21          on or after January 1, 2008—

22               (1) a search engine;

23               (2) uniform categorization by Member, dates of  
24          travel, and any other common categories associated  
25          with congressional travel; and

1           (3) forms filed in the Senate relating to officially  
2       related travel.

3       (b) *RETENTION*.—The Secretary of the Senate shall  
4       maintain the information posted on the public Internet site  
5       of the Office of the Secretary under this section for a period  
6       not longer than 4 years after receiving the information.

7       (c) *EXTENSION OF AUTHORITY*.—If the Secretary of  
8       the Senate is unable to meet the deadline established under  
9       subsection (a), the Committee on Rules and Administration  
10      of the Senate may grant an extension of the Secretary of  
11      the Senate.

12      (e) *AUTHORIZATION OF APPROPRIATIONS*.—There are  
13      authorized to be appropriated such sums as are necessary  
14      to carry out this section.

## 15           ***Subtitle E—Other Reforms***

### 16      ***SEC. 551. COMPLIANCE WITH LOBBYING DISCLOSURE.***

17      Rule XXXVII of the Standing Rules of the Senate is  
18      amended by—

19           (1) redesignating paragraphs 10 through 13 as  
20      paragraphs 11 through 14, respectively; and

21           (2) inserting after paragraph 9, the following:

22      “10. Paragraphs 8 and 9 shall not apply to contacts  
23      with the staff of the Secretary of the Senate regarding com-  
24      pliance with the lobbying disclosure requirements of the  
25      Lobbying Disclosure Act of 1995.”.



1 **SEC. 552. PROHIBIT OFFICIAL CONTACT WITH SPOUSE OR**  
 2 **IMMEDIATE FAMILY MEMBER OF MEMBER**  
 3 **WHO IS A REGISTERED LOBBYIST.**

4 *Rule XXXVII of the Standing Rules of the Senate is*  
 5 *amended by—*

6 *(1) redesignating paragraphs 11 through 14 as*  
 7 *paragraphs 12 through 15, respectively; and*

8 *(2) inserting after paragraph 10, the following:*

9 *“11. (a) If a Member’s spouse or immediate family*  
 10 *member is a registered lobbyist, or is employed or retained*  
 11 *by such a registered lobbyist or an entity that hires or re-*  
 12 *tains a registered lobbyist for the purpose of influencing leg-*  
 13 *islation, the Member shall prohibit all staff employed or su-*  
 14 *pervised by that Member (including staff in personal, com-*  
 15 *mittee, and leadership offices) from having any contact*  
 16 *with the Member’s spouse or immediate family member that*  
 17 *constitutes a lobbying contact as defined by section 3 of the*  
 18 *Lobbying Disclosure Act of 1995 by such person.*

19 *“(b) Members and employees on the staff of a Member*  
 20 *(including staff in personal, committee, and leadership of-*  
 21 *fices) shall be prohibited from having any contact that con-*  
 22 *stitutes a lobbying contact as defined by section 3 of the*  
 23 *Lobbying Disclosure Act of 1995 by any spouse of a Member*  
 24 *who is a registered lobbyist, or is employed or retained by*  
 25 *such a registered lobbyist.*

1       “(c) *The prohibition in subparagraph (b) shall not*  
 2 *apply to the spouse of a Member who was serving as a reg-*  
 3 *istered lobbyist at least 1 year prior to the most recent elec-*  
 4 *tion of that Member to office or at least 1 year prior to*  
 5 *his or her marriage to that Member.”.*

6 **SEC. 553. MANDATORY SENATE ETHICS TRAINING FOR**  
 7 **MEMBERS AND STAFF.**

8       (a) *TRAINING PROGRAM.*—*The Select Committee on*  
 9 *Ethics shall conduct ongoing ethics training and awareness*  
 10 *programs for Members of the Senate and Senate staff.*

11       (b) *REQUIREMENTS.*—*The ethics training program*  
 12 *conducted by the Select Committee on Ethics shall be com-*  
 13 *pleted by—*

14               (1) *new Senators or staff not later than 60 days*  
 15 *after commencing service or employment; and*

16               (2) *Senators and Senate staff serving or em-*  
 17 *ployed on the date of enactment of this Act not later*  
 18 *than 165 days after the date of enactment of this Act.*

19 **SEC. 554. ANNUAL REPORT BY SELECT COMMITTEE ON ETH-**  
 20 **ICS.**

21       *The Select Committee on Ethics of the Senate shall*  
 22 *issue an annual report due no later than January 31, de-*  
 23 *scribing the following:*

1           (1) *The number of alleged violations of Senate*  
 2           *rules received from any source, including the number*  
 3           *raised by a Senator or staff of the committee.*

4           (2) *A list of the number of alleged violations that*  
 5           *were dismissed—*

6                 *(A) for lack of subject matter jurisdiction*  
 7                 *or, in which, even if the allegations in the com-*  
 8                 *plaint are true, no violation of Senate rules*  
 9                 *would exist; or*

10                *(B) because they failed to provide sufficient*  
 11                *facts as to any material violation of the Senate*  
 12                *rules beyond mere allegation or assertion.*

13           (3) *The number of alleged violations in which the*  
 14           *committee staff conducted a preliminary inquiry.*

15           (4) *The number of alleged violations that re-*  
 16           *sulted in an adjudicatory review.*

17           (5) *The number of alleged violations that the*  
 18           *committee dismissed for lack of substantial merit.*

19           (6) *The number of private letters of admonition*  
 20           *or public letters of admonition issued.*

21           (7) *The number of matters resulting in a dis-*  
 22           *ciplinary sanction.*

23           (8) *Any other information deemed by the com-*  
 24           *mittee to be appropriate to describe its activities in*  
 25           *the preceding year.*

1 **SEC. 555. EXERCISE OF RULEMAKING POWERS.**

2 *The Senate adopts the provisions of this title—*

3 *(1) as an exercise of the rulemaking power of the*  
 4 *Senate; and*

5 *(2) with full recognition of the constitutional*  
 6 *right of the Senate to change those rules at any time,*  
 7 *in the same manner, and to the same extent as in the*  
 8 *case of any other rule of the Senate.*

9 **SEC. 555. EFFECTIVE DATE AND GENERAL PROVISIONS.**

10 *Except as otherwise provided in this title, this title*  
 11 *shall take effect on the date of enactment of this title.*

12 **TITLE VI—PROHIBITED USE OF**  
 13 **PRIVATE AIRCRAFT**

14 **SEC. 601. RESTRICTIONS ON USE OF CAMPAIGN FUNDS FOR**  
 15 **FLIGHTS ON NONCOMMERCIAL AIRCRAFT.**

16 *(a) RESTRICTIONS.—Section 313 of the Federal Elec-*  
 17 *tion Campaign Act of 1971 (2 U.S.C. 439a) is amended*  
 18 *by adding at the end the following new subsection:*

19 *“(c) RESTRICTIONS ON USE OF CAMPAIGN FUNDS FOR*  
 20 *FLIGHTS ON NONCOMMERCIAL AIRCRAFT.—*

21 *“(1) IN GENERAL.—Notwithstanding any other*  
 22 *provision of this Act, a candidate for election for Fed-*  
 23 *eral office (other than a candidate who is subject to*  
 24 *paragraph (2)), or any authorized committee of such*  
 25 *a candidate, may not make any expenditure for a*  
 26 *flight on an aircraft unless—*

1           “(A) the aircraft is operated by an air car-  
2           rier or commercial operator certificated by the  
3           Federal Aviation Administration and the flight  
4           is required to be conducted under air carrier  
5           safety rules, or, in the case of travel which is  
6           abroad, by an air carrier or commercial operator  
7           certificated by an appropriate foreign civil avia-  
8           tion authority and the flight is required to be  
9           conducted under air carrier safety rules; or

10           “(B) the candidate, the authorized com-  
11           mittee, or other political committee pays to the  
12           owner, lessee, or other person who provides the  
13           airplane the pro rata share of the fair market  
14           value of such flight (as determined by dividing  
15           the fair market value of the normal and usual  
16           charter fare or rental charge for a comparable  
17           plane of comparable size by the number of can-  
18           didates on the flight) within a commercially rea-  
19           sonable time frame after the date on which the  
20           flight is taken.

21           “(2) HOUSE CANDIDATES.—Notwithstanding  
22           any other provision of this Act, in the case of a can-  
23           didate for election for the office of Representative in,  
24           or Delegate or Resident Commissioner to, the Con-  
25           gress, an authorized committee and a leadership PAC

1       *of the candidate may not make any expenditure for*  
 2       *a flight on an aircraft unless—*

3               “(A) *the aircraft is operated by an air car-*  
 4               *rier or commercial operator certificated by the*  
 5               *Federal Aviation Administration and the flight*  
 6               *is required to be conducted under air carrier*  
 7               *safety rules, or, in the case of travel which is*  
 8               *abroad, by an air carrier or commercial operator*  
 9               *certificated by an appropriate foreign civil avia-*  
 10              *tion authority and the flight is required to be*  
 11              *conducted under air carrier safety rules; or*

12              “(B) *the aircraft is operated by an entity of*  
 13              *the Federal government or the government of any*  
 14              *State.*

15              “(3) *EXCEPTION FOR AIRCRAFT OWNED OR*  
 16              *LEASED BY CANDIDATE.—*

17              “(A) *IN GENERAL.—Paragraphs (1) and (2)*  
 18              *do not apply to a flight on an aircraft owned or*  
 19              *leased by the candidate involved or an imme-*  
 20              *mediate family member of the candidate (including*  
 21              *an aircraft owned by an entity that is not a*  
 22              *public corporation in which the candidate or an*  
 23              *immediate family member of the candidate has*  
 24              *an ownership interest), so long as the candidate*  
 25              *does not use the aircraft more than the can-*

1        *didate's or immediate family member's propor-*  
 2        *tionate share of ownership allows.*

3                “(B) *IMMEDIATE FAMILY MEMBER DE-*  
 4        *FINED.—In this subparagraph (A), the term ‘im-*  
 5        *mediate family member’ means, with respect to*  
 6        *a candidate, a father, mother, son, daughter,*  
 7        *brother, sister, husband, wife, father-in-law, or*  
 8        *mother-in-law.*

9                “(4) *LEADERSHIP PAC DEFINED.—In this sub-*  
 10        *section, the term ‘leadership PAC’ has the meaning*  
 11        *given such term in section 304(i)(8)(B).”.*

12        (b) *EFFECTIVE DATE.—The amendment made by sub-*  
 13        *section (a) shall apply with respect to flights taken on or*  
 14        *after the date of the enactment of this Act.*

## 15        **TITLE VII—MISCELLANEOUS** 16        **PROVISIONS**

17        **SEC. 701. SENSE OF THE CONGRESS THAT ANY APPLICABLE**  
 18                **RESTRICTIONS ON CONGRESSIONAL OFFI-**  
 19                **CIALS AND EMPLOYEES SHOULD APPLY TO**  
 20                **THE EXECUTIVE AND JUDICIAL BRANCHES.**

21        *It is the sense of the Congress that any applicable re-*  
 22        *strictions on congressional officials and employees in this*  
 23        *Act should apply to the executive and judicial branches.*

1 **SEC. 702. KNOWING AND WILLFUL FALSIFICATION OR FAIL-**  
 2 **URE TO REPORT.**

3 *Section 104(a) of the Ethics in Government Act of*  
 4 *1978 (5 U.S.C. App.) is amended—*

5 *(1) by inserting “(1)” after “(a)”;*

6 *(2) in paragraph (1), as so designated, by strik-*  
 7 *ing “\$10,000” and inserting “\$50,000”; and*

8 *(3) by adding at the end the following:*

9 *“(2)(A) It shall be unlawful for any person to know-*  
 10 *ingly and willfully—*

11 *“(i) falsify any information that such person is*  
 12 *required to report under section 102; and*

13 *“(ii) fail to file or report any information that*  
 14 *such person is required to report under section 102.*

15 *“(B) Any person who—*

16 *“(i) violates subparagraph (A)(i) shall be fined*  
 17 *under title 18, United States Code, imprisoned for not*  
 18 *more than 1 year, or both; and*

19 *“(ii) violates subparagraph (A)(ii) shall be fined*  
 20 *under title 18, United States Code.”.*

21 **SEC. 703. RULE OF CONSTRUCTION.**

22 *Nothing in this Act or the amendments made by this*  
 23 *Act shall be construed to prohibit any expressive conduct*  
 24 *protected from legal prohibition by, or any activities pro-*



- 1 *tected by the free speech, free exercise, or free association*
- 2 *clauses of, the First Amendment to the Constitution.*

Attest:

*Clerk.*

110TH CONGRESS  
1ST SESSION

# S. 1

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## AMENDMENT