

Suspend the Rules and Pass the Bill, S. 1, with An Amendment
**(The amendment strikes all after the enacting clause and inserts a
new text)**

110TH CONGRESS
1ST SESSION

S. 1

To provide greater transparency in the legislative process.

IN THE SENATE OF THE UNITED STATES

AN ACT

To provide greater transparency in the legislative process.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

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

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

6 (b) **TABLE OF CONTENTS.**—The table of contents for
7 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
8 matter after subparagraph (C) in section 207(d)(1) of title
9 18, United States Code, is amended by striking “within
10 1 year” and inserting “within 2 years”.

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

15 (1) by redesignating paragraph (7) as para-
16 graph (9);

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

19 (3) by striking paragraph (1) and inserting the
20 following:

21 “(1) **MEMBERS OF CONGRESS AND ELECTED**
22 **OFFICERS OF THE HOUSE.**—

23 “(A) **SENATORS.**—Any person who is a
24 Senator and who, within 2 years after that per-
25 son leaves office, knowingly makes, with the in-

1 tent to influence, any communication to or ap-
2 pearance before any Member, officer, or em-
3 ployee of either House of Congress or any em-
4 ployee of any other legislative office of the Con-
5 gress, on behalf of any other person (except the
6 United States) in connection with any matter
7 on which such former Senator seeks action by
8 a Member, officer, or employee of either House
9 of Congress, in his or her official capacity, shall
10 be punished as provided in section 216 of this
11 title.

12 “(B) MEMBERS AND OFFICERS OF THE
13 HOUSE OF REPRESENTATIVES.—(i) Any person
14 who is a Member of the House of Representa-
15 tives or an elected officer of the House of Rep-
16 resentatives and who, within 1 year after that
17 person leaves office, knowingly makes, with the
18 intent to influence, any communication to or
19 appearance before any of the persons described
20 in clause (ii) or (iii), on behalf of any other per-
21 son (except the United States) in connection
22 with any matter on which such former Member
23 of Congress or elected officer seeks action by a
24 Member, officer, or employee of either House of

1 Congress, in his or her official capacity, shall be
2 punished as provided in section 216 of this title.

3 “(ii) The persons referred to in clause (i)
4 with respect to appearances or communications
5 by a former Member of the House of Rep-
6 resentatives are any Member, officer, or em-
7 ployee of either House of Congress and any em-
8 ployee of any other legislative office of the Con-
9 gress.

10 “(iii) The persons referred to in clause (i)
11 with respect to appearances or communications
12 by a former elected officer are any Member, of-
13 ficer, or employee of the House of Representa-
14 tives.

15 “(2) OFFICERS AND STAFF OF THE SENATE.—
16 Any person who is an elected officer of the Senate,
17 or an employee of the Senate to whom paragraph
18 (7)(A) applies, and who, within 1 year after that
19 person leaves office or employment, knowingly
20 makes, with the intent to influence, any communica-
21 tion to or appearance before any Senator or any offi-
22 cer or employee of the Senate, on behalf of any other
23 person (except the United States) in connection with
24 any matter on which such former elected officer or
25 former employee seeks action by a Senator or an of-

1 ficer or employee of the Senate, in his or her official
2 capacity, shall be punished as provided in section
3 216 of this title.”;

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

6 (A) in subparagraph (A), by striking “of a
7 Senator or an employee of a Member of the
8 House of Representatives” and inserting “of a
9 Member of the House of Representatives to
10 whom paragraph (7)(A) applies” ; and

11 (B) in subparagraph (B)—

12 (i) in clause (i), by striking “Senator
13 or”; and

14 (ii) in clause (ii), by striking “Senator
15 or”;

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

18 (A) by striking “committee of Congress”
19 and inserting “committee of the House of Rep-
20 resentatives, or an employee of a joint com-
21 mittee of the Congress whose pay is disbursed
22 by the Clerk of the House of Representatives,
23 to whom paragraph (7)(A) applies”; and

1 (B) by inserting “or joint committee (as
2 the case may be)” after “committee” each sub-
3 sequent place that term appears;

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

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

10 (B) in subparagraph (B), by striking “the
11 following:” and all that follows through the end
12 of clause (ii) and inserting “any Member of the
13 leadership of the House of Representatives and
14 any employee on the leadership staff of the
15 House of Representatives.”;

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

20 (8) in paragraph (7) (as redesignated by para-
21 graph (2) of this subsection)—

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

24 (B) in subparagraph (B)—

1 (i) by striking “(5)” and inserting
2 “(6)”;

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

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

10 (9) by inserting after paragraph (7) (as redesignated
11 by paragraph (2) of this subsection) the following:
12

13 “(8) EXCEPTION.—This subsection shall not
14 apply to contacts with the staff of the Secretary of
15 the Senate or the Clerk of the House of Representatives
16 regarding compliance with lobbying disclosure
17 requirements under the Lobbying Disclosure Act of
18 1995.” ; and

19 (10) in paragraph (9)(G) (as redesignated by
20 paragraph (1) of this subsection)—

21 (A) by striking “the Copyright Royalty
22 Tribunal,”; and

23 (B) by striking “or (4)” and inserting
24 “(4), or (5)”.

1 **SEC. 102. WRONGFULLY INFLUENCING A PRIVATE ENTITY'S**
2 **EMPLOYMENT DECISIONS OR PRACTICES.**

3 (a) IN GENERAL.—Chapter 11 of title 18, United
4 States Code, is amended by adding at the end the fol-
5 lowing:

6 **“§ 227. Wrongfully influencing a private entity’s em-**
7 **ployment decisions by a Member of Con-**
8 **gress**

9 “Whoever, being a Senator or Representative in, or
10 a Delegate or Resident Commissioner to, the Congress or
11 an employee of either House of Congress, with the intent
12 to influence, solely on the basis of partisan political affili-
13 ation, an employment decision or employment practice of
14 any private entity—

15 “(1) takes or withholds, or offers or threatens
16 to take or withhold, an official act, or

17 “(2) influences, or offers or threatens to influ-
18 ence, the official act of another,

19 shall be fined under this title or imprisoned for not more
20 than 15 years, or both, and may be disqualified from hold-
21 ing any office of honor, trust, or profit under the United
22 States.”.

23 (b) NO INFERENCE.—Nothing in section 227 of title
24 18, United States Code, as added by this section, shall
25 be construed to create any inference with respect to wheth-
26 er the activity described in section 227 of title 18, United

1 States Code, was a criminal or civil offense before the en-
2 actment of this Act, including under section 201(b),
3 201(c), any of sections 203 through 209, or section 872,
4 of title 18, United States Code.

5 (c) CONFORMING AMENDMENT.—The table of sec-
6 tions for chapter 11 of title 18, United States Code, is
7 amended by adding at the end the following:

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

8 **SEC. 103. NOTIFICATION OF POST-EMPLOYMENT RESTRIC-**
9 **TIONS.**

10 (a) NOTIFICATION OF POST-EMPLOYMENT RESTRIC-
11 TIONS.—After a Member of Congress or an elected officer
12 of either House of Congress leaves office, or after the ter-
13 mination of employment with the House of Representa-
14 tives or the Senate of an employee who is covered under
15 paragraph (2), (3), (4), or (5) of section 207(e) of title
16 18, United States Code, the Clerk of the House of Rep-
17 resentatives, after consultation with the Committee on
18 Standards of Official Conduct, or the Secretary of the
19 Senate, as the case may be, shall notify the Member, offi-
20 cer, or employee of the beginning and ending date of the
21 prohibitions that apply to the Member, officer, or em-
22 ployee under section 207(e) of that title.

23 (b) POSTING ON INTERNET.—The Clerk of the House
24 of Representatives, with respect to notifications under

1 subsection (a) relating to Members, officers, and employ-
2 ees of the House, and the Secretary of the Senate, with
3 respect to such notifications relating to Members, officers,
4 and employees of the Senate, shall post the information
5 contained in such notifications on the public Internet site
6 of the Office of the Clerk or the Secretary of the Senate,
7 as the case may be, in a format that, to the extent tech-
8 nically practicable, is searchable, sortable, and
9 downloadable.

10 **SEC. 104. EXCEPTION TO RESTRICTIONS ON FORMER OFFI-**
11 **CERS, EMPLOYEES, AND ELECTED OFFICIALS**
12 **OF THE EXECUTIVE AND LEGISLATIVE**
13 **BRANCH.**

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

16 (1) by striking “The restrictions” and inserting
17 the following:

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

19 (2) by moving the remaining text 2 ems to the
20 right; and

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

22 “(B) TRIBAL ORGANIZATIONS AND INTER-
23 TRIBAL CONSORTIUMS.—The restrictions con-
24 tained in this section shall not apply to acts au-
25 thorized by section 104(j) of the Indian Self-

1 Determination and Education Assistance Act
2 (25 U.S.C. 450i(j)).”.

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

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

8 “(1) an officer or employee of the United States
9 assigned to a tribal organization (as defined in sec-
10 tion 4(l)) or an inter-tribal consortium (as defined in
11 section 501), as authorized under section 3372 of
12 title 5, United States Code, or section 2072 of the
13 Revised Statutes (25 U.S.C. 48) may act as agent
14 or attorney for, and appear on behalf of, such tribal
15 organization or inter-tribal consortium in connection
16 with any matter related to a tribal governmental ac-
17 tivity or Federal Indian program or service pending
18 before any department, agency, court, or commis-
19 sion, including any matter in which the United
20 States is a party or has a direct and substantial in-
21 terest: *Provided*, That such officer or employee must
22 advise in writing the head of the department, agen-
23 cy, court, or commission with which the officer or
24 employee is dealing or appearing on behalf of the
25 tribal organization or inter-tribal consortium of any

1 personal and substantial involvement with the mat-
2 ter involved; and

3 “(2) a former officer or employee of the United
4 States who is carrying out official duties as an em-
5 ployee or as an elected or appointed official of a trib-
6 al organization (as defined in section 4(l)) or inter-
7 tribal consortium (as defined in section 501) may
8 act as agent or attorney for, and appear on behalf
9 of, such tribal organization or intra-tribal consor-
10 tium in connection with any matter related to a trib-
11 al governmental activity or Federal Indian program
12 or service pending before any department, agency,
13 court, or commission, including any matter in which
14 the United States is a party or has a direct and sub-
15 stantial interest: *Provided*, That such former officer
16 or employee must advise in writing the head of the
17 department, agency, court, or commission with
18 which the former officer or employee is dealing or
19 appearing on behalf of the tribal organization or
20 inter-tribal consortium of any personal and substan-
21 tial involvement the he or she may have had as an
22 officer or employee of the United States in connec-
23 tion with the matter involved.”.

24 (c) EFFECT OF SECTION.—Except as expressly iden-
25 tified in this section and in the amendments made by this

1 section, nothing in this section or the amendments made
2 by this section affects any other provision of law.

3 **SEC. 105. EFFECTIVE DATE.**

4 (a) SECTION 101.—The amendments made by section
5 101 shall apply to individuals who leave Federal office or
6 employment to which such amendments apply on or after
7 the date of adjournment of the first session of the 110th
8 Congress sine die or December 31, 2007, whichever date
9 is earlier.

10 (b) SECTION 102.—The amendments made by sec-
11 tion 102 shall take effect on the date of the enactment
12 of this Act.

13 (c) SECTION 103.—

14 (1) NOTIFICATION OF POST-EMPLOYMENT RE-
15 STRICTIONS.—Subsection (a) of section 103 shall
16 take effect on the 60th day after the date of the en-
17 actment of this Act.

18 (2) POSTING OF INFORMATION.—Subsection (b)
19 of section 103 shall take effect January 1, 2008, ex-
20 cept that the Secretary of the Senate and the Clerk
21 of the House of Representatives shall post the infor-
22 mation contained in notifications required by that
23 subsection that are made on or after the effective
24 date provided under paragraph (1) of this sub-
25 section.

1 (d) SECTION 104.—The amendments made by sec-
2 tion 104 shall take effect on the date of the enactment
3 of this Act, except that section 104(j)(2) of the Indian
4 Self-Determination and Education Assistance Act (as
5 amended by section 104(b)) shall apply to individuals who
6 leave Federal office or employment to which such amend-
7 ments apply on or after the 60th day after the date of
8 the enactment of this Act.

9 **TITLE II—FULL PUBLIC**
10 **DISCLOSURE OF LOBBYING**

11 **SEC. 201. QUARTERLY FILING OF LOBBYING DISCLOSURE**
12 **REPORTS.**

13 (a) QUARTERLY FILING REQUIRED.—Section 5 of
14 the Lobbying Disclosure Act of 1995 (2 U.S.C. 1604) is
15 amended—

16 (1) in subsection (a)—

17 (A) by striking “SEMIANNUAL” and insert-
18 ing “QUARTERLY”;

19 (B) by striking “45 days” and all that fol-
20 lows through “section 4,” and inserting “20
21 days after the end of the quarterly period be-
22 ginning on the first day of January, April, July,
23 and October of each year in which a registrant
24 is registered under section 4, or on the first

1 business day after such 20th day if the 20th
2 day is not a business day,”; and

3 (C) by striking “such semiannual period”
4 and inserting “such quarterly period”; and
5 (2) in subsection (b)—

6 (A) in the matter preceding paragraph (1),
7 by striking “semiannual report” and inserting
8 “quarterly report”;

9 (B) in paragraph (2), by striking “semi-
10 annual filing period” and inserting “quarterly
11 period”;

12 (C) in paragraph (3), by striking “semi-
13 annual period” and inserting “quarterly pe-
14 riod”; and

15 (D) in paragraph (4), by striking “semi-
16 annual filing period” and inserting “quarterly
17 period”.

18 (b) CONFORMING AMENDMENTS.—

19 (1) DEFINITION.—Section 3(10) of the Lob-
20 bying Disclosure Act of 1995 (2 U.S.C. 1602) is
21 amended by striking “six month period” and insert-
22 ing “3-month period”.

23 (2) REGISTRATION.—Section 4 of the Lobbying
24 Disclosure Act of 1995 (2 U.S.C. 1603) is amend-
25 ed—

1 (A) in subsection (a)(1), by inserting after
2 “earlier,” the following: “or on the first busi-
3 ness day after such 45th day if the 45th day is
4 not a business day,” ; and

5 (B) in subsection (a)(3)(A), by striking
6 “semiannual period” and inserting “quarterly
7 period”.

8 (3) ENFORCEMENT.—Section 6 of the Lobbying
9 Disclosure Act of 1995 (2 U.S.C. 1605) is amended
10 in paragraph (6) by striking “semiannual period”
11 and inserting “quarterly period”.

12 (4) ESTIMATES.—Section 15 of the Lobbying
13 Disclosure Act of 1995 (2 U.S.C. 1610) is amend-
14 ed—

15 (A) in subsection (a)(1), by striking “semi-
16 annual period” and inserting “quarterly pe-
17 riod”; and

18 (B) in subsection (b)(1), by striking “semi-
19 annual period” and inserting “quarterly pe-
20 riod”.

21 (5) DOLLAR AMOUNTS.—Section 4 of the Lob-
22 bing Disclosure Act of 1995 (2 U.S.C. 1603) is fur-
23 ther amended—

24 (A) in subsection (a)(3)(A)(i), by striking
25 “\$5,000” and inserting “\$2,500”;

1 (B) in subsection (a)(3)(A)(ii), by striking
2 “\$20,000” and inserting “\$10,000”;

3 (C) in subsection (b)(3)(A), by striking
4 “\$10,000” and inserting “\$5,000”; and

5 (D) in subsection (b)(4), by striking
6 “\$10,000” and inserting “\$5,000”.

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

10 (A) in paragraph (1), by striking
11 “\$10,000” and “\$20,000” and inserting
12 “\$5,000” and “\$10,000”, respectively; and

13 (B) in paragraph (2), by striking
14 “\$10,000” both places such term appears and
15 inserting “\$5,000”.

16 **SEC. 202. ADDITIONAL DISCLOSURE.**

17 Section 5(b) of The Lobbying Disclosure Act of 1995
18 (2 U.S.C. 1604(b)) is amended—

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

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

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

24 “(5) for each client, immediately after listing
25 the client, an identification of whether the client is

1 a State or local government or a department, agen-
2 cy, special purpose district, or other instrumentality
3 controlled by one or more State or local govern-
4 ments.”.

5 **SEC. 203. SEMIANNUAL REPORTS ON CERTAIN CONTRIBU-**
6 **TIONS.**

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

10 “(d) SEMIANNUAL REPORTS ON CERTAIN CONTRIBU-
11 TIONS.—

12 “(1) IN GENERAL.—Not later than 30 days
13 after the end of the semiannual period beginning on
14 the first day of January and July of each year, or
15 on the first business day after such 30th day if the
16 30th day is not a business day, each person or orga-
17 nization who is registered or is required to register
18 under paragraph (1) or (2) of section 4(a), and each
19 employee who is or is required to be listed as a lob-
20 byist under section 4(b)(6) or subsection (b)(2)(C)
21 of this section, shall file a report with the Secretary
22 of the Senate and the Clerk of the House of Rep-
23 resentatives containing—

24 “(A) the name of the person or organiza-
25 tion;

1 “(B) in the case of an employee, his or her
2 employer;

3 “(C) the names of all political committees
4 established or controlled by the person or orga-
5 nization;

6 “(D) the name of each Federal candidate
7 or officeholder, leadership PAC, or political
8 party committee, to whom aggregate contribu-
9 tions equal to or exceeding \$200 were made by
10 the person or organization, or a political com-
11 mittee established or controlled by the person or
12 organization within the semiannual period, and
13 the date and amount of each such contribution
14 made within the semiannual period;

15 “(E) the date, recipient, and amount of
16 funds contributed or disbursed during the semi-
17 annual period by the person or organization or
18 a political committee established or controlled
19 by the person or organization—

20 “(i) to pay the cost of an event to
21 honor or recognize a covered legislative
22 branch official or covered executive branch
23 official,

24 “(ii) to an entity that is named for a
25 covered legislative branch official, or to a

1 person or entity in recognition of such offi-
2 cial,

3 “(iii) to an entity established, fi-
4 nanced, maintained, or controlled by a cov-
5 ered legislative branch official or covered
6 executive branch official, or an entity des-
7 ignated by such official, or

8 “(iv) to pay the costs of a meeting, re-
9 treat, conference, or other similar event
10 held by, or in the name of, 1 or more cov-
11 ered legislative branch officials or covered
12 executive branch officials,

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

18 “(F) the name of each Presidential library
19 foundation, and each Presidential inaugural
20 committee, to whom contributions equal to or
21 exceeding \$200 were made by the person or or-
22 ganization, or a political committee established
23 or controlled by the person or organization,
24 within the semiannual period, and the date and

1 amount of each such contribution within the
2 semiannual period; and

3 “(G) a certification by the person or orga-
4 nization filing the report that the person or or-
5 ganization—

6 “(i) has read and is familiar with
7 those provisions of the Standing Rules of
8 the Senate and the Rules of the House of
9 Representatives relating to the provision of
10 gifts and travel; and

11 “(ii) has not provided, requested, or
12 directed a gift, including travel, to a Mem-
13 ber of Congress or an officer or employee
14 of either House of Congress with knowl-
15 edge that receipt of the gift would violate
16 rule XXXV of the Standing Rules of the
17 Senate or rule XXV of the Rules of the
18 House of Representatives.

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

23 (b) EFFECTIVE DATE.—The amendment made by
24 subsection (a) shall apply with respect to the first semi-
25 annual period described in section 5(d)(1) of the Lobbying

1 Disclosure Act of 1995 (as added by this section) that be-
2 gins after the date of the enactment of this Act and each
3 succeeding semiannual period.

4 (c) REPORT ON REQUIRING QUARTERLY REPORTS.—
5 The Clerk of the House of Representatives and the Sec-
6 retary of the Senate shall submit a report to the Congress,
7 not later than 1 year after the date on which the first
8 reports are required to be made under section 5(d) of the
9 Lobbying Disclosure Act of 1995 (as added by this sec-
10 tion), on the feasibility of requiring the reports under such
11 section 5(d) to be made on a quarterly, rather than a semi-
12 annual, basis.

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

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

21 (a) DISCLOSURE.—Section 304 of the Federal Elec-
22 tion Campaign Act of 1971 (2 U.S.C. 434) is amended
23 by adding at the end the following new subsection:

24 “(i) DISCLOSURE OF BUNDLED CONTRIBUTIONS.—

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

14 “(2) COVERED PERIOD.—In this subsection, a
15 ‘covered period’ means, with respect to a com-
16 mittee—

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 applica-
2 ble 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
7 contributions provided to a committee by a per-
8 son described in paragraph (7) exceeds the ap-
9 plicable threshold, there shall be excluded any
10 contribution made to the committee by the per-
11 son or the 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
18 section, except that for purposes of applying
19 such section to the amount applicable under
20 subparagraph (A), the ‘base period’ shall be
21 2006.

22 “(4) PUBLIC AVAILABILITY.—The Commission
23 shall ensure that, to the greatest extent prac-
24 ticable—

1 “(A) information required to be disclosed
2 under this subsection is publicly available
3 through the Commission website in a manner
4 that is searchable, sortable, and downloadable;
5 and

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

13 “(5) REGULATIONS.—Not later than 6 months
14 after the date of enactment of the Honest Leader-
15 ship and Open Government Act of 2007, the Com-
16 mission shall promulgate regulations to implement
17 this subsection. Under such regulations, the Com-
18 mission—

19 “(A) may, notwithstanding paragraphs (1)
20 and (2), provide for quarterly filing of the
21 schedule described in paragraph (1) by a com-
22 mittee which files reports under this section
23 more frequently than on a quarterly basis;

24 “(B) shall provide guidance to committees
25 with respect to whether a person is reasonably

1 known by a committee to be a person described
2 in paragraph (7), which shall include a require-
3 ment that committees consult the websites
4 maintained by the Secretary of the Senate and
5 the Clerk of the House of Representatives con-
6 taining information filed pursuant to the Lob-
7 bying Disclosure Act of 1995;

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

14 “(D) shall provide for the broadest possible
15 disclosure of activities described in this sub-
16 section by persons described in paragraph (7)
17 that is consistent with this subsection.

18 “(6) COMMITTEES DESCRIBED.—A committee
19 described in this paragraph is an authorized com-
20 mittee of a candidate, a leadership PAC, or a polit-
21 ical party committee.

22 “(7) PERSONS DESCRIBED.—A person de-
23 scribed in this paragraph is any person, who, at the
24 time a contribution is forwarded to a committee as

1 described in paragraph (8)(A)(i) or is received by a
2 committee as described in paragraph (8)(A)(ii), is—

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

5 “(B) an individual who is listed on a cur-
6 rent registration filed under section 4(b)(6) of
7 such Act or a current report under section
8 5(b)(2)(C) of such Act; or

9 “(C) a political committee established or
10 controlled by such a registrant or individual.

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

13 “(A) BUNDLED CONTRIBUTION.—The
14 term ‘bundled contribution’ means, with respect
15 to a committee described in paragraph (6) and
16 a person described in paragraph (7), a contribu-
17 tion (subject to the applicable threshold) which
18 is—

19 “(i) forwarded from the contributor or
20 contributors to the committee by the per-
21 son; or

22 “(ii) received by the committee from a
23 contributor or contributors, but credited by
24 the committee or candidate involved (or, in
25 the case of a leadership PAC, by the indi-

1 vidual referred to in subparagraph (B) in-
2 volved) to the person through records, des-
3 ignations, or other means of recognizing
4 that a certain amount of money has been
5 raised by the person.

6 “(B) LEADERSHIP PAC.—The term ‘lead-
7 ership PAC’ means, with respect to a candidate
8 for election to Federal office or an individual
9 holding Federal office, a political committee
10 that is directly or indirectly established, fi-
11 nanced, maintained or controlled by the can-
12 didate or the individual but which is not an au-
13 thorized committee of the candidate or indi-
14 vidual and which is not affiliated with an au-
15 thorized committee of the candidate or indi-
16 vidual, except that such term does not include
17 a political committee of a political party.”.

18 (b) EFFECTIVE DATE.—The amendment made by
19 subsection (a) shall apply with respect to reports filed
20 under section 304 of the Federal Election Campaign Act
21 after the expiration of the 3-month period which begins
22 on the date that the regulations required to be promul-
23 gated by the Federal Election Commission under section
24 304(i)(5) of such Act (as added by subsection (a)) become
25 final.

1 **SEC. 205. ELECTRONIC FILING OF LOBBYING DISCLOSURE**
2 **REPORTS.**

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

6 “(e) **ELECTRONIC FILING REQUIRED.**—A report re-
7 quired to be filed under this section shall be filed in elec-
8 tronic form, in addition to any other form that the Sec-
9 retary of the Senate or the Clerk of the House of Rep-
10 resentatives may require or allow. The Secretary of the
11 Senate and the Clerk of the House of Representatives
12 shall use the same electronic software for receipt and re-
13 cording of filings under this Act.”.

14 **SEC. 206. PROHIBITION ON PROVISION OF GIFTS OR TRAV-**
15 **EL BY REGISTERED LOBBYISTS TO MEMBERS**
16 **OF CONGRESS AND TO CONGRESSIONAL EM-**
17 **PLOYEES.**

18 (a) **PROHIBITION.**—The Lobbying Disclosure Act of
19 1995 (2 U.S.C. 1601 et seq.) is amended by adding at
20 the end the following:

21 **“SEC. 25. PROHIBITION ON PROVISION OF GIFTS OR TRAV-**
22 **EL BY REGISTERED LOBBYISTS TO MEMBERS**
23 **OF CONGRESS AND TO CONGRESSIONAL EM-**
24 **PLOYEES.**

25 “(a) **PROHIBITION.**—Any person described in sub-
26 section (b) may not make a gift or provide travel to a cov-

1 ered legislative branch official if the person has knowledge
2 that the gift or travel may not be accepted by that covered
3 legislative branch official under the Rules of the House
4 of Representatives or the Standing Rules of the Senate
5 (as the case may be).

6 “(b) PERSONS SUBJECT TO PROHIBITION.—The per-
7 sons subject to the prohibition under subsection (a) are
8 any lobbyist that is registered or is required to register
9 under section 4(a)(1), any organization that employs 1 or
10 more lobbyists and is registered or is required to register
11 under section 4(a)(2), and any employee listed or required
12 to be listed as a lobbyist by a registrant under section
13 4(b)(6) or 5(b)(2)(C).”.

14 (b) EFFECTIVE DATE.—The amendment made by
15 this section shall take effect on the date of the enactment
16 of this Act.

17 **SEC. 207. DISCLOSURE OF LOBBYING ACTIVITIES BY CER-**
18 **TAIN COALITIONS AND ASSOCIATIONS.**

19 (a) IN GENERAL.—

20 (1) DISCLOSURE.—Section 4(b)(3) of the Lob-
21 bying Disclosure Act of 1995 (2 U.S.C. 1603(b)(3))
22 is amended—

23 (A) by amending subparagraph (A) to read
24 as follows:

1 “(A) contributes more than \$5,000 to the
2 registrant or the client in the quarterly period
3 to fund the lobbying activities of the registrant;
4 and”;

5 (B) by amending subparagraph (B) to read
6 as follows:

7 “(B) actively participates in the planning,
8 supervision, or control of such lobbying activi-
9 ties;”.

10 (2) UPDATING OF INFORMATION.—Section
11 5(b)(1) of the Lobbying Disclosure Act of 1995 (2
12 U.S.C. 1604(b)(1)) is amended by inserting “, in-
13 cluding information under section 4(b)(3)” after
14 “initial registration”.

15 (b) NO DONOR OR MEMBERSHIP LIST DISCLO-
16 SURE.—Section 4(b) of The Lobbying Disclosure Act of
17 1995 (2 U.S.C. 1603(b)) is amended by adding at the end
18 the following:

19 “No disclosure is required under paragraph (3)(B) if the
20 organization that would be identified as affiliated with the
21 client is listed on the client’s publicly accessible Internet
22 website as being a member of or contributor to the client,
23 unless the organization in whole or in major part plans,
24 supervises, or controls such lobbying activities. If a reg-
25 istrant relies upon the preceding sentence, the registrant

1 must disclose the specific Internet address of the web page
2 containing the information relied upon. Nothing in para-
3 graph (3)(B) shall be construed to require the disclosure
4 of any information about individuals who are members of,
5 or donors to, an entity treated as a client by this Act or
6 an organization identified under that paragraph.”.

7 **SEC. 208. DISCLOSURE BY REGISTERED LOBBYISTS OF**
8 **PAST EXECUTIVE BRANCH AND CONGRES-**
9 **SIONAL EMPLOYMENT.**

10 Section 4(b)(6) of the Lobbying Disclosure Act of
11 1995 (2 U.S.C. 1603(b)(6)) is amended by striking “in
12 the 2 years” and all that follows through “Act)” and in-
13 serting “in the 20 years before the date on which the em-
14 ployee first acted”.

15 **SEC. 209. PUBLIC AVAILABILITY OF LOBBYING DISCLO-**
16 **SURE INFORMATION; MAINTENANCE OF IN-**
17 **FORMATION.**

18 (a) PUBLIC AVAILABILITY.—Section 6 of the Lob-
19 bying Disclosure Act of 1995 (2 U.S.C. 1605) is further
20 amended—

21 (1) in paragraph (7), by striking “and” at the
22 end;

23 (2) in paragraph (8), by striking the period at
24 the end and inserting a semicolon; and

1 (3) by adding at the end the following new
2 paragraphs:

3 “(9) maintain all registrations and reports filed
4 under this Act, and make them available to the pub-
5 lic over the Internet, without a fee or other access
6 charge, in a searchable, sortable, and downloadable
7 manner, to the extent technically practicable, that—

8 “(A) includes the information contained in
9 the registrations and reports;

10 “(B) is searchable and sortable to the
11 maximum extent practicable, including search-
12 able and sortable by each of the categories of
13 information described in section 4(b) or 5(b);
14 and

15 “(C) provides electronic links or other ap-
16 propriate mechanisms to allow users to obtain
17 relevant information in the database of the
18 Federal Election Commission; and

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

23 (b) AVAILABILITY OF REPORTS.—Section 6(4) of the
24 Lobbying Disclosure Act of 1995 (2 U.S.C. 1605) is
25 amended by inserting before the semicolon at the end the

1 following: “and, in the case of a report filed in electronic
2 form under section 5(e), make such report available for
3 public inspection over the Internet as soon as technically
4 practicable after the report is so filed”.

5 (c) AUTHORIZATION OF APPROPRIATIONS.—There
6 are authorized to be appropriated such sums as may be
7 necessary to carry out paragraph (9) of section 6 of the
8 Lobbying Disclosure Act of 1995 (2 U.S.C. 1605), as
9 added by subsection (a) of this section.

10 **SEC. 210. DISCLOSURE OF ENFORCEMENT FOR NON-**
11 **COMPLIANCE.**

12 Section 6 of The Lobbying Disclosure Act of 1995
13 (2 U.S.C. 1605) is further amended—

14 (1) by striking “The Secretary” and inserting
15 “(a) IN GENERAL.—The Secretary”; ;

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

18 (3) in paragraph (10), by striking the period
19 and inserting “; and”;

20 (4) by adding after paragraph (10) the fol-
21 lowing:

22 “(11) make publicly available, on a semiannual
23 basis, the aggregate number of registrants referred
24 to the United States Attorney for the District of Co-

1 lumbia for noncompliance as required by paragraph
2 (8).”; and

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

4 “(b) ENFORCEMENT REPORT.—

5 “(1) REPORT.—The Attorney General shall re-
6 port to the congressional committees referred to in
7 paragraph (2), after the end of each semiannual pe-
8 riod beginning on January 1 and July 1, the aggre-
9 gate number of enforcement actions taken by the
10 Department of Justice under this Act during that
11 semiannual period and, by case, any sentences im-
12 posed, except that such report shall not include the
13 names of individuals, or personally identifiable infor-
14 mation, that is not already a matter of public
15 record.

16 “(2) COMMITTEES.—The congressional commit-
17 tees referred to in paragraph (1) are the Committee
18 on Homeland Security and Governmental Affairs
19 and the Committee on the Judiciary of the Senate
20 and the Committee on the Judiciary of the House of
21 Representatives.”.

1 **SEC. 211. INCREASED CIVIL AND CRIMINAL PENALTIES FOR**
2 **FAILURE TO COMPLY WITH LOBBYING DIS-**
3 **CLOSURE REQUIREMENTS.**

4 (a) IN GENERAL.—Section 7 of the Lobbying Dislo-
5 sure Act of 1995 (2 U.S.C. 1606) is amended—

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

8 (2) by striking “\$50,000” and inserting
9 “\$200,000”; and

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

11 “(b) CRIMINAL PENALTY.—Whoever knowingly and
12 corruptly fails to comply with any provision of this Act
13 shall be imprisoned for not more than 5 years or fined
14 under title 18, United States Code, or both.”.

15 (b) EFFECTIVE DATE.—The amendments made by
16 subsection (a) shall apply to any violation committed on
17 or after the date of the enactment of this Act.

18 **SEC. 212. ELECTRONIC FILING AND PUBLIC DATABASE FOR**
19 **LOBBYISTS FOR FOREIGN GOVERNMENTS.**

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

24 “(g) ELECTRONIC FILING OF REGISTRATION STATE-
25 MENTS AND SUPPLEMENTS.—A registration statement or
26 supplement required to be filed under this section shall

1 be filed in electronic form, in addition to any other form
2 that may be required by the Attorney General.”.

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

7 “(d) PUBLIC DATABASE OF REGISTRATION STATE-
8 MENTS AND UPDATES.—

9 “(1) IN GENERAL.—The Attorney General shall
10 maintain, and make available to the public over the
11 Internet, without a fee or other access charge, in a
12 searchable, sortable, and downloadable manner, to
13 the extent technically practicable, an electronic data-
14 base that—

15 “(A) includes the information contained in
16 registration statements and updates filed under
17 this Act; and

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

21 “(2) ACCOUNTABILITY.—The Attorney General
22 shall make each registration statement and update
23 filed in electronic form pursuant to section 2(g)
24 available for public inspection over the Internet as

1 soon as technically practicable after the registration
2 statement or update is filed.”.

3 (c) EFFECTIVE DATE.—The amendments made by
4 this section shall take effect on the 90th day after the
5 date of the enactment of this Act.

6 **SEC. 213. COMPTROLLER GENERAL AUDIT AND ANNUAL**
7 **REPORT.**

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

11 **“SEC. 26. ANNUAL AUDITS AND REPORTS BY COMP-**
12 **TROLLER GENERAL.**

13 “(a) AUDIT.—On an annual basis, the Comptroller
14 General shall audit the extent of compliance or noncompli-
15 ance with the requirements of this Act by lobbyists, lob-
16 bying firms, and registrants through a random sampling
17 of publicly available lobbying registrations and reports
18 filed under this Act during each calendar year.

19 “(b) REPORTS TO CONGRESS.—

20 “(1) ANNUAL REPORTS.—Not later than April
21 1 of each year, the Comptroller General shall submit
22 to the Congress a report on the review required by
23 subsection (a) for the preceding calendar year. The
24 report shall include the Comptroller General’s as-
25 sessment of the matters required to be emphasized

1 by that subsection and any recommendations of the
2 Comptroller General to—

3 “(A) improve the compliance by lobbyists,
4 lobbying firms, and registrants with the re-
5 quirements of this Act; and

6 “(B) provide the Department of Justice
7 with the resources and authorities needed for
8 the effective enforcement of this Act.

9 “(2) ASSESSMENT OF COMPLIANCE.—The an-
10 nual report under paragraph (1) shall include an as-
11 sessment of compliance by registrants with the re-
12 quirements of section 4(b)(3).

13 “(c) ACCESS TO INFORMATION.—The Comptroller
14 General may, in carrying out this section, request informa-
15 tion from and access to any relevant documents from any
16 person registered under paragraph (1) or (2) of section
17 4(a) and each employee who is listed as a lobbyist under
18 section 4(b)(6) or section 5(b)(2)(C) if the material re-
19 quested relates to the purposes of this section. The Comp-
20 troller General may request such person to submit in writ-
21 ing such information as the Comptroller General may pre-
22 scribe. The Comptroller General may notify the Congress
23 in writing if a person from whom information has been
24 requested under this subsection refuses to comply with the
25 request within 45 days after the request is made.”.

1 (b) INITIAL AUDIT AND REPORT.—The initial audit
2 under subsection (a) of section 26 of the Lobbying Dislo-
3 sure Act of 1995 (as added by subsection (a) of this sec-
4 tion) shall be made with respect to lobbying registrations
5 and reports filed during the first calendar quarter of 2008,
6 and the initial report under subsection (b) of such section
7 shall be filed, with respect to those registrations and re-
8 ports, not later than 6 months after the end of that cal-
9 endar quarter.

10 **SEC. 214. SENSE OF CONGRESS.**

11 It is the sense of the Congress that—

12 (1) the use of a family relationship by a lob-
13 byist who is an immediate family member of a Mem-
14 ber of Congress to gain special advantages over
15 other lobbyists is inappropriate; and

16 (2) the lobbying community should develop pro-
17 posals for multiple self-regulatory organizations
18 which could—

19 (A) provide for the creation of standards
20 for the organizations appropriate to the type of
21 lobbying and individuals to be served;

22 (B) provide training for the lobbying com-
23 munity on law, ethics, reporting requirements,
24 and disclosure requirements;

1 (C) provide for the development of edu-
2 cational materials for the public on how to re-
3 sponsibly hire a lobbyist or lobby firm;

4 (D) provide standards regarding reason-
5 able fees charged to clients;

6 (E) provide for the creation of a third-
7 party certification program that includes ethics
8 training; and

9 (F) provide for disclosure of requirements
10 to clients regarding fee schedules and conflict of
11 interest rules.

12 **SEC. 215. EFFECTIVE DATE.**

13 Except as otherwise provided in sections 203, 204,
14 206, 211, 212, and 213, the amendments made by this
15 title shall apply with respect to registrations under the
16 Lobbying Disclosure Act of 1995 having an effective date
17 of January 1, 2008, or later and with respect to quarterly
18 reports under that Act covering calendar quarters begin-
19 ning on or after January 1, 2008.

1 **TITLE III—MATTERS RELATING**
2 **TO THE HOUSE OF REP-**
3 **RESENTATIVES**

4 **SEC. 301. DISCLOSURE BY MEMBERS AND STAFF OF EM-**
5 **PLOYMENT NEGOTIATIONS.**

6 (a) IN GENERAL.—The Rules of the House of Rep-
7 resentatives are amended by redesignating rules XXVII
8 and XXVIII as rules XXVIII and XXIX, respectively, and
9 by inserting after rule XXVI the following new rule:

10 “RULE XXVII

11 “DISCLOSURE BY MEMBERS AND STAFF OF
12 EMPLOYMENT NEGOTIATIONS

13 “1. A Member, Delegate, or Resident Commissioner
14 shall not directly negotiate or have any agreement of fu-
15 ture employment or compensation until after his or her
16 successor has been elected, unless such Member, Delegate,
17 or Resident Commissioner, within 3 business days after
18 the commencement of such negotiation or agreement of
19 future employment or compensation, files with the Com-
20 mittee on Standards of Official Conduct a statement,
21 which must be signed by the Member, Delegate, or Resi-
22 dent Commissioner, regarding such negotiations or agree-
23 ment, including the name of the private entity or entities
24 involved in such negotiations or agreement, and the date
25 such negotiations or agreement commenced.

1 “2. An officer or an employee of the House earning
2 in excess of 75 percent of the salary paid to a Member
3 shall notify the Committee on Standards of Official Con-
4 duct that he or she is negotiating or has any agreement
5 of future employment or compensation.

6 “3. The disclosure and notification under this rule
7 shall be made within 3 business days after the commence-
8 ment of such negotiation or agreement of future employ-
9 ment or compensation.

10 “4. A Member, Delegate, or Resident Commissioner,
11 and an officer or employee to whom this rule applies, shall
12 recuse himself or herself from any matter in which there
13 is a conflict of interest or an appearance of a conflict for
14 that Member, Delegate, Resident Commissioner, officer,
15 or employee under this rule and shall notify the Committee
16 on Standards of Official Conduct of such recusal. A Mem-
17 ber, Delegate, or Resident Commissioner making such
18 recusal shall, upon such recusal, submit to the Clerk for
19 public disclosure the statement of disclosure under clause
20 1 with respect to which the recusal was made.”.

21 (b) EFFECTIVE DATE.—The amendment made by
22 subsection (a) shall take effect on the date of the enact-
23 ment of this Act, and shall apply to negotiations com-
24 menced, and agreements entered into, on or after that
25 date.

1 **SEC. 302. PROHIBITION ON LOBBYING CONTACTS WITH**
2 **SPOUSE OF MEMBER WHO IS A REGISTERED**
3 **LOBBYIST.**

4 Rule XXV of the Rules of the House of Representa-
5 tives is amended by adding at the end the following new
6 clause:

7 “7. A Member, Delegate, or Resident Commissioner
8 shall prohibit all staff employed by that Member, Dele-
9 gate, or Resident Commissioner (including staff in per-
10 sonal, committee, and leadership offices) from making any
11 lobbying contact (as defined in section 3 of the Lobbying
12 Disclosure Act of 1995) with that individual’s spouse if
13 that spouse is a lobbyist under the Lobbying Disclosure
14 Act of 1995 or is employed or retained by such a lobbyist
15 for the purpose of influencing legislation.”.

16 **SEC. 303. TREATMENT OF FIRMS AND OTHER BUSINESSES**
17 **WHOSE MEMBERS SERVE AS HOUSE COM-**
18 **MITTEE CONSULTANTS.**

19 Clause 18(b) of rule XXIII of the Rules of the House
20 of Representatives is amended by adding at the end the
21 following: “In the case of such an individual who is a
22 member or employee of a firm, partnership, or other busi-
23 ness organization, the other members and employees of
24 the firm, partnership, or other business organization shall
25 be subject to the same restrictions on lobbying that apply
26 to the individual under this paragraph.”.

1 **SEC. 304. POSTING OF TRAVEL AND FINANCIAL DISCLO-**
2 **SURE REPORTS ON PUBLIC WEBSITE OF**
3 **CLERK OF THE HOUSE OF REPRESENTA-**
4 **TIVES.**

5 (a) **REQUIRING POSTING ON INTERNET.**—The Clerk
6 of the House of Representatives shall post on the public
7 Internet site of the Office of the Clerk, in a format that
8 is searchable, sortable, and downloadable, to the extent
9 technically practicable, each of the following:

10 (1) The advance authorizations, certifications,
11 and disclosures filed with respect to transportation,
12 lodging, and related expenses for travel under clause
13 5(b) of rule XXV of the Rules of the House of Rep-
14 resentatives by Members (including Delegates and
15 Resident Commissioners to the Congress), officers,
16 and employees of the House.

17 (2) The reports filed under section 103(h)(1) of
18 the Ethics in Government Act of 1978 by Members
19 of the House of Representatives (including Delegates
20 and Resident Commissioners to the Congress).

21 (b) **APPLICABILITY AND TIMING.**—

22 (1) **APPLICABILITY.**—Subject to paragraph (2),
23 subsection (a) shall apply with respect to informa-
24 tion received by the Clerk of the House of Rep-
25 resentatives on or after the date of the enactment of
26 this Act.

1 (2) TIMING.—The Clerk of the House of Rep-
2 representatives shall—

3 (A) not later than August 1, 2008, post
4 the information required by subsection (a) that
5 the Clerk receives by June 1, 2008; and

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

12 (3) OMISSION OF PERSONALLY IDENTIFIABLE
13 INFORMATION.—Members of the House of Rep-
14 resentatives (including Delegates and Resident Com-
15 missioners to the Congress) shall be permitted to
16 omit personally identifiable information not required
17 to be disclosed on the reports posted on the public
18 Internet site under this section (such as home ad-
19 dress, Social Security numbers, personal bank ac-
20 count numbers, home telephone, and names of chil-
21 dren) prior to the posting of such reports on such
22 public Internet site.

23 (4) ASSISTANCE IN PROTECTING PERSONAL IN-
24 FORMATION.—The Clerk of the House of Represent-
25 atives, in consultation with the Committee on Stand-

1 ards of Official Conduct, shall include in any infor-
2 mational materials concerning any disclosure that
3 will be posted on the public Internet site under this
4 section an explanation of the procedures for pro-
5 tecting personally identifiable information as de-
6 scribed in this section.

7 (c) RETENTION.—The Clerk shall maintain the infor-
8 mation posted on the public Internet site of the Office of
9 the Clerk under this section for a period of 6 years after
10 receiving the information.

11 **SEC. 305. PROHIBITING PARTICIPATION IN LOBBYIST-**
12 **SPONSORED EVENTS DURING POLITICAL**
13 **CONVENTIONS.**

14 Rule XXV of the Rules of the House of Representa-
15 tives, as amended by section 302, is amended by adding
16 at the end the following new clause:

17 “8. During the dates on which the national political
18 party to which a Member (including a Delegate or Resi-
19 dent Commissioner) belongs holds its convention to nomi-
20 nate a candidate for the office of President or Vice Presi-
21 dent, the Member may not participate in an event hon-
22 oring that Member, other than in his or her capacity as
23 a candidate for such office, if such event is directly paid
24 for by a registered lobbyist under the Lobbying Disclosure

1 Act of 1995 or a private entity that retains or employs
2 such a registered lobbyist.”.

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

4 The provisions of this title are adopted by the House
5 of Representatives—

6 (1) as an exercise of the rulemaking power of
7 the House; and

8 (2) with full recognition of the constitutional
9 right of the House to change those rules at any
10 time, in the same manner, and to the same extent
11 as in the case of any other rule of the House.

12 **TITLE IV—CONGRESSIONAL**
13 **PENSION ACCOUNTABILITY**

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

15 **AS A MEMBER OF CONGRESS FOR ABUSING**
16 **THE PUBLIC TRUST.**

17 (a) CIVIL SERVICE RETIREMENT SYSTEM.—Section
18 8332 of title 5, United States Code, is amended by adding
19 at the end the following:

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

1 other person determined under section 8342(e), if applica-
2 ble) shall be entitled to be paid so much of such individ-
3 ual's lump-sum credit as is attributable to service to which
4 the preceding sentence applies.

5 “(2)(A) An offense described in this paragraph is any
6 offense described in subparagraph (B) for which the fol-
7 lowing apply:

8 “(i) 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 indi-
11 vidual is a Member.

12 “(ii) Every act or omission of the individual
13 that is needed to satisfy the elements of the offense
14 directly relates to the performance of the individual's
15 official duties as a Member.

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

18 “(B) An offense described in this subparagraph is
19 only the following, and only to the extent that the offense
20 is a felony:

21 “(i) An offense under section 201 of title 18
22 (relating to bribery of public officials and witnesses).

23 “(ii) An offense under section 219 of title 18
24 (relating to officers and employees acting as agents
25 of foreign principals).

1 “(iii) An offense under section 1343 of title 18
2 (relating to fraud by wire, radio, or television, in-
3 cluding as part of a scheme to deprive citizens of
4 honest services thereby).

5 “(iv) An offense under section 104(a) of the
6 Foreign Corrupt Practices Act of 1977 (relating to
7 prohibited foreign trade practices by domestic con-
8 cerns).

9 “(v) An offense under section 1957 of title 18
10 (relating to engaging in monetary transactions in
11 property derived from specified unlawful activity).

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

15 “(vii) An offense under chapter 96 of title 18
16 (relating to racketeer influenced and corrupt organi-
17 zations).

18 “(viii) An offense under section 371 of title 18
19 (relating to conspiracy to commit offense or to de-
20 fraud United States), to the extent of any conspiracy
21 to commit an act which constitutes—

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

24 “(II) an offense under section 207 of title
25 18 (relating to restrictions on former officers,

1 employees, and elected officials of the executive
2 and legislative branches).

3 “(ix) Perjury committed under section 1621 of
4 title 18 in falsely denying the commission of an act
5 which constitutes—

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

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

10 “(x) Subornation of perjury committed under
11 section 1622 of title 18 in connection with the false
12 denial or false testimony of another individual as
13 specified in clause (ix).

14 “(3) An individual convicted of an offense described
15 in paragraph (2) shall not, after the date of the final con-
16 viction, be eligible to participate in the retirement system
17 under this subchapter or chapter 84 while serving as a
18 Member.

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

22 “(A) provisions under which interest on any
23 lump-sum payment under the second sentence of
24 paragraph (1) shall be limited in a manner similar

1 to that specified in the last sentence of section
2 8316(b); and

3 “(B) provisions under which the Office may
4 provide for—

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

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

15 “(5) Regulations to carry out clause (i) of paragraph
16 (4)(B) shall include provisions to ensure that the authority
17 to make any payment to the spouse or children of an indi-
18 vidual under such clause shall be available only to the ex-
19 tent that the application of such clause is considered nec-
20 essary and appropriate taking into account the totality of
21 the circumstances, including the financial needs of the
22 spouse or children, whether the spouse or children partici-
23 pated in an offense described in paragraph (2) of which
24 such individual was finally convicted, and what measures,

1 if any, may be necessary to ensure that the convicted indi-
2 vidual does not benefit from any such payment.

3 “(6) For purposes of this subsection—

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

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

13 “(C) the term ‘child’ has the meaning given
14 such term by section 8341.”.

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

18 “(1)(1) Notwithstanding any other provision of this
19 chapter, the service of an individual finally convicted of
20 an offense described in paragraph (2) shall not be taken
21 into account for purposes of this chapter, except that this
22 sentence applies only to service rendered as a Member (ir-
23 respective of when rendered). Any such individual (or
24 other person determined under section 8424(d), if applica-
25 ble) shall be entitled to be paid so much of such individ-

1 ual’s lump-sum credit as is attributable to service to which
2 the preceding sentence applies.

3 “(2) An offense described in this paragraph is any
4 offense described in section 8332(o)(2)(B) for which the
5 following apply:

6 “(A) Every act or omission of the individual
7 (referred to in paragraph (1)) that is needed to sat-
8 isfy the elements of the offense occurs while the in-
9 dividual is a Member.

10 “(B) Every act or omission of the individual
11 that is needed to satisfy the elements of the offense
12 directly relates to the performance of the individual’s
13 official duties as a Member.

14 “(C) The offense is committed after the date of
15 enactment of this subsection.

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

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

23 “(A) provisions under which interest on any
24 lump-sum payment under the second sentence of
25 paragraph (1) shall be limited in a manner similar

1 to that specified in the last sentence of section
2 8316(b); and

3 “(B) provisions under which the Office may
4 provide for—

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

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

15 “(5) Regulations to carry out clause (i) of paragraph
16 (4)(B) shall include provisions to ensure that the authority
17 to make any payment under such clause to the spouse or
18 children of an individual shall be available only to the ex-
19 tent that the application of such clause is considered nec-
20 essary and appropriate taking into account the totality of
21 the circumstances, including the financial needs of the
22 spouse or children, whether the spouse or children partici-
23 pated in an offense described in paragraph (2) of which
24 such individual was finally convicted, and what measures,

1 if any, may be necessary to ensure that the convicted indi-
2 vidual does not benefit from any such payment.

3 “(6) For purposes of this subsection—

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

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

13 “(C) the term ‘child’ has the meaning given
14 such term by section 8441.”.

15 **TITLE V—SENATE LEGISLATIVE**
16 **TRANSPARENCY AND AC-**
17 **COUNTABILITY**

18 **Subtitle A—Procedural Reform**

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

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

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

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

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

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

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

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

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

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

22 “(3) the conferees may include in their report
23 in any such case matter which is a germane modi-
24 fication of subjects in disagreement.

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

5 “4.(a) A Senator may raise a point of order that one
6 or more provisions of a conference report violates para-
7 graph 2 or paragraph 3, as the case may be. The Pre-
8 siding Officer may sustain the point of order as to some
9 or all of the provisions against which the Senator raised
10 the point of order.

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

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

1 “(2) the question in clause (1) shall be decided
2 under the same debate limitation as the conference
3 report; 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
7 the pending conference report by an affirmative vote of
8 three-fifths of the Members, duly chosen and sworn. All
9 motions to waive under this paragraph shall be debatable
10 collectively for not to exceed 1 hour equally divided be-
11 tween the Majority Leader and the Minority Leader or
12 their designees. A motion to waive all points of order
13 under this paragraph shall not be amendable.

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

21 (b) PUBLIC AVAILABILITY AMENDMENT.—

22 (1) IN GENERAL.—Rule XXVIII of the Stand-
23 ing Rules of the Senate is amended by adding at the
24 end 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
5 of order is sustained under this paragraph, then the con-
6 ference report shall be set aside.

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

14 “(b)(1) This paragraph may be waived in the Senate
15 with respect to the pending conference report by an af-
16 firmative vote of three-fifths of the Members, duly chosen
17 and sworn. A motion to waive this paragraph shall be de-
18 batable for not to exceed 1 hour equally divided between
19 the Majority Leader and the Minority Leader or their des-
20 ignees.

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

1 equally divided between the Majority and the Minority
2 Leader or their designees

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
6 necessary as a result of a significant disruption to Senate
7 facilities 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
12 the House of Representatives, and the Government
13 Printing Office shall promulgate regulations for the
14 implementation of the requirements of paragraph 9
15 of rule XXVIII of the Standing Rules of the Senate,
16 as added 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
21 to object to proceeding to a measure or matter only if the
22 Senator—

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 in-

1 tent in writing to the appropriate leader or their
2 designee; 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 no-
20 tice 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
5 it was added under subsection (b) by submitting for inclu-
6 sion 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
12 the Standing Rules of the Senate is amended by—

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

14 and

15 (2) adding at the end the following:

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

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

24 “(C) The Committee on Rules and Administration
25 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
12 of the Majority Leader and the Minority Leader before
13 being 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 no-
24 tice 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
4 recommend 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 signa-
7 ture sheets have been signed by a majority of the
8 Senate conferees.

9 **Subtitle B—Earmark Reform**

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

11 The Standing Rules of the Senate are amended by
12 adding at the end the following:

13 “RULE XLIV
14 “CONGRESSIONALLY DIRECTED SPENDING AND
15 RELATED 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
18 by any committee unless the chairman of the committee
19 of jurisdiction or the Majority Leader or his or her des-
20 ignee certifies—

21 “(1) that each congressionally directed spending
22 item, limited tax benefit, and limited tariff benefit,
23 if 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

1 other similar means including the name of each Sen-
2 ator who submitted a request to the committee for
3 each 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 be-
7 fore 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 com-
16 mittee of jurisdiction or the Majority Leader or his or her
17 designee certifies—

18 “(1) that each congressionally directed spending
19 item, limited tax benefit, and limited tariff benefit,
20 if any, in the bill or joint resolution, has been identi-
21 fied through lists, charts, or other similar means, in-
22 cluding the name of each Senator who submitted a
23 request to the sponsor of the bill or joint resolution
24 for each 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 be-
4 fore 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 chair-
12 man of the committee of jurisdiction or the Majority Lead-
13 er or his or her designee certifies—

14 “(1) that each congressionally directed spending
15 item, limited tax benefit, and limited tariff benefit,
16 if 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
19 other means, including the name of each Senator
20 who submitted a request to the committee of juris-
21 diction for 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
7 or 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
10 a companion measure, then as soon as practicable, the
11 Senator shall ensure that a list of such items (and the
12 name of any Senator who submitted a request to the Sen-
13 ator for each respective item included in the list) is printed
14 in the 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
18 joint resolution, or in the committee report accompanying
19 the bill or joint resolution, the committee shall as soon
20 as practicable identify on a publicly accessible congres-
21 sional website each such item through lists, charts, or
22 other similar means, including the name of each Senator
23 who submitted a request to the committee for each item
24 so identified. Availability on the Internet of a committee
25 report that contains the information described in this sub-

1 paragraph shall satisfy the requirements of this subpara-
2 graph.

3 “(c) To the extent technically feasible, information
4 made available on publicly accessible congressional
5 websites under paragraphs 3 and 4 shall be provided in
6 a searchable 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
13 other spending authority for a contract, loan, loan
14 guarantee, grant, loan authority, or other expendi-
15 ture with or to an entity, or targeted to a specific
16 State, locality or Congressional district, other than
17 through a statutory or administrative formula-driven
18 or competitive award process;

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

20 “(1) any revenue provision that—

21 “(A) provides a Federal tax deduc-
22 tion, credit, exclusion, or preference to a
23 particular beneficiary or limited group of
24 beneficiaries under the Internal Revenue
25 Code of 1986; and

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

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

8 “(d) except as used in subparagraph 8(e), the
9 term ‘item’ when not preceded by ‘congressionally
10 directed spending’ means any provision that is a
11 congressionally 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 in-
23 tended recipient or, if there is no specifically in-
24 tended recipient, the intended location of the activ-
25 ity;

1 “(3) in the case of a limited tax or tariff ben-
2 efit, identification of the individual or entities rea-
3 sonably anticipated to benefit, to the extent known
4 to the Senator;

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

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

12 “(b) With respect to each item included in a Senate
13 bill or joint resolution (or accompanying report) reported
14 by committee or considered by the Senate, or included in
15 a conference report (or joint statement of managers ac-
16 companying the conference report) considered by the Sen-
17 ate, each committee of jurisdiction shall make available
18 for public inspection on the Internet the certifications
19 under subparagraph (a)(5) as soon as practicable.

20 “7. In the case of a bill, joint resolution, or con-
21 ference report that contains congressionally directed
22 spending items in any classified portion of a report accom-
23 panying the measure, the committee of jurisdiction shall,
24 to the greatest extent practicable, consistent with the need
25 to protect national security (including intelligence sources

1 and methods), include on the list required by paragraph
2 1, 2, or 3 as the case may be, a general program descrip-
3 tion in unclassified language, funding level, and the name
4 of the sponsor of that congressionally directed spending
5 item.

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

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

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

1 “(2) the question in clause (1) shall be decided
2 under the same debate limitation as the conference
3 report and no further amendment shall be in order.

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

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

20 “(e) The term ‘new directed spending provision’ as
21 used in this paragraph means any item that consists of
22 a specific provision containing a specific level of funding
23 for any specific account, specific program, specific project,
24 or specific activity, when no specific funding was provided
25 for such specific account, specific program, specific

1 project, or specific activity in the measure originally com-
2 mitted to the conferees by either House.

3 “9. No Member, officer, or employee of the Senate
4 shall knowingly use his official position to introduce, re-
5 quest, or otherwise aid the progress or passage of congres-
6 sionally directed spending items, limited tax benefits, or
7 limited tariff benefits a principal purpose of which is to
8 further only his pecuniary interest, only the pecuniary in-
9 terest of his immediate family, or only the pecuniary inter-
10 est of a limited class of persons or enterprises, when he
11 or his immediate family, or enterprises controlled by them,
12 are members of the affected class.

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

24 “11. Any Senator may move to waive all points of
25 order under this rule with respect to the pending measure

1 or motion by an affirmative vote of three-fifths of the
2 Members, duly chosen and sworn. All motions to waive all
3 points of order with respect to a measure or motion as
4 provided by this paragraph shall be debatable collectively
5 for not to exceed 1 hour equally divided between the Ma-
6 jority Leader and the Minority Leader or their designees.
7 A motion to waive all points of order with respect to a
8 measure or motion as provided by this paragraph shall not
9 be amendable.

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

15 **Subtitle C—Revolving Door Reform**

16 **SEC. 531. POST-EMPLOYMENT RESTRICTIONS.**

17 (a) APPLICATION TO ENTITY.—Paragraph 8 of rule
18 XXXVII of the Standing Rules of the Senate is amended
19 by—

20 (1) inserting after “by such a registered lob-
21 byist” the following “or an entity that employs or
22 retains a registered lobbyist”; and

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

24 (b) PROHIBITION.—Paragraph 9 of rule XXXVII of
25 the Standing Rules of the Senate is amended—

1 (1) in the first sentence, by inserting after “by
2 such a registered lobbyist” the following: “or an en-
3 tity that employs or retains a registered lobbyist”;

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

7 (3) by designating the first and second sen-
8 tences as subparagraphs (a) and (b), respectively;
9 and

10 (4) by adding at the end the following:

11 “(c) If an officer of the Senate or an employee on
12 the staff of a Member or on the staff of a committee whose
13 rate of pay is equal to or greater than 75 percent of the
14 rate of pay of a Member and employed at such rate for
15 more than 60 days in a calendar year, upon leaving that
16 position, becomes a registered lobbyist, or is employed or
17 retained by such a registered lobbyist or an entity that
18 employs or retains a registered lobbyist for the purpose
19 of influencing legislation, such employee may not lobby
20 any Member, officer, or employee of the Senate for a pe-
21 riod of 1 year after leaving that position.”.

22 (c) EFFECTIVE DATE.—Paragraph 9(c) of rule
23 XXXVII of the Standing Rules of the Senate shall apply
24 to individuals who leave office or employment to which
25 such paragraph applies on or after the date of adjourn-

1 ment of the first session of the 110th Congress sine die
2 or December 31, 2007, whichever date is earlier.

3 **SEC. 532. DISCLOSURE BY MEMBERS OF CONGRESS AND**
4 **STAFF OF EMPLOYMENT NEGOTIATIONS.**

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

7 (1) redesignating paragraph 12 as paragraph
8 13; and

9 (2) adding after paragraph 11 the following:

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

20 “(b) A Member shall not negotiate or have any ar-
21 rangement concerning prospective employment for a job
22 involving lobbying activities as defined by the Lobbying
23 Disclosure Act of 1995 until after his or her successor has
24 been elected.

1 “(c)(1) An employee of the Senate earning in excess
2 of 75 percent of the salary paid to a Senator shall notify
3 the Select Committee on Ethics that he or she is negoti-
4 ating or has any arrangement concerning prospective pri-
5 vate employment.

6 “(2) The notification under this subparagraph shall
7 be made not later than 3 business days after the com-
8 mencement of such negotiation or arrangement.

9 “(3) An employee to whom this subparagraph applies
10 shall—

11 “(A) recuse himself or herself from—

12 “(i) any contact or communication with the
13 prospective employer on issues of legislative in-
14 terest to the prospective employer; and

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

19 “(B) notify the Select Committee on Ethics of
20 such recusal.”.

1 **SEC. 533. ELIMINATION OF FLOOR PRIVILEGES FOR**
2 **FORMER MEMBERS, SENATE OFFICERS, AND**
3 **SPEAKERS OF THE HOUSE WHO ARE REG-**
4 **ISTERED LOBBYISTS OR SEEK FINANCIAL**
5 **GAIN.**

6 Rule XXIII of the Standing Rules of the Senate is
7 amended by—

8 (1) inserting “1.” before “Other”;

9 (2) inserting after “Ex-Senators and Senators-
10 elect” the following: “, except as provided in para-
11 graph 2”;

12 (3) inserting after “Ex-Secretaries and ex-Ser-
13 geants at Arms of the Senate” the following: “, ex-
14 cept as provided in paragraph 2”;

15 (4) inserting after “Ex-Speakers of the House
16 of Representatives” the following: “, except as pro-
17 vided in paragraph 2”; and

18 (5) adding at the end the following:

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

22 “(1) a registered lobbyist or agent of a foreign
23 principal; or

24 “(2) in the employ of or represents any party
25 or organization for the purpose of influencing, di-

1 rectly or indirectly, the passage, defeat, or amend-
2 ment of any Federal legislative proposal.

3 “(b) The Committee on Rules and Administration
4 may promulgate regulations to allow individuals covered
5 by this paragraph floor privileges for ceremonial functions
6 and events designated by the Majority Leader and the Mi-
7 nority Leader.

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

11 “(a) a registered lobbyist or agent of a foreign
12 principal; or

13 “(b) in the employ of or represents any party
14 or organization for the purpose of influencing, di-
15 rectly or indirectly, the passage, defeat, or amend-
16 ment of any Federal legislative proposal.”.

17 **SEC. 534. INFLUENCING HIRING DECISIONS.**

18 Rule XLIII of the Standing Rules of the Senate is
19 amended by adding at the end the following:

20 “6. No Member, with the intent to influence solely
21 on the basis of partisan political affiliation an employment
22 decision or employment practice of any private entity,
23 shall—

24 “(a) take or withhold, or offer or threaten to
25 take or withhold, an official act; or

1 employs a registered lobbyist or an agent of a foreign prin-
2 cipal, except as provided in subparagraphs (c) and (d).”.

3 **SEC. 542. NATIONAL PARTY CONVENTIONS.**

4 Paragraph (1)(d) of rule XXXV of the Standing
5 Rules of the Senate is amended by adding at the end the
6 following:

7 “(5) During the dates of the national party conven-
8 tion for the political party to which a Member belongs,
9 a Member may not participate in an event honoring that
10 Member, other than in his or her capacity as the party’s
11 presidential or vice presidential nominee or presumptive
12 nominee, if such event is directly paid for by a registered
13 lobbyist or a private entity that retains or employs a reg-
14 istered lobbyist.”.

15 **SEC. 543. PROPER VALUATION OF TICKETS TO ENTERTAIN-**
16 **MENT AND SPORTING EVENTS.**

17 Paragraph 1(c)(1) of rule XXXV of the Standing
18 Rules of the Senate is amended by—

19 (1) inserting “(A)” before “Anything”; and

20 (2) adding at the end the following:

21 “(B) The market value of a ticket to an enter-
22 tainment or sporting event shall be the face value of
23 the ticket or, in the case of a ticket without a face
24 value, the value of the ticket with the highest face
25 value for the event, except that if a ticket holder can

1 establish in advance of the event to the Select Com-
2 mittee on Ethics that the ticket at issue is equiva-
3 lent to another ticket with a face value, then the
4 market value shall be set at the face value of the
5 equivalent ticket. In establishing equivalency, the
6 ticket holder shall provide written and independently
7 verifiable information related to the primary features
8 of the ticket, including, at a minimum, the seat loca-
9 tion, access to parking, availability of food and re-
10 freshments, and access to venue areas not open to
11 the public. The Select Committee on Ethics may
12 make a determination of equivalency only if such in-
13 formation is provided in advance of the event.”.

14 **SEC. 544. RESTRICTIONS ON REGISTERED LOBBYIST PAR-**
15 **TICIPATION IN TRAVEL AND DISCLOSURE.**

16 (a) PROHIBITION.—Paragraph 2 of rule XXXV of
17 the Standing Rules of the Senate is amended—

18 (1) in subparagraph (a)(1), by—

19 (A) adding after “foreign principal” the
20 following: “or a private entity that retains or
21 employs 1 or more registered lobbyists or
22 agents of a foreign principal”;

23 (B) striking the dash and inserting “com-
24 plies with the requirements of this paragraph.”;

25 and

1 (C) striking clauses (A) and (B);

2 (2) by redesignating subparagraph (a)(2) as
3 subparagraph (a)(3) and adding after subparagraph
4 (a)(1) the following:

5 “(2)(A) Notwithstanding clause (1), a reimbursement
6 (including payment in kind) to a Member, officer, or em-
7 ployee of the Senate from an individual, other than a reg-
8 istered lobbyist or agent of a foreign principal, that is a
9 private entity that retains or employs 1 or more registered
10 lobbyists or agents of a foreign principal shall be deemed
11 to be a reimbursement to the Senate under clause (1) if—

12 “(i) 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 provided only for attend-
18 ance at or participation for 1-day (exclusive of travel
19 time and an overnight stay) at an event described in
20 clause (1); or

21 “(ii) the reimbursement is for necessary trans-
22 portation, lodging, and related expenses for travel to
23 a meeting, speaking engagement, factfinding trip, or
24 similar event described in clause (1) in connection
25 with the duties of the Member, officer, or employee

1 and the reimbursement is from an organization des-
2 igned under section 501(c)(3) of the Internal Rev-
3 enue Code of 1986.

4 “(B) When deciding whether to preapprove a trip
5 under this clause, the Select Committee on Ethics shall
6 make a determination consistent with regulations issued
7 pursuant to section 544(b) of the Honest Leadership and
8 Open Government Act of 2007. The committee through
9 regulations to implement subclause (A)(i) may permit a
10 longer stay when determined by the committee to be prac-
11 tically required to participate in the event, but in no event
12 may the stay exceed 2 nights.”;

13 (3) in subparagraph (a)(3), as redesignated, by
14 striking “clause (1)” and inserting “clauses (1) and
15 (2)”;

16 (4) in subparagraph (b), by inserting before
17 “Each” the following: “Before an employee may ac-
18 cept reimbursement pursuant to subparagraph (a),
19 the employee shall receive advance written authoriza-
20 tion from the Member or officer under whose direct
21 supervision the employee works.”;

22 (5) in subparagraph (c)—

23 (A) by inserting before “Each” the fol-
24 lowing: “Each Member, officer, or employee
25 that receives reimbursement under this para-

1 graph shall disclose the expenses reimbursed or
2 to be reimbursed, the authorization under sub-
3 paragraph (b) (for an employee), and a copy of
4 the certification in subparagraph (e)(1) to the
5 Secretary of the Senate not later than 30 days
6 after the travel is completed.”;

7 (B) by striking “subparagraph (a)(1)” and
8 inserting “this subparagraph”;

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

11 (D) by redesignating clause (6) as clause
12 (7); and

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

15 “(6) a description of meetings and events at-
16 tended; and”;

17 (6) by redesignating subparagraphs (d) and (e)
18 as subparagraphs (f) and (g), respectively;

19 (7) by adding after subparagraph (c) the fol-
20 lowing:

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

1 “(A) planned, organized, or arranged by or at
2 the request of a registered lobbyist or agent of a for-
3 eign principal; or

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

8 “(ii) for all other trips allowed under this para-
9 graph, on which a registered lobbyist accompanies
10 the Member, officer, or employee at any point
11 throughout the trip.

12 “(2) The Select Committee on Ethics shall issue reg-
13 ulations identifying de minimis activities by registered lob-
14 byists or foreign agents that would not violate this sub-
15 paragraph.

16 “(e) A Member, officer, or employee shall, before ac-
17 cepting travel otherwise permissible under this paragraph
18 from any source—

19 “(1) provide to the Select Committee on Ethics
20 a written certification from such source that—

21 “(A) the trip will not be financed in any
22 part by a registered lobbyist or agent of a for-
23 eign principal;

24 “(B) the source either—

1 “(i) does not retain or employ reg-
2 istered lobbyists or agents of a foreign
3 principal and is not itself a registered lob-
4 byist or agent of a foreign principal; or

5 “(ii) certifies that the trip meets the
6 requirements of subclause (i) or (ii) of sub-
7 paragraph (a)(2)(A);

8 “(C) the source will not accept from a reg-
9 istered lobbyist or agent of a foreign principal
10 or a private entity that retains or employs 1 or
11 more registered lobbyists or agents of a foreign
12 principal, funds earmarked directly or indirectly
13 for the purpose of financing the specific trip;
14 and

15 “(D) the trip will not in any part be
16 planned, organized, requested, or arranged by a
17 registered lobbyist or agent of a foreign prin-
18 cipal and the traveler will not be accompanied
19 on the trip consistent with the applicable re-
20 quirements of subparagraph (d)(1)(B) by a reg-
21 istered lobbyist or agent of a foreign principal,
22 except as permitted by regulations issued under
23 subparagraph (d)(2); and

24 “(2) after the Select Committee on Ethics has
25 promulgated regulations pursuant to section 544(b)

1 of the Honest Leadership and Open Government Act
2 of 2007, obtain the prior approval of the committee
3 for such reimbursement.”; and

4 (8) by striking subparagraph (g), as redesignated,
5 and inserting the following:

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

11 (b) GUIDELINES.—

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

17 (A) guidelines, for purposes of imple-
18 menting the amendments made by subsection
19 (a), on evaluating a trip proposal and judging
20 the reasonableness of an expense or expendi-
21 ture, including guidelines related to evalu-
22 ating—

23 (i) the stated mission of the organiza-
24 tion sponsoring the trip;

1 (ii) the organization's prior history of
2 sponsoring congressional trips, if any;

3 (iii) other educational activities per-
4 formed by the organization besides spon-
5 soring congressional trips;

6 (iv) whether any trips previously spon-
7 sored by the organization led to an inves-
8 tigation by the Select Committee on Eth-
9 ics;

10 (v) whether the length of the trip and
11 the itinerary is consistent with the official
12 purpose of the trip;

13 (vi) whether there is an adequate con-
14 nection between a trip and official duties;

15 (vii) the reasonableness of an amount
16 spent by a sponsor of the trip;

17 (viii) whether there is a direct and im-
18 mediate relationship between a source of
19 funding and an event; and

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

22 (B) regulations describing the information
23 it will require individuals subject to the require-
24 ments of the amendments made by subsection
25 (a) to submit to the committee in order to ob-

1 tain the prior approval of the committee for
2 travel under paragraph 2 of rule XXXV of the
3 Standing Rules of the Senate, including any re-
4 quired certifications.

5 (2) CONSIDERATION.—In developing and revis-
6 ing guidelines under paragraph (1)(A), the com-
7 mittee shall take into account the maximum per
8 diem rates for official Federal Government travel
9 published annually by the General Services Adminis-
10 tration, the Department of State, and the Depart-
11 ment of Defense.

12 (3) UNREASONABLE EXPENSE.—For purposes
13 of this subsection, travel on a flight described in
14 paragraph 1(c)(1)(C)(ii) of rule XXXV of the Stand-
15 ing Rules of the Senate shall not be considered to
16 be a reasonable expense.

17 (4) EXTENSION.—The deadline for the initial
18 guidelines required by paragraph (1) may be ex-
19 tended for 30 days by the Committee on Rules and
20 Administration.

21 (c) REIMBURSEMENT FOR NONCOMMERCIAL AIR
22 TRAVEL.—

23 (1) CHARTER RATES.—Paragraph 1(c)(1) of
24 rule XXXV of the Standing Rules of the Senate is
25 amended by adding at the end the following:

1 “(C)(i) Fair market value for a flight on an air-
2 craft described in item (ii) shall be the pro rata
3 share of the fair market value of the normal and
4 usual charter fare or rental charge for a comparable
5 plane of comparable size, as determined by dividing
6 such cost by the number of Members, officers, or
7 employees of Congress on the flight.

8 “(ii) A flight on an aircraft described in this
9 item is any flight on an aircraft that is not—

10 “(I) operated or paid for by an air carrier
11 or commercial operator certificated by the Fed-
12 eral Aviation Administration and required to be
13 conducted under air carrier safety rules; or

14 “(II) in the case of travel which is abroad,
15 an air carrier or commercial operator certifi-
16 cated by an appropriate foreign civil aviation
17 authority and the flight is required to be con-
18 ducted under air carrier safety rules.

19 “(iii) This subclause shall not apply to an air-
20 craft owned or leased by a governmental entity or by
21 a Member of Congress or a Member’s immediate
22 family member (including an aircraft owned by an
23 entity that is not a public corporation in which the
24 Member or Member’s immediate family member has
25 an ownership interest), provided that the Member

1 does not use the aircraft anymore than the Mem-
2 ber's or immediate family member's proportionate
3 share of ownership allows.”.

4 (2) UNOFFICIAL OFFICE ACCOUNTS.—Para-
5 graph 1 of rule XXXVIII of the Standing Rules of
6 the Senate is amended by adding at the end the fol-
7 lowing:

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

12 (d) REVIEW OF TRAVEL ALLOWANCES.—Not later
13 than 90 days after the date of enactment of this Act, the
14 Subcommittee on the Legislative Branch of the Senate
15 Committee on Appropriations, in consultation with the
16 Committee on Rules and Administration of the Senate,
17 shall consider and propose, as necessary in the discretion
18 of the subcommittee, any adjustment to the Senator's Of-
19 ficial Personnel and Office Expense Account needed in
20 light of the enactment of this section, and any modifica-
21 tions of Federal statutes or appropriations measures need-
22 ed to accomplish such adjustments.

23 (e) SEPARATELY REGULATED EXPENSES.—Nothing
24 in this section or section 541 is meant to alter treatment
25 under law or Senate rules of expenses that are governed

1 by the Foreign Gifts and Decorations Act or the Mutual
2 Educational and Cultural Exchange Act.

3 (f) EFFECTIVE DATE.—The amendments made by
4 subsections (a) and (b) shall take effect 60 days after the
5 date of enactment of this Act or the date the Select Com-
6 mittee on Ethics issues new guidelines as required by sub-
7 section (b), whichever is later. Subsection (c) shall take
8 effect on the date of enactment of this Act.

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

10 (a) IN GENERAL.—Paragraph 1(c) of rule XXXV of
11 the Standing Rules of the Senate is amended by adding
12 at the end the following:

13 “(24) Subject to the restrictions in subpara-
14 graph (a)(2)(A), free attendance at a constituent
15 event permitted pursuant to subparagraph (g).”.

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

19 “(g)(1) A Member, officer, or employee may accept
20 an offer of free attendance in the Member’s home State
21 at a conference, symposium, forum, panel discussion, din-
22 ner event, site visit, viewing, reception, or similar event,
23 provided by a sponsor of the event, if—

24 “(A) the cost of meals provided the Member, of-
25 ficer, or employee is less than \$50;

1 “(B)(i) the event is sponsored by constituents
2 of, or a group that consists primarily of constituents
3 of, the Member (or the Member by whom the officer
4 or employee is employed); and

5 “(ii) the event will be attended primarily by a
6 group of at least 5 constituents of the Member (or
7 the Member by whom the officer or employee is em-
8 ployed) provided that a registered lobbyist shall not
9 attend the event; and

10 “(C)(i) the Member, officer, or employee par-
11 ticipates in the event as a speaker or a panel partici-
12 pant, by presenting information related to Congress
13 or matters before Congress, or by performing a cere-
14 monial function appropriate to the Member’s, offi-
15 cer’s, or employee’s official position; or

16 “(ii) attendance at the event is appropriate to
17 the performance of the official duties or representa-
18 tive function of the Member, officer, or employee.

19 “(2) A Member, officer, or employee who attends an
20 event described in clause (1) may accept a sponsor’s unso-
21 licited offer of free attendance at the event for an accom-
22 panying individual if others in attendance will generally
23 be similarly accompanied or if such attendance is appro-
24 priate to assist in the representation of the Senate.

1 “(3) For purposes of this subparagraph, the term
2 ‘free attendance’ has the same meaning given such term
3 in subparagraph (d).”.

4 **SEC. 546. SENATE PRIVATELY PAID TRAVEL PUBLIC**
5 **WEBSITE.**

6 (a) TRAVEL DISCLOSURE.—Not later than January
7 1, 2008, the Secretary of the Senate shall establish a pub-
8 licly available website without fee or without access
9 charge, that contains information on travel that is subject
10 to disclosure under paragraph 2 of rule XXXV of the
11 Standing Rules of the Senate, that includes, with respect
12 to travel occurring on or after January 1, 2008—

13 (1) a search engine;

14 (2) uniform categorization by Member, dates of
15 travel, and any other common categories associated
16 with congressional travel; and

17 (3) forms filed in the Senate relating to offi-
18 cially related travel.

19 (b) RETENTION.—The Secretary of the Senate shall
20 maintain the information posted on the public Internet
21 site of the Office of the Secretary under this section for
22 a period not longer than 4 years after receiving the infor-
23 mation.

24 (c) EXTENSION OF AUTHORITY.—If the Secretary of
25 the Senate is unable to meet the deadline established

1 under subsection (a), the Committee on Rules and Admin-
2 istration of the Senate may grant an extension of the Sec-
3 retary of the Senate.

4 (e) AUTHORIZATION OF APPROPRIATIONS.—There
5 are authorized to be appropriated such sums as are nec-
6 essary to carry out this section.

7 **Subtitle E—Other Reforms**

8 **SEC. 551. COMPLIANCE WITH LOBBYING DISCLOSURE.**

9 Rule XXXVII of the Standing Rules of the Senate
10 is amended by—

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

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

14 “10. Paragraphs 8 and 9 shall not apply to contacts
15 with the staff of the Secretary of the Senate regarding
16 compliance with the lobbying disclosure requirements of
17 the Lobbying Disclosure Act of 1995.”.

18 **SEC. 552. PROHIBIT OFFICIAL CONTACT WITH SPOUSE OR**

19 **IMMEDIATE FAMILY MEMBER OF MEMBER**
20 **WHO IS A REGISTERED LOBBYIST.**

21 Rule XXXVII of the Standing Rules of the Senate
22 is amended by—

23 (1) redesignating paragraphs 11 through 14 as
24 paragraphs 12 through 15, respectively; and

25 (2) inserting after paragraph 10, the following:

1 “11. (a) If a Member’s spouse or immediate family
2 member is a registered lobbyist, or is employed or retained
3 by such a registered lobbyist or an entity that hires or
4 retains a registered lobbyist for the purpose of influencing
5 legislation, the Member shall prohibit all staff employed
6 or supervised by that Member (including staff in personal,
7 committee, and leadership offices) from having any con-
8 tact with the Member’s spouse or immediate family mem-
9 ber that constitutes a lobbying contact as defined by sec-
10 tion 3 of the Lobbying Disclosure Act of 1995 by such
11 person.

12 “(b) Members and employees on the staff of a Mem-
13 ber (including staff in personal, committee, and leadership
14 offices) shall be prohibited from having any contact that
15 constitutes a lobbying contact as defined by section 3 of
16 the Lobbying Disclosure Act of 1995 by any spouse of a
17 Member who is a registered lobbyist, or is employed or
18 retained by such a registered lobbyist.

19 “(c) The prohibition in subparagraph (b) shall not
20 apply to the spouse of a Member who was serving as a
21 registered lobbyist at least 1 year prior to the most recent
22 election of that Member to office or at least 1 year prior
23 to his or her marriage to that Member.”.

1 **SEC. 553. MANDATORY SENATE ETHICS TRAINING FOR**
2 **MEMBERS AND STAFF.**

3 (a) TRAINING PROGRAM.—The Select Committee on
4 Ethics shall conduct ongoing ethics training and aware-
5 ness programs for Members of the Senate and Senate
6 staff.

7 (b) REQUIREMENTS.—The ethics training program
8 conducted by the Select Committee on Ethics shall be
9 completed by—

10 (1) new Senators or staff not later than 60
11 days after commencing service or employment; and

12 (2) Senators and Senate staff serving or em-
13 ployed on the date of enactment of this Act not later
14 than 165 days after the date of enactment of this
15 Act.

16 **SEC. 554. ANNUAL REPORT BY SELECT COMMITTEE ON**
17 **ETHICS.**

18 The Select Committee on Ethics of the Senate shall
19 issue an annual report due no later than January 31, de-
20 scribing the following:

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

24 (2) A list of the number of alleged violations
25 that were dismissed—

1 (A) for lack of subject matter jurisdiction
2 or, in which, even if the allegations in the com-
3 plaint are true, no violation of Senate rules
4 would exist; or

5 (B) because they failed to provide suffi-
6 cient facts as to any material violation of the
7 Senate rules beyond mere allegation or asser-
8 tion.

9 (3) The number of alleged violations in which
10 the committee staff conducted a preliminary inquiry.

11 (4) The number of alleged violations that re-
12 sulted in an adjudicatory review.

13 (5) The number of alleged violations that the
14 committee dismissed for lack of substantial merit.

15 (6) The number of private letters of admonition
16 or public letters of admonition issued.

17 (7) The number of matters resulting in a dis-
18 ciplinary sanction.

19 (8) Any other information deemed by the com-
20 mittee to be appropriate to describe its activities in
21 the preceding year.

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

23 The Senate adopts the provisions of this title—

24 (1) as an exercise of the rulemaking power of
25 the Senate; and

1 (2) with full recognition of the constitutional
2 right of the Senate to change those rules at any
3 time, in the same manner, and to the same extent
4 as in the case of any other rule of the Senate.

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

6 Except as otherwise provided in this title, this title
7 shall take effect on the date of enactment of this title.

8 **TITLE VI—PROHIBITED USE OF**
9 **PRIVATE AIRCRAFT**

10 **SEC. 601. RESTRICTIONS ON USE OF CAMPAIGN FUNDS FOR**
11 **FLIGHTS ON NONCOMMERCIAL AIRCRAFT.**

12 (a) RESTRICTIONS.—Section 313 of the Federal
13 Election Campaign Act of 1971 (2 U.S.C. 439a) is amend-
14 ed by adding at the end the following new subsection:

15 “(c) RESTRICTIONS ON USE OF CAMPAIGN FUNDS
16 FOR FLIGHTS ON NONCOMMERCIAL AIRCRAFT.—

17 “(1) IN GENERAL.—Notwithstanding any other
18 provision of this Act, a candidate for election for
19 Federal office (other than a candidate who is subject
20 to paragraph (2)), or any authorized committee of
21 such a candidate, may not make any expenditure for
22 a flight on an aircraft unless—

23 “(A) the aircraft is operated by an air car-
24 rier or commercial operator certificated by the
25 Federal Aviation Administration and the flight

1 is required to be conducted under air carrier
2 safety rules, or, in the case of travel which is
3 abroad, by an air carrier or commercial oper-
4 ator certificated by an appropriate foreign civil
5 aviation authority and the flight is required to
6 be conducted under air carrier safety rules; or

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

18 “(2) HOUSE CANDIDATES.—Notwithstanding
19 any other provision of this Act, in the case of a can-
20 didate for election for the office of Representative in,
21 or Delegate or Resident Commissioner to, the Con-
22 gress, an authorized committee and a leadership
23 PAC of the candidate may not make any expendi-
24 ture for a 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 oper-
7 ator certificated by an appropriate foreign civil
8 aviation authority and the flight is required to
9 be conducted under air carrier safety rules; or

10 “(B) the aircraft is operated by an entity
11 of the Federal government or the government of
12 any State.

13 “(3) EXCEPTION FOR AIRCRAFT OWNED OR
14 LEASED BY CANDIDATE.—

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

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

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

10 (b) EFFECTIVE DATE.—The amendment made by
11 subsection (a) shall apply with respect to flights taken on
12 or after the date of the enactment of this Act.

13 **TITLE VII—MISCELLANEOUS** 14 **PROVISIONS**

15 **SEC. 701. SENSE OF THE CONGRESS THAT ANY APPLICABLE** 16 **RESTRICTIONS ON CONGRESSIONAL OFFI-** 17 **CIALS AND EMPLOYEES SHOULD APPLY TO** 18 **THE EXECUTIVE AND JUDICIAL BRANCHES.**

19 It is the sense of the Congress that any applicable
20 restrictions on congressional officials and employees in
21 this Act should apply to the executive and judicial
22 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
18 not 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-
25 tected by the free speech, free exercise, or free association
26 clauses of, the First Amendment to the Constitution.