

109TH CONGRESS  
1ST SESSION

# S. 2128

To provide greater transparency with respect to lobbying activities, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

DECEMBER 16, 2005

Mr. MCCAIN (for himself and Mr. BURNS) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

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## A BILL

To provide greater transparency with respect to lobbying activities, and for other purposes.

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

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

4 (a) **SHORT TITLE.**—This Act may be cited as the  
5 “Lobbying Transparency and Accountability Act of  
6 2005”.

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

Sec. 1. Short title; table of contents.

TITLE I—ENHANCING LOBBYING DISCLOSURE

- Sec. 101. Quarterly filing of lobbying disclosure reports.  
 Sec. 102. Electronic filing of lobbying disclosure reports.  
 Sec. 103. Public database of lobbying disclosure information.  
 Sec. 104. Disclosure by registered lobbyists of all past executive and congressional employment.  
 Sec. 105. Disclosure of grassroots activities by paid lobbyists.  
 Sec. 106. Disclosure of lobbyist contributions and payments.  
 Sec. 107. Increased penalty for failure to comply with lobbying disclosure requirements.  
 Sec. 108. Disclosure of lobbying activities by certain coalitions and associations.

#### TITLE II—SLOWING THE REVOLVING DOOR

- Sec. 201. Amendments to restrictions on former officers, employees, and elected officials of the executive and legislative branches.  
 Sec. 202. Additional employment rights.  
 Sec. 203. Public disclosure by Members of Congress of employment negotiations.

#### TITLE III—CURBING EXCESSES IN PRIVATELY FUNDED TRAVEL AND LOBBYIST GIFTS

- Sec. 301. Requirement of full payment and disclosure of charter flights.  
 Sec. 302. Increased disclosure of travel by Members.  
 Sec. 303. Guidelines respecting travel expenses.  
 Sec. 304. Valuation of tickets to sporting and entertainment events.

#### TITLE IV—OVERSIGHT OF ETHICS AND LOBBYING

- Sec. 401. Comptroller General review and semiannual reports.

## 1 **TITLE I—ENHANCING LOBBYING** 2 **DISCLOSURE**

### 3 **SEC. 101. QUARTERLY FILING OF LOBBYING DISCLOSURE** 4 **REPORTS.**

5 (a) QUARTERLY FILING REQUIRED.—Section 5 of  
 6 the Lobbying Disclosure Act of 1995 (in this title referred  
 7 to as the “Act”) (2 U.S.C. 1604) is amended—

8 (1) in subsection (a)—

9 (A) by striking “Semiannual” and insert-  
 10 ing “Quarterly”;

11 (B) by striking “the semiannual period”  
 12 and all that follows through “July of each

1 year” and insert “the quarterly period begin-  
2 ning on the first days of January, April, July,  
3 and October of each year”; and

4 (C) by striking “such semiannual period”  
5 and insert “such quarterly period”; and

6 (2) in subsection (b)—

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

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

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

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

19 (b) CONFORMING AMENDMENTS.—

20 (1) DEFINITION.—Section 3(10) of the Act (2  
21 U.S.C. 1602) is amended by striking “six month pe-  
22 riod” and inserting “three-month period”.

23 (2) REGISTRATION.—Section 4 of the Act (2  
24 U.S.C. 1603) is amended—

1 (A) in subsection (a)(3)(A), by striking  
2 “semiannual period” and inserting “quarterly  
3 period”; and

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

7 (3) ENFORCEMENT.—Section 6(6) of the Act (2  
8 U.S.C. 1605(6)) is amended by striking “semiannual  
9 period” and inserting “quarterly period”.

10 (4) ESTIMATES.—Section 15 of the Act (2  
11 U.S.C. 1610) is amended—

12 (A) in subsection (a)(1), by striking “semi-  
13 annual period” and inserting “quarterly pe-  
14 riod”; and

15 (B) in subsection (b)(1), by striking “semi-  
16 annual period” and inserting “quarterly pe-  
17 riod”.

18 (5) DOLLAR AMOUNTS.—

19 (A) REGISTRATION.—Section 4 of the Act  
20 (2 U.S.C. 1603) is amended—

21 (i) in subsection (a)(3)(A)(i), by strik-  
22 ing “\$5,000” and inserting “\$2,500”;

23 (ii) in subsection (a)(3)(A)(ii), by  
24 striking “\$20,000” and inserting  
25 “\$10,000”;

1 (iii) in subsection (b)(3)(A), by strik-  
2 ing “\$10,000” and inserting “\$5,000”;  
3 and

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

6 (B) REPORTS.—Section 5 of the Act (2  
7 U.S.C. 1604) is amended—

8 (i) in subsection (c)(1), by striking  
9 “\$10,000” and “\$20,000” and inserting  
10 “\$5,000” and “\$10,000”, respectively; and

11 (ii) in subsection (c)(2), by striking  
12 “\$10,000” both places such term appears  
13 and inserting “\$5,000”.

14 **SEC. 102. ELECTRONIC FILING OF LOBBYING DISCLOSURE**  
15 **REPORTS.**

16 Section 5 of the Act (2 U.S.C. 1604) is amended by  
17 adding at the end the following:

18 “(d) ELECTRONIC FILING REQUIRED.—A report re-  
19 quired to be filed under this section shall be filed in elec-  
20 tronic form, in addition to any other form that may be  
21 required by the Secretary of the Senate or the Clerk of  
22 the House of Representatives.”.

1 **SEC. 103. PUBLIC DATABASE OF LOBBYING DISCLOSURE IN-**  
2 **FORMATION.**

3 (a) DATABASE REQUIRED.—Section 6 of the Act (2  
4 U.S.C. 1605) is amended—

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

7 (2) in paragraph (8), by striking the period and  
8 inserting “; and”; and

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

10 “(9) maintain, and make available to the public  
11 over the Internet, without a fee or other access  
12 charge, in a searchable, sortable, and downloadable  
13 manner, an electronic database that—

14 “(A) includes the information contained in  
15 registrations and reports filed under this Act;

16 “(B) directly links the information it con-  
17 tains to the information disclosed in reports  
18 filed with the Federal Election Commission  
19 under section 304 of the Federal Election Cam-  
20 paign Act of 1971 (2 U.S.C. 434); and

21 “(C) is searchable and sortable, at a min-  
22 imum, by each of the categories of information  
23 described in section 4(b) or 5(b).”.

24 (b) AVAILABILITY OF REPORTS.—Section 6(4) of the  
25 Act is amended by inserting before the semicolon the fol-  
26 lowing: “and, in the case of a report filed in electronic

1 form pursuant to section 5(d), shall make such report  
2 available for public inspection over the Internet not more  
3 than 48 hours after the report is filed”.

4 (c) AUTHORIZATION OF APPROPRIATIONS.—There  
5 are authorized to be appropriated such sums as may be  
6 necessary to carry out paragraph (9) of section 6 of the  
7 Act, as added by subsection (a).

8 **SEC. 104. DISCLOSURE BY REGISTERED LOBBYISTS OF ALL**  
9 **PAST EXECUTIVE AND CONGRESSIONAL EM-**  
10 **PLOYMENT.**

11 Section 4(b)(6) of the Act (2 U.S.C. 1603) is amend-  
12 ed by striking “or a covered legislative branch official”  
13 and all that follows through “as a lobbyist on behalf of  
14 the client,” and inserting “or a covered legislative branch  
15 official,”.

16 **SEC. 105. DISCLOSURE OF GRASSROOTS ACTIVITIES BY**  
17 **PAID LOBBYISTS.**

18 (a) DISCLOSURE OF GRASSROOTS ACTIVITIES.—Sec-  
19 tion 3 of the Act (2 U.S.C. 1602) is amended—

20 (1) in paragraph (2), by inserting “or grass-  
21 roots lobbying activities” after “lobbying activities”  
22 both places it appears; and

23 (2) by adding at the end the following new  
24 paragraphs—

1           “(17) GRASSROOTS LOBBYING.—The term  
2           ‘grassroots lobbying’—

3           “(A) means any attempt to influence the  
4           general public, or segments thereof, to engage  
5           in lobbying contacts whether or not those con-  
6           tacts were made on behalf of a client; and

7           “(B) does not include any attempt de-  
8           scribed in subparagraph (A) by a person or en-  
9           tity directed to its members, employees, officers  
10          or shareholders, unless such attempt is financed  
11          with funds directly or indirectly received from  
12          or arranged by a retained registrant.

13          “(18) GRASSROOTS LOBBYIST.—The term  
14          ‘grassroots lobbyist’ means any individual who is re-  
15          tained by a client for financial or other compensa-  
16          tion for services to engage in grassroots lobbying.

17          “(19) GRASSROOTS LOBBYING FIRM.—The term  
18          ‘grassroots lobbying firm’—

19          “(A) means a person or entity that has 1  
20          or more employees who are grassroots lobbyists  
21          on behalf of a client other than that person or  
22          entity; and

23          “(B) includes a self-employed individual  
24          who is a grassroots lobbyist.



1           “(20) GRASSROOTS LOBBYING ACTIVITIES.—

2           The term ‘grassroots lobbying activities’ means  
3           grassroots lobbying and efforts in support of grass-  
4           roots lobbying, including preparation and planning  
5           activities, research and other background work that  
6           is intended, at the time it is performed, for use in  
7           grassroots lobbying, and coordination with the lob-  
8           bying activities or grassroots lobbying activities of  
9           others.

10           “(21) LEADERSHIP PAC.—The term ‘leadership  
11           PAC’ means, with respect to an individual holding  
12           Federal office, an unauthorized political committee  
13           which is associated with such individual.”.

14           (b) REGISTRATION.—Section 4(a) of the Act (2  
15           U.S.C. 1603(a)) is amended—

16           (1) in paragraph (1), by striking “45” and in-  
17           serting “20”;

18           (2) by redesignating paragraph (3) as para-  
19           graph (4);

20           (3) by inserting after paragraph (2) the fol-  
21           lowing:

22           “(3) GRASSROOTS LOBBYING.—Not later than  
23           20 days after a grassroots lobbying firm first is re-  
24           tained by a client to engage in grassroots lobbying,  
25           such grassroots lobbying firm shall register with the

1 Secretary of the Senate and the Clerk of the House  
2 of Representatives.”; and

3 (4) in paragraph (4)(A), as redesignated—

4 (A) by striking “paragraphs (1) and (2)”  
5 and inserting “paragraphs (1), (2), and (3)”;  
6 and

7 (B) in clause (i), by inserting “and grass-  
8 roots lobbying activities” after “lobbying activi-  
9 ties”.

10 (c) SEPARATE ITEMIZATION OF GRASSROOTS EX-  
11 PENSES.—Section 5(b) of the Act (2 U.S.C. 1604(b)) is  
12 amended—

13 (1) in paragraph (3), by—

14 (A) inserting after “total amount of all in-  
15 come” the following: “(including a separate  
16 good faith estimate of the total amount relating  
17 specifically to grassroots lobbying activities and,  
18 within that amount, a good faith estimate of  
19 the total amount specifically relating to grass-  
20 roots lobbying through paid advertising)”;

21 (B) inserting “or a grassroots lobbying  
22 firm” after “lobbying firm”;

23 (C) inserting “or grassroots lobbying ac-  
24 tivities” after “lobbying activities” both places  
25 it appears; and

1 (D) striking “and” after the semicolon;

2 (2) in paragraph (4), by—

3 (A) inserting after “total expenses” the  
4 following: “(including a separate good faith es-  
5 timate of the total amount relating specifically  
6 to grassroots lobbying activities and, within  
7 that total amount, a separate good faith esti-  
8 mate of the total amount specifically relating to  
9 grassroots lobbying through paid advertising)”;

10 (B) inserting “or grassroots lobbying ac-  
11 tivities” after “lobbying activities” both places  
12 it appears; and

13 (C) striking the period and inserting “;  
14 and”; and

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

16 “(5) in the case of a grassroots lobbying firm,  
17 for each client—

18 “(A) a list of the specific issues upon  
19 which the registrant engaged in grassroots lob-  
20 bying activities, including, to the maximum ex-  
21 tent practicable, a list of bill numbers and ref-  
22 erences to specific executive branch activities;

23 “(B) the total disbursements made for  
24 grassroots lobbying activities, and a subtotal for

1 disbursements made for grassroots lobbying  
2 through paid advertising;

3 “(C) identification of each person or entity  
4 who received a disbursement of funds for grass-  
5 roots lobbying activities of \$10,000 or more  
6 during the period and the total amount each  
7 person or entity received; and

8 “(D) if such disbursements are made  
9 through a person or entity who serves as an  
10 intermediary or conduit, identification of each  
11 such intermediary or conduit, identification of  
12 the person or entity who receives the funds, and  
13 the total amount each such person or entity re-  
14 ceived.”.

15 (d) LARGE GRASSROOTS EXPENDITURE.—Section  
16 5(a) of the Act (2 U.S.C. 1604(a)) is amended—

17 (1) by striking “No later” and inserting “Ex-  
18 cept as provided in paragraph (2), not later”; and

19 (2) by adding at the end the following:

20 “(2) LARGE GRASSROOTS EXPENDITURE.—A  
21 registrant that is a grassroots lobbying firm and  
22 that receives income of, or spends or agrees to  
23 spend, an aggregate amount of \$250,000 or more on  
24 grassroots lobbying activities for a client, or for a  
25 group of clients for a joint effort, shall file—

1           “(A) a report under this section not later  
2           than 20 days after receiving, spending, or  
3           agreeing to spend that amount; and

4           “(B) an additional report not later than 20  
5           days after each time such lobbyist or lobbying  
6           firm receives income of, or spends or agrees to  
7           spend, an aggregate amount of \$250,000 or  
8           more on grassroots lobbying activities for a cli-  
9           ent, or for a group of clients for a joint effort.”.

10 **SEC. 106. DISCLOSURE OF LOBBYIST CONTRIBUTIONS AND**  
11 **PAYMENTS.**

12           Section 5(b) of the Act (2 U.S.C. 1604(b)) is amend-  
13 ed—

14           (1) in paragraph (4), by striking “and” after  
15           the semicolon;

16           (2) in paragraph (5), by striking the period and  
17           inserting a semicolon; and

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

19           “(6) for each registrant (and for any political  
20           committee, as defined in 301(4) of the Federal Elec-  
21           tion Campaign Act of 1971 (2 U.S.C. 431(4)), affili-  
22           ated with such registrant), and for each employee  
23           listed as a lobbyist by a registrant under paragraph  
24           (2)(C)—

1           “(A) the name of each Federal candidate  
2           or officeholder, leadership PAC, or political  
3           party committee, to whom a contribution was  
4           made, and the date and amount of such con-  
5           tribution; and

6           “(B) the name of each Federal candidate  
7           or officeholder, or a leadership PAC of such  
8           candidate or officeholder, or political party com-  
9           mittee for whom a fundraising event was  
10          hosted, cohosted, or otherwise sponsored, the  
11          date and location of the event, and the total  
12          amount raised by the event;

13          “(7) the name of each covered legislative  
14          branch official or covered executive branch official  
15          for whom the registrant or employee listed as a lob-  
16          byist provided, or directed or arranged to be pro-  
17          vided, any payment or reimbursements for travel  
18          and related expenses in connection with the duties of  
19          such covered official, including for each such offi-  
20          cial—

21                 “(A) an itemization of the payments or re-  
22                 imbursements provided to finance the travel  
23                 and related expenses and to whom the pay-  
24                 ments or reimbursements were made, including  
25                 any payment or reimbursement made with the

1 express or implied understanding or agreement  
2 that such funds will be used for travel and re-  
3 lated expenses;

4 “(B) the purpose and final itinerary of the  
5 trip, including a description of all meetings,  
6 tours, events, and outings attended;

7 “(C) the names of any registrant or indi-  
8 vidual employed by the registrant who traveled  
9 on any such trip;

10 “(D) the identity of official or listed spon-  
11 sor of travel; and

12 “(E) the identity of any person or entity,  
13 other than the listed sponsor of the travel,  
14 which directly or indirectly provided for pay-  
15 ment of travel and related expenses at the re-  
16 quest or suggestion of the registrant or the em-  
17 ployee;

18 “(8) the date, recipient, and amount of funds  
19 contributed or disbursed by, or arranged by, a reg-  
20 istrant or employee listed as a lobbyist—

21 “(A) to pay the costs of an event to honor  
22 or recognize a covered legislative branch official  
23 or covered executive branch official;

24 “(B) to, or on behalf of, an entity that is  
25 named for a covered legislative branch official

1 or covered executive branch official, or to a per-  
2 son or entity in recognition of such official;

3 “(C) to an entity established, financed,  
4 maintained, or controlled by a covered legisla-  
5 tive branch official or covered executive branch  
6 official, or an entity designated by such official;  
7 or

8 “(D) to pay the costs of a meeting, retreat,  
9 conference or other similar event held by, or for  
10 the benefit of, 1 or more covered legislative  
11 branch officials or covered executive branch of-  
12 ficials;

13 except that this paragraph shall not apply to any  
14 payment or reimbursement made from funds re-  
15 quired to be reported under section 304 of the Fed-  
16 eral Election Campaign Act of 1971 (2 U.S.C. 434);  
17 and

18 “(9) the date, recipient, and amount of any gift  
19 (that under the rules of the House of Representa-  
20 tives or Senate counts towards the one hundred dol-  
21 lar cumulative annual limit described in such rules)  
22 valued in excess of \$20 given by a registrant or em-  
23 ployee listed as a lobbyist to a covered legislative  
24 branch official or covered executive branch official.



1 For purposes of paragraph (9), the term ‘gift’ means a  
 2 gratuity, favor, discount, entertainment, hospitality, loan,  
 3 forbearance, or other item having monetary value. The  
 4 term includes gifts of services, training, transportation,  
 5 lodging, and meals, whether provided in kind, by purchase  
 6 of a ticket, payment in advance, or reimbursement after  
 7 the expense has been incurred.”.

8 **SEC. 107. INCREASED PENALTY FOR FAILURE TO COMPLY**  
 9 **WITH LOBBYING DISCLOSURE REQUIRE-**  
 10 **MENTS.**

11 Section 7 of the Lobbying Disclosure Act of 1995 (2  
 12 U.S.C. 1606) is amended by striking “\$50,000” and in-  
 13 serting “\$100,000”.

14 **SEC. 108. DISCLOSURE OF LOBBYING ACTIVITIES BY CER-**  
 15 **TAIN COALITIONS AND ASSOCIATIONS.**

16 (a) IN GENERAL.—Paragraph (2) of section 3 of the  
 17 Lobbying Disclosure Act of 1995 (2 U.S.C. 1602) is  
 18 amended to read as follows:

19 “(2) CLIENT.—

20 “(A) IN GENERAL.—The term ‘client’  
 21 means any person or entity that employs or re-  
 22 tains another person for financial or other com-  
 23 pensation to conduct lobbying activities or  
 24 grassroots lobbying activities on behalf of that  
 25 person or entity. A person or entity whose em-

1 employees act as lobbyists on its own behalf if  
2 both a client and an employer of such employ-  
3 ees.

4 “(B) TREATMENT OF COALITIONS AND AS-  
5 SOCIATIONS.—

6 “(i) IN GENERAL.—Except as pro-  
7 vided in clause (ii), in the case of a coal-  
8 ition or association of 2 or more groups  
9 that retains a person to conduct lobbying  
10 activities or grassroots lobbying activities,  
11 each group whose total contribution to the  
12 coalition or association in connection with  
13 the lobbying activities or grassroots lob-  
14 bing activities exceeds an aggregate of  
15 \$10,000 during the reporting period is the  
16 client along with the coalition or associa-  
17 tion.

18 “(ii) EXCEPTION FOR CERTAIN TAX  
19 EXEMPT ASSOCIATIONS.—In the case of an  
20 association which is described in any para-  
21 graph of section 501(c) of the Internal  
22 Revenue Code of 1986 and exempt from  
23 tax under section 501(a) of such Code, the  
24 association (and not its members) shall be  
25 treated as the client.

1           “(iii) MEMBERSHIP.—Nothing in this  
 2           paragraph shall be construed to require the  
 3           disclosure of any information about the  
 4           members of, or donors to, a group which is  
 5           treated as a client by this provision.”.

## 6           **TITLE II—SLOWING THE** 7           **REVOLVING DOOR**

### 8   **SEC. 201. AMENDMENTS TO RESTRICTIONS ON FORMER OF-** 9           **FICERS, EMPLOYEES, AND ELECTED OFFI-** 10          **CIALS OF THE EXECUTIVE AND LEGISLATIVE** 11          **BRANCHES.**

12          (a) VERY SENIOR EXECUTIVE PERSONNEL.—The  
 13          matter after subparagraph (C) in section 207(d)(1) of title  
 14          18, United States Code, is amended by striking “within  
 15          1 year” and inserting “within 2 years”.

16          (b) MEMBERS OF CONGRESS, OFFICERS, AND EM-  
 17          PLOYEES OF THE LEGISLATIVE BRANCH.—Section 207(e)  
 18          of title 18, United States Code, is amended—

19                  (1) in paragraph (1)(A), by striking “within 1  
 20                  year” and inserting “within 2 years”;

21                  (2) in paragraph (2)(A), by striking “within 1  
 22                  year” and inserting “within 2 years”;

23                  (3) in paragraph (3), by striking “within 1  
 24                  year” and inserting “within 2 years”; and

1           (4) in paragraph (4)(A), by striking “within 1  
2           year” and inserting “within 2 years”.

3 **SEC. 202. ADDITIONAL EMPLOYMENT RIGHTS.**

4           (a) IN GENERAL.—Section 104 of the Indian Self-  
5 Determination and Education Assistance Act (25 U.S.C.  
6 450i) is amended by striking subsection (j) and inserting  
7 the following:

8           “(j) ADDITIONAL EMPLOYMENT RIGHTS.—

9           “(1) IN GENERAL.—Notwithstanding sections  
10           205 and 207 of title 18, United States Code, an offi-  
11           cer or employee of the United States assigned to an  
12           Indian tribe under section 3372 of title 5, United  
13           States Code, or section 2072 of the Revised Statutes  
14           (25 U.S.C. 48), or an individual that was formerly  
15           an officer or employee of the United States and who  
16           is an employee of an Indian tribe employed to per-  
17           form services pursuant to self-governance contracts  
18           or compacts under this Act that the individual for-  
19           merly performed for the United States, may commu-  
20           nicate with and appear before any department, agen-  
21           cy, court, or commission on behalf of the Indian  
22           tribe with respect to any matter relating to the con-  
23           tract or compact, including any matter in which the  
24           United States is a party or has a direct and sub-  
25           stantial interest.

1           “(2) NOTIFICATION OF INVOLVEMENT IN PEND-  
2       ING MATTER.—An officer, employee, or former offi-  
3       cer or employee described in paragraph (1) shall  
4       submit to the head of each appropriate department,  
5       agency, court, or commission, in writing, a notifica-  
6       tion of any personal and substantial involvement the  
7       officer, employee, or former officer or employee had  
8       as an officer or employee of the United States with  
9       respect to the pending matter.”.

10       (b) EFFECTIVE DATE.—The effective date of the  
11       amendment made by this section shall be the date that  
12       is 1 year after the date of enactment of this Act.

13       **SEC. 203. PUBLIC DISCLOSURE BY MEMBERS OF CONGRESS**  
14                   **OF EMPLOYMENT NEGOTIATIONS.**

15       (a) HOUSE OF REPRESENTATIVES.—The Code of Of-  
16       ficial Conduct set forth in rule XXIII of the Rules of the  
17       House of Representatives is amended by redesignating  
18       clause 14 as clause 15 and by inserting after clause 13  
19       the following new clause:

20           “14. A Member, Delegate, or Resident Commissioner  
21       shall file with the Clerk of the House of Representatives  
22       for public disclosure, a statement that he or she is negoti-  
23       ating or has any arrangement concerning prospective em-  
24       ployment if a conflict of interest or the appearance of a  
25       conflict of interest may exist. Such statement shall be

1 made within 3 days after the commencement of such nego-  
 2 tiation or arrangement.”.

3 (b) SENATE.—Rule XXXVII of the Standing Rules  
 4 of the Senate is amended by adding at the end the fol-  
 5 lowing:

6 “13. A Member shall file with the Secretary of the  
 7 Senate, for public disclosure, a statement that he or she  
 8 is negotiating or has any arrangement concerning prospec-  
 9 tive employment if a conflict of interest or the appearance  
 10 of a conflict of interest may exist. Such statement shall  
 11 be made within 3 days after the commencement of such  
 12 negotiation or arrangement.”.

13 **TITLE III—CURBING EXCESSES**  
 14 **IN PRIVATELY FUNDED TRAV-**  
 15 **EL AND LOBBYIST GIFTS**

16 **SEC. 301. REQUIREMENT OF FULL PAYMENT AND DISCLO-**  
 17 **SURE OF CHARTER FLIGHTS.**

18 (a) HOUSE OF REPRESENTATIVES.—

19 (1) IN GENERAL.—Clause 5(a)(3)(A) of rule  
 20 XXV of the Standing Rules of the House of Rep-  
 21 resentatives is amended by—

22 (A) inserting “(1)” after “(A)”; and

23 (B) adding at the end the following:

24 “(2) Market value for a flight on an airplane  
 25 that is not licensed by the Federal Aviation Adminis-

1       tration to operate for compensation or hire shall be  
2       the fair market value of a charter flight. The Com-  
3       mittee on Standards of Official Conduct shall make  
4       public information received under this subparagraph  
5       as soon as possible after it is received.”.

6               (2) DISCLOSURE.—Clause 5 of rule XXV of the  
7       Standing Rules of the House of Representatives is  
8       amended by adding at the end the following:

9       “(g) A Member, officer, or employee who takes a  
10      flight described in paragraph (a)(3)(A)(2) shall, with re-  
11      spect to the flight, file a report with the Clerk of the  
12      House of Representatives for public disclosure within 10  
13      days after the flight—

14             “(1) the date of the flight;

15             “(2) the destination of the flight who else was  
16      on the flight, other than those operating the plane;  
17      and

18             “(3) the purpose of the trip.”.

19       (b) SENATE.—

20             (1) IN GENERAL.—Paragraph 1(c)(1) of rule  
21      XXXV of the Standing Rules of the Senate is  
22      amended by—

23             (A) inserting “(A)” after “(1)”; and

24             (B) adding at the end the following:

1           “(B) Market value for a flight on an airplane  
2           that is not licensed by the Federal Aviation Adminis-  
3           tration to operate for compensation or hire shall be  
4           the fair market value of a charter flight. The Select  
5           Committee on Ethics shall make public information  
6           received under this subparagraph as soon as possible  
7           after it is received.”.

8           (2) DISCLOSURE.—Paragraph 1 of rule XXXV  
9           of the Standing Rules of the Senate is amended by  
10          adding at the end the following:

11          “(h) A Member, officer, or employee who takes a  
12          flight described in subparagraph (c)(1)(B) shall, with re-  
13          spect to the flight, file a report with the Secretary of the  
14          Senate for public disclosure within 10 days after the  
15          flight—

16                 “(1) the date of the flight;

17                 “(2) the destination of the flight;

18                 “(3) who else was on the flight, other than  
19          those operating the plane; and

20                 “(4) the purpose of the trip.”.

21          (c) CANDIDATES.—Subparagraph (B) of section  
22          301(8) of the Federal Election Campaign Act of 1971 (42  
23          U.S.C. 431(8)(B)) is amended by—

24                 (1) in clause (xiii), striking “and” at the end;



1           (2) in clause (xiv), by striking the period and  
2 inserting “; and”; and

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

4                   “(xv) any travel expense for a flight  
5 on an airplane that is not licensed by the  
6 Federal Aviation Administration to operate  
7 for compensation or hire, but only if the  
8 candidate or the candidate’s authorized  
9 committee or other political committee  
10 pays within 7 days after the date of the  
11 flight to the owner, lessee, or other person  
12 who provides the use of the airplane an  
13 amount not less than the normal and usual  
14 charter fare or rental charge for a com-  
15 parable commercial airplane of appropriate  
16 size.”.

17 **SEC. 302. INCREASED DISCLOSURE OF TRAVEL BY MEM-**  
18 **BERS.**

19           (a) HOUSE OF REPRESENTATIVES.—Clause  
20 5(b)(1)(A)(ii) of rule XXV of the Rules of the House of  
21 Representatives is amended by—

22                   (1) inserting “a detailed description and  
23 itemization of each of” before “the expenses”; and

1           (2) inserting “, including a description of all  
2           meetings, tours, events, and outings attended during  
3           such travel” before the period at the end thereof.

4           (b) SENATE.—Paragraph 2(c) of rule XXXV of the  
5           Standing Rules of the Senate is amended—

6           (1) in subclause (5), by striking “and” after the  
7           semicolon;

8           (2) by redesignating subclause (6) as subclause  
9           (7); and

10          (3) by adding after subclause (5) the following:

11          “(6) a detailed description and itemization of  
12          all meetings, tours, events, and outings attended  
13          during such travel; and”.

14   **SEC. 303. GUIDELINES RESPECTING TRAVEL EXPENSES.**

15          (a) HOUSE OF REPRESENTATIVES.—Clause 5(f) of  
16          rule XXV of the Rules of the House of Representatives  
17          is amended by inserting “(1)” after “(f)” and by adding  
18          at the end the following new subparagraph:

19          “(2) Within 90 days after the date of adoption of this  
20          subparagraph and at annual intervals thereafter, the Com-  
21          mittee on Standards of official Conduct shall develop and  
22          revise, as necessary, guidelines on what constitutes ‘rea-  
23          sonable expenses’ or ‘reasonable expenditures’ for pur-  
24          poses of paragraph (b)(4). In developing and revising the  
25          guidelines, the committee shall take into account the max-

1 imum per diem rates for official Government travel pub-  
2 lished annually by the General Services Administration,  
3 the Department of State, and the Department of De-  
4 fense.”.

5 (b) SENATE.—Rule XXXV of the Standing Rules of  
6 the Senate is amended by adding at the end the following:

7 “(7) Not later than 90 days after the date of  
8 adoption of this paragraph and at annual intervals  
9 thereafter, the Select Committee on Ethics shall de-  
10 velop and revise, as necessary, guidelines on what  
11 constitutes ‘reasonable expenses’ or ‘reasonable ex-  
12 penditures’ for purposes of this rule. In developing  
13 and revising the guidelines, the committee shall take  
14 into account the maximum per diem rates for official  
15 Government travel published annually by the Gen-  
16 eral Services Administration, the Department of  
17 State, and the Department of Defense.”.

18 **SEC. 304. VALUATION OF TICKETS TO SPORTING AND EN-**  
19 **TERTAINMENT EVENTS.**

20 (a) IN GENERAL.—For a covered executive branch  
21 official, a gift of a ticket to a sporting or entertainment  
22 event shall be valued at the face value of the ticket, pro-  
23 vided that in the case of a ticket without a face value,  
24 the ticket shall be valued at the highest cost of a ticket  
25 with a face value for the event.

1           (b) SENATE.—Paragraph 1(b)(1) of rule XXXV of  
2 the Standing Rules of the Senate is amended by—

3           (1) inserting “(A)” after “(1)”; and

4           (2) adding at the end the following:

5                   “(B) A gift of a ticket to a sporting or en-  
6                   ertainment event shall be valued at the face  
7                   value of the ticket, provided that in the case of  
8                   a ticket without a face value, the ticket shall be  
9                   valued at the highest cost of a ticket with a face  
10                  value for the event.”.

11          (c) HOUSE.—Clause 5(a)(2)(A) of rule XXV of the  
12 Standing Rules of the House of Representatives is amend-  
13 ed by—

14          (1) inserting “(i)” after “(A)”; and

15          (2) adding at the end the following:

16                   “(ii) A gift of a ticket to a sporting or  
17                   entertainment event shall be valued at the  
18                   face value of the ticket, provided that in  
19                   the case of a ticket without a face value,  
20                   the ticket shall be valued at the highest  
21                   cost of a ticket with a face value for the  
22                   event.”.

1           **TITLE IV—OVERSIGHT OF**  
2           **ETHICS AND LOBBYING**

3   **SEC. 401. COMPTROLLER GENERAL REVIEW AND SEMI-**  
4           **ANNUAL REPORTS.**

5           (a) ONGOING REVIEW REQUIRED.—The Comptroller  
6   General shall review on an ongoing basis the activities car-  
7   ried out by the Clerk of the House of Representatives and  
8   the Secretary of the Senate under section 6 of the Lob-  
9   bying Disclosure Act of 1995 (2 U.S.C. 1605). The review  
10 shall emphasize—

11           (1) the effectiveness of those activities in secur-  
12   ing the compliance by lobbyists with the require-  
13   ments of that Act; and

14           (2) whether the Clerk and the Secretary have  
15   the resources and authorities needed for effective  
16   oversight and enforcement of that Act.

17           (b) SEMIANNUAL REPORTS.—Twice yearly, not later  
18   than January 1 and not later than July 1 of each year,  
19   the Comptroller General shall submit to Congress a report  
20   on the review required by subsection (a). The report shall  
21   include the Comptroller General’s assessment of the mat-  
22   ters required to be emphasized by that subsection and any  
23   recommendations of the Comptroller General to—

24           (1) improve the compliance by lobbyists with  
25   the requirements of that Act; and

1           (2) provide the Clerk and the Secretary with  
2           the resources and authorities needed for effective  
3           oversight and enforcement of that Act.

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