

111TH CONGRESS
2D SESSION

H. R. 6019

To amend title 18, United States Code, to extend the post-employment restrictions on certain executive and legislative branch officers and employees, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 30, 2010

Mr. CASTLE (for himself and Mr. PLATTS) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committees on House Administration and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend title 18, United States Code, to extend the post-employment restrictions on certain executive and legislative branch officers and employees, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Accountability and
5 Transparency in Ethics Act of 2010”.

1 **SEC. 2. LOBBYING BAN FOR MEMBERS AND EMPLOYEES OF**
2 **CONGRESS AND EXECUTIVE BRANCH OFFI-**
3 **CIALS.**

4 (a) IN GENERAL.—Section 207 of title 18, United
5 States Code, is amended—

6 (1) in subsection (c)—

7 (A) in the subsection heading, by striking
8 “ONE-YEAR” and inserting “TWO-YEAR”;

9 (B) in paragraph (1), by striking “1 year”
10 and inserting “2 years” each place it appears;
11 and

12 (C) in paragraph (2)(B), by striking “1-
13 year period” and inserting “2-year period”;

14 (2) in subsection (d)(2)(A), by striking “1
15 year” and inserting “2 years”;

16 (3) in subsection (e)—

17 (A) in paragraph (1)(B), by striking “1
18 year” and inserting “2 years”;

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

21 (C) in paragraph (3)(A), by striking “1
22 year” and inserting “2 years”;

23 (D) in paragraph (4), by striking “1 year”
24 and inserting “2 years”;

25 (E) in paragraph (5)(A), by striking “1
26 year” and inserting “2 years”;

1 (F) in paragraph (6), by striking “1 year”
2 and inserting “2 years”; and

3 (G) in paragraph (7), by striking “1-year
4 period” each place it appears and inserting “2-
5 year period”; and

6 (4) in subsection (f), by striking “1 year” and
7 inserting “2 years”.

8 (b) EFFECTIVE DATE.—The amendments made by
9 subsection (a) shall apply to any individual who leaves of-
10 fice or employment (to which the restrictions in section
11 207 of title 18, United States apply) more than 120 days
12 after the date of the enactment of this Act.

13 **SEC. 3. PROHIBITING PAYMENT OF CAMPAIGN FUNDS TO**
14 **IMMEDIATE FAMILY MEMBERS OF CAN-**
15 **DIDATES.**

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

19 “(d) RESTRICTIONS ON PAYMENTS TO SPOUSES AND
20 IMMEDIATE FAMILY MEMBERS.—

21 “(1) IN GENERAL.—Notwithstanding any other
22 provision of this Act, an authorized committee of a
23 candidate and a leadership PAC of a candidate or
24 individual holding Federal office may not make any
25 payment to the spouse or any immediate family

1 member of the candidate or individual (as the case
 2 may be) for services provided to the committee or
 3 leadership PAC.

4 “(2) EXCEPTION FOR NOMINAL REIMBURSE-
 5 MENTS.—Paragraph (1) does not apply to nominal
 6 amounts paid to reimburse a spouse or immediate
 7 family member for supplies and equipment used by
 8 the committee or leadership PAC involved, so long
 9 as the total amount paid by the committee or leader-
 10 ship PAC for all such reimbursements during a cal-
 11 endar year does not exceed \$500.

12 “(3) DEFINITIONS.—In this subsection—

13 “(A) the term ‘immediate family member’
 14 means the son, daughter, stepson, stepdaughter,
 15 son-in-law, daughter-in-law, mother, father,
 16 stepmother, stepfather, mother-in-law, father-
 17 in-law, brother, sister, stepbrother, or stepsister
 18 of the candidate or individual involved; and

19 “(B) the term ‘leadership PAC’ has the
 20 meaning given such term in section
 21 304(i)(8)(B)”.

22 (b) CONFORMING AMENDMENT.—Section 313(a)(1)
 23 of such Act (2 U.S.C. 439a(a)(1)) is amended by striking
 24 “for otherwise” and inserting “subject to subsection (d),
 25 for otherwise”.

1 (c) EFFECTIVE DATE.—The amendments made by
2 this section shall apply with respect to payments made on
3 or after the date of the enactment of this Act.

4 **SEC. 4. ETHICS TRAINING FOR LOBBYISTS.**

5 (a) TRAINING COURSE.—During each Congress, the
6 Committee on Standards of Official Conduct of the House
7 of Representatives shall provide an 8-hour ethics training
8 course to persons registered as lobbyists under the Lob-
9 bying Disclosure Act of 1995.

10 (b) CONTENTS OF COURSE.—Training under sub-
11 section (a) shall cover information on the code of conduct
12 and disclosure requirements applicable to Members, offi-
13 cers, and employees of the House of Representatives, in-
14 cluding rules relating to acceptance of gifts (including
15 travel and meals), and financial disclosure requirements
16 under the Ethics in Government Act of 1978.

17 (c) PENALTIES FOR FAILURE TO COMPLETE TRAIN-
18 ING.—Any person who is registered or required to register
19 as a lobbyist under the Lobbying Disclosure Act of 1995
20 and who fails to complete the training course under sub-
21 section (a) at least once during each Congress shall be
22 subject to the penalties under section 7 of that Act to the
23 same extent as a failure to comply with any provision of
24 that Act.

1 **SEC. 5. SENSE OF THE CONGRESS REGARDING THE DUTIES**
2 **AND RESPONSIBILITIES OF THE OFFICE OF**
3 **CONGRESSIONAL ETHICS.**

4 It is the sense of the Congress that any changes to
5 the duties and responsibilities of the Office of Congres-
6 sional Ethics (OCE) should strengthen, not undermine, its
7 powers to further improve accountability and transparency
8 in Congress.

9 **SEC. 6. SUBPOENA POWER FOR THE OFFICE OF CONGRES-**
10 **SIONAL ETHICS.**

11 (a) SUBPOENA POWER.—For the purpose of carrying
12 out its duties, the board of the Office of Congressional
13 Ethics (established by House Resolution 895 (110th Con-
14 gress)) is authorized to require, by subpoena or otherwise,
15 the attendance and testimony of such witnesses and the
16 production of such books, records, correspondence, memo-
17 randa, papers, and documents as it considers necessary.

18 (b) ISSUANCE OF SUBPOENAS.—(1) A subpoena may
19 be issued under this section only by the agreement of the
20 chairman and cochairman of the board of the Office of
21 Congressional Ethics or by the affirmative vote of 4 mem-
22 bers of the board.

23 (2) Subpoenas issued under this section may be
24 issued under the chairman of the board of the Office of
25 Congressional Ethics or any member designated by the
26 majority of the board, and may be served by any person

1 designated by the chairman or by a member designated
2 by the majority of the board.

3 (c) ADMINISTRATION OF OATHS.—The chairman of
4 the board of the Office of Congressional Ethics or a mem-
5 ber designated by the chairman may administer oaths to
6 witnesses.

