

118TH CONGRESS
1ST SESSION

S. 2561

To provide greater controls and restrictions on revolving door lobbying.

IN THE SENATE OF THE UNITED STATES

JULY 27, 2023

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

A BILL

To provide greater controls and restrictions on revolving door
lobbying.

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 “Close the Revolving
5 Door Act of 2023”.

6 **SEC. 2. LIFETIME BAN ON MEMBERS OF CONGRESS FROM**
7 **LOBBYING.**

8 (a) IN GENERAL.—Section 207(e)(1) of title 18,
9 United States Code, is amended to read as follows:

1 “(1) MEMBERS OF CONGRESS.—Any person
2 who is a Senator, a Member of the House of Rep-
3 resentatives, or an elected officer of the Senate or
4 the House of Representatives and who, after that
5 person leaves office, knowingly makes, with the in-
6 tent to influence, any communication to or appear-
7 ance before any Member, officer, or employee of ei-
8 ther House of Congress or any employee of any
9 other legislative office of the Congress, on behalf of
10 any other person (except the United States) in con-
11 nection with any matter on which such former Sen-
12 ator, Member, or elected official seeks action by a
13 Member, officer, or employee of either House of
14 Congress, in his or her official capacity, shall be
15 punished as provided in section 216 of this title.”.

16 (b) CONFORMING AMENDMENTS.—Section 207(e)(2)
17 of title 18, United States Code, is amended—

18 (1) in the heading, by striking “OFFICERS AND
19 STAFF” and inserting “STAFF”;

20 (2) by striking “an elected officer of the Senate,
21 or”;

22 (3) by striking “leaves office or employment”
23 and inserting “leaves employment”; and

24 (4) by striking “former elected officer or”.

1 **SEC. 3. CONGRESSIONAL STAFF.**

2 Paragraphs (2), (3)(A), (4), (5)(A), and (6)(A) of
3 section 207(e) of title 18, United States Code, are each
4 amended by striking “1 year” and inserting “6 years”.

5 **SEC. 4. IMPROVED REPORTING OF LOBBYISTS’ ACTIVITIES.**

6 Section 6 of the Lobbying Disclosure Act of 1995 (2
7 U.S.C. 1605) is amended by adding at the end the fol-
8 lowing:

9 “(c) JOINT WEBSITE.—

10 “(1) IN GENERAL.—The Secretary of the Sen-
11 ate and the Clerk of the House of Representatives
12 shall maintain a joint lobbyist disclosure internet
13 database for information required to be publicly dis-
14 closed under this Act which shall be an easily
15 searchable website called lobbyists.gov with a stated
16 goal of simplicity of usage.

17 “(2) AUTHORIZATION OF APPROPRIATIONS.—

18 There is authorized to be appropriated to carry out
19 this subsection \$100,000 for fiscal year 2024.”.

20 **SEC. 5. LOBBYIST REVOLVING DOOR TO CONGRESS.**

21 (a) DEFINITIONS.—In this section—

22 (1) the term “foreign principal” has the mean-
23 ing given that term under section 1(b) of the For-
24 eign Agents Registration Act of 1938, as amended
25 (22 U.S.C. 611(b));

1 (2) the terms “lobbyist” and “lobbying contact”
2 have the meanings given such terms under section 3
3 of the Lobbying Disclosure Act of 1995 (2 U.S.C.
4 1602); and

5 (3) the term “registered lobbyist” means a lob-
6 byist registered under the Lobbying Disclosure Act
7 of 1995 (2 U.S.C. 1601 et seq.).

8 (b) PROHIBITION.—Any person who is a registered
9 lobbyist or an agent of a foreign principal may not, within
10 6 years after that person leaves such position, be hired
11 by a Member or committee of either House of Congress
12 with whom the registered lobbyist or agent of a foreign
13 principal has had substantial lobbying contact.

14 (c) WAIVER.—This section may be waived in the Sen-
15 ate or the House of Representatives by the Select Com-
16 mittee on Ethics of the Senate or the Committee on
17 Standards of Official Conduct of the House of Representa-
18 tives, respectively, based on a compelling national need.

19 (d) SUBSTANTIAL LOBBYING CONTACT.—For pur-
20 poses of this section, in determining whether a registered
21 lobbyist or agent of a foreign principal has had substantial
22 lobbying contact within the applicable period of time, a
23 Member or committee of either House of Congress shall
24 take into consideration whether the individual’s lobbying
25 contacts have pertained to pending legislative business, or

1 related to solicitation of an earmark or other Federal
 2 funding, particularly if such contacts included the coordi-
 3 nation of meetings with the Member or committee, in-
 4 volved presentations to employees of the Member or com-
 5 mittee, or participation in fundraising (except for the mere
 6 giving of a personal contribution). Simple social contacts
 7 with the Member or committee of either House of Con-
 8 gress and staff, shall not by themselves constitute substan-
 9 tial lobbying contacts.

10 **SEC. 6. REPORTING BY SUBSTANTIAL LOBBYING ENTITIES.**

11 The Lobbying Disclosure Act of 1995 (2 U.S.C. 1601
 12 et seq.) is amended by inserting after section 6 the fol-
 13 lowing:

14 **“SEC. 6A. REPORTING BY SUBSTANTIAL LOBBYING ENTI-**
 15 **TIES.**

16 “(a) IN GENERAL.—A substantial lobbying entity
 17 shall file on an annual basis with the Clerk of the House
 18 of Representatives and the Secretary of the Senate a list
 19 of each employee of, individual under contract with, or in-
 20 dividual who provides paid consulting services to the sub-
 21 stantial lobbying entity who is—

22 “(1) a former Senator or a former Member of
 23 the House of Representatives; or

24 “(2) another covered legislative branch official
 25 who—

1 “(A) was paid not less than \$100,000 in
2 any 1 year as a covered legislative branch offi-
3 cial;

4 “(B) worked for a total of not less than 4
5 years as a covered legislative branch official; or

6 “(C) had a job title at any time while em-
7 ployed as a covered legislative branch official
8 that contained any of the following terms:
9 ‘Chief of Staff’, ‘Legislative Director’, ‘Staff
10 Director’, ‘Counsel’, ‘Professional Staff Mem-
11 ber’, ‘Communications Director’, or ‘Press Sec-
12 retary’.

13 “(b) CONTENTS OF FILING.—The filing required
14 under this section shall contain a brief job description of
15 each individual described in subsection (a) and an expla-
16 nation of their work experience under subsection (a) that
17 requires this filing.

18 “(c) IMPROVED REPORTING OF SUBSTANTIAL LOB-
19 BYING ENTITIES.—The joint website being maintained by
20 the Secretary of the Senate and the Clerk of the House
21 of Representatives, known as lobbyists.gov, shall include
22 an easily searchable database entitled ‘Substantial Lob-
23 bying Entities’ that includes information on all individuals
24 described in subsection (a).

1 “(d) LAW ENFORCEMENT OVERSIGHT.—The Clerk
 2 of the House of Representatives and the Secretary of the
 3 Senate shall provide a copy of each filing under subsection
 4 (a) to the United States Attorney for the District of Co-
 5 lumbia, to allow the United States Attorney for the Dis-
 6 trict of Columbia to determine whether a substantial lob-
 7 bying entity is underreporting the lobbying activities of its
 8 employees, individuals under contract, or individuals who
 9 provide paid consulting services.

10 “(e) SUBSTANTIAL LOBBYING ENTITY.—In this sec-
 11 tion, the term ‘substantial lobbying entity’ means an incor-
 12 porated entity that employs more than 3 registered lobby-
 13 ists during a filing period.”.

14 **SEC. 7. ENHANCED PENALTIES.**

15 Section 7(a) of the Lobbying Disclosure Act of 1995
 16 (2 U.S.C. 1606(a)) is amended, in the matter following
 17 paragraph (2), by striking “\$200,000” and inserting
 18 “\$500,000”.

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