Nunes	Rogers (KY)	Sweeney
Otter	Rogers (MI)	Tancredo
Oxley	Rohrabacher	Taylor (NC)
Paul	Ros-Lehtinen	Terry
Pearce	Royce	Thomas
Pence	Ryan (WI)	Thornberry
Peterson (PA)	Ryun (KS)	Tiahrt
Petri	Saxton	Tiberi
Pickering	Schmidt	Turner
Pitts	Schwarz (MI)	Upton
Platts	Sensenbrenner	Walden (OR)
Poe	Sessions	Walsh
Pombo	Shadegg	Wamp
Porter	Shaw	Weldon (FL)
Price (GA)	Sherwood	Weldon (PA)
Pryce (OH)	Shimkus	Weller
Putnam	Shuster	Westmoreland
Radanovich	Simmons	Whitfield
Ramstad	Simpson	Wicker
Regula	Smith (NJ)	Wilson (NM)
Rehberg	Smith (TX)	Wilson (SC)
Reichert	Sodrel	Wolf
Renzi	Souder	Young (AK)
Reynolds	Stearns	Young (FL)
Rogers (AL)	Sullivan	

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Abercrombie	Gutierrez	Olver
Ackerman	Harman	Ortiz
Allen	Hastings (FL)	Owens
Andrews	Higgins	Pallone
Baca	Hinchey	Pascrell
Baird	Hinojosa	Pastor
Baldwin	Holt	Payne
Bean	Honda	Pelosi
Becerra	Hooley	Peterson (MN)
Berkley	Hoyer	Pomeroy
Berman	Inslee	Price (NC)
Berry	Israel	Rahall
Bishop (GA)	Jackson (IL)	Rangel
Bishop (NY)	Jackson-Lee (TX)	Reyes
Blumenauer	Jefferson	Ross
Boswell	Johnson, E. B.	Rothman
Boucher	Jones (OH)	Roybal-Allard
Brady (PA)	Kanjorski	Ruppersberger
Brown (OH)	Kaptur	Rush
Brown, Corrine	Kennedy (RI)	Ryan (OH)
Butterfield	Kildee	Salazar
Capps	Kilpatrick (MI)	Sánchez, Linda T.
Capuano	Kind	Sanchez, Loretta
Cardin	Kucinich	Sanders
Cardoza	Langevin	Schakowsky
Carnahan	Lantos	Schiff
Carson	Larsen (WA)	Schwartz (PA)
Case	Larson (CT)	Scott (GA)
Chandler	Lee	Scott (VA)
Clay	Levin	Serrano
Cleaver	Lewis (GA)	Shays
Clyburn	Lipinski	Sherman
Conyers	Lofgren, Zoe	Skelton
Cooper	Lowey	Slaughter
Costa	Maloney	Smith (WA)
Cramer	Markey	Snyder
Crowley	Matheson	Solis
Cummings	Matsui	Spratt
Davis (AL)	McCarthy	Stark
Davis (CA)	McCollum (MN)	Strickland
Davis (FL)	McDermott	Stupak
Davis (IL)	McGovern	Tanner
DeFazio	McIntyre	Tauscher
DeGette	McKinney	Taylor (MS)
Delahunt	McNulty	Thompson (CA)
DeLauro	Meehan	Thompson (MS)
Dicks	Meek (FL)	Tierney
Dingell	Meeks (NY)	Towns
Doggett	Michaud	Udall (CO)
Doyle	Millender-McDonald	Udall (NM)
Emanuel	Miller (NC)	Van Hollen
Engel	Miller, George	Velázquez
Eshoo	Mollohan	Visclosky
Etheridge	Moore (KS)	Waters
Farr	Moore (WI)	Watson
Fattah	Moran (VA)	Watt
Filner	Murtha	Waxman
Fitzpatrick (PA)	Nadler	Weiner
Ford	Napolitano	Wexler
Frank (MA)	Neal (MA)	Woolsey
Gonzalez	Oberstar	Wu
Gordon	Obey	Wynn
Green, Al		
Grijalva		

NOT VOTING—7

Buyer	Nussle	Wasserman Schultz
DeLay	Osborne	
Evans	Sabo	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LINDER) (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1506

Mr. BOYD changed his vote from ''nay'' to ''yea.''

So (two-thirds of those voting having not responded in the affirmative) the motion was rejected.

The result of the vote was announced as above recorded.

LOBBYING ACCOUNTABILITY AND TRANSPARENCY ACT OF 2006

The SPEAKER pro tempore. Pursuant to House Resolution 783 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 4975.

□ 1507

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 4975) to provide greater transparency with respect to lobbying activities, and for other purposes, with Mr. CHOCOLA (Acting Chairman) in the chair.

The Clerk read the title of the bill.

The Acting CHAIRMAN. When the Committee of the Whole rose earlier today, all time for general debate had expired.

In lieu of the amendments recommended by the Committees on the Judiciary, Rules, and Government Reform now printed in the bill, the amendment in the nature of a substitute consisting of the text of the Rules Committee print, dated April 21, 2006, modified by the amendment printed in part A of House Report 109–441, is adopted.

The text of the amendment in the nature of a substitute, as amended, is as follows:

H.R. 4975

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Lobbying Accountability and Transparency Act of 2006''.

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

TITLE I—ENHANCING LOBBYING DISCLOSURE

SEC. 101. QUARTERLY FILING OF LOBBYING DISCLOSURE REPORTS.

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

(1) in subsection (a)—

(A) in the heading, by striking ''SEMIANNUAL'' and inserting ''QUARTERLY'';

(B) by striking ''45'' and inserting ''20'';

(C) by striking ''the semiannual period'' and all that follows through ''July of each year'' and insert ''the quarterly period beginning on the first day of January, April, July, and October of each year''; and

(D) by striking ''such semiannual period'' and insert ''such quarterly period''; and

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''semiannual report'' and inserting ''quarterly report'';

(B) in paragraph (2), by striking ''semiannual filing period'' and inserting ''quarterly period'';

(C) in paragraph (3), by striking ''semiannual period'' and inserting ''quarterly period''; and

(D) in paragraph (4), by striking ''semiannual filing period'' and inserting ''quarterly period''.

(b) CONFORMING AMENDMENTS.—

(1) DEFINITION.—Section 3(10) of the Act (2 U.S.C. 1602(10)) is amended by striking ''six month period'' and inserting ''3-month period''.

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

(A) in subsection (a)(3)(A), by striking ''semiannual period'' and inserting ''quarterly period''; and

(B) in subsection (b)(3)(A), by striking ''semiannual period'' and inserting ''quarterly period''.

(3) ENFORCEMENT.—Section 6(6) of the Act (2 U.S.C. 1605(6)) is amended by striking

''semiannual period'' and inserting ''quarterly period''.

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

(A) in subsection (a)(1), by striking ''semiannual period'' and inserting ''quarterly period''; and

(B) in subsection (b)(1), by striking ''semiannual period'' and inserting ''quarterly period''.

(5) DOLLAR AMOUNTS.—

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

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

(ii) in subsection (a)(3)(A)(ii), by striking ''$20,000'' and inserting ''$10,000'';

(iii) in subsection (b)(3)(A), by striking ''$10,000'' and inserting ''$5,000''; and

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

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

(i) in paragraph (1), by striking ''$10,000'' and ''$20,000'' and inserting ''$5,000'' and ''$1,000'', respectively; and

(ii) in paragraph (2), by striking ''$10,000'' both places such term appears and inserting ''$5,000''.

SEC. 102. ELECTRONIC FILING OF LOBBYING REGISTRATIONS AND DISCLOSURE REPORTS.

(a) REGISTRATIONS.—Section 4 of the Act (2 U.S.C. 1603) is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following:

''(d) ELECTRONIC FILING REQUIRED.—A registration required to be filed under this section on or after the date of enactment of the Lobbying Accountability and Transparency Act of 2006 shall be filed in electronic form, in addition to any other form that may be required by the Secretary of the Senate or the Clerk of the House of Representatives. The due date for a registration filed in electronic form shall be no later than the due date for a registration filed in any other form.''.

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

''(d) ELECTRONIC FILING REQUIRED.—

''(1) IN GENERAL.—A report required to be filed under this section shall be filed in electronic form, in addition to any other form that may be required by the Secretary of the Senate or the Clerk of the House of Representatives. The due date for a report filed in electronic form shall be no later than the due date for a report filed in any other form, except as provided in paragraph (2).

''(2) EXTENSION OF TIME TO FILE IN ELECTRONIC FORM.—The Secretary of the Senate or the Clerk of the House of Representatives may establish a later due date for the filing of a report in electronic form by a registrant, if and only if—

''(A) on or before the original due date, the registrant—

''(i) timely files the report in every form required, other than electronic form; and

''(ii) makes a request for such a later due date to the Secretary or the Clerk, as the case may be; and

''(B) the request is supported by good cause shown.''.

SEC. 103. PUBLIC DATABASE OF LOBBYING DISCLOSURE INFORMATION.

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

(1) in paragraph (7), by striking ''and'' at the end;

(2) in paragraph (8), by striking the period and inserting ''; and''; and

(3) by adding at the end the following:

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

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

''(B) directly links the information it contains to the information disclosed in reports filed with the Federal Election Commission under section 304 of the Federal Election Campaign Act of 1971 (2 U.S.C. 434); and

''(C) is searchable and sortable, at a minimum, by each of the categories of information described in sections 4(b) and 5(b).''.

(b) AVAILABILITY OF REPORTS.—Section 6(4) of the Act is amended by inserting before the semicolon the following: ''and, in the case of a registration filed in electronic form pursuant to section 4(d) or a report filed in electronic form pursuant to section 5(d), shall make such registration or report (as the case may be) available for public inspection over the Internet not more than 48 hours after the registration or report (as the case may be) is approved as received by the Secretary of the Senate or the Clerk of the House of Representatives (as the case may be)''.

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

SEC. 104. DISCLOSURE BY REGISTERED LOBBYISTS OF PAST EXECUTIVE BRANCH AND CONGRESSIONAL EMPLOYMENT.

Section 4(b)(6) of the Act (2 U.S.C. 1603(b)(6)) is amended by striking ''2 years'' and inserting ''7 years''.

SEC. 105. DISCLOSURE OF LOBBYIST CONTRIBUTIONS AND GIFTS.

(a) IN GENERAL.—Section 5(b) of the Act (2 U.S.C. 1604(b)) is amended—

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

(2) in paragraph (4), by striking the period and inserting a semicolon; and

(3) by adding at the end the following:

''(5) for each registrant (and for any political committee, as defined in 301(4) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(4)), affiliated with the registrant), and for each employee listed as a lobbyist by the registrant under paragraph (2)(C), the name of each Federal candidate or officeholder, and of each leadership PAC, political party committee, or other political committee to whom a contribution was made which is required to be reported to the Federal Election Commission by the recipient, and the date and amount of such contribution;

''(6) the date, recipient, and amount of any gift that under the Rules of the House of Representatives counts towards the cumulative annual limit described in such rules and is given to a covered legislative branch official by the registrant or an employee listed as a lobbyist by the registrant under paragraph (2)(C); and

''(7) the date, recipient, and amount of funds contributed by the registrant or an employee listed as a lobbyist by the registrant under paragraph (2)(C)—

''(A) to, or on behalf of, an entity that is named for a covered legislative branch official, or to a person or entity in recognition of such official; or

''(B) to an entity established, financed, maintained, or controlled by a covered legislative branch official;

except that this paragraph shall not apply to any payment or reimbursement made from funds required to be reported under section 304 of the Federal Election Campaign Act of 1971 (2 U.S.C. 434).''.

(b) FACTORS TO BE CONSIDERED TO DETERMINE RELATIONSHIP BETWEEN OFFICIALS AND OTHER ENTITIES.—Section 5 of the Act (2 U.S.C. 1604), as amended by section 102(b) of this Act, is amended by adding at the end the following new subsection:

''(e) FACTORS TO DETERMINE RELATIONSHIP BETWEEN OFFICIALS AND OTHER ENTITIES.—

''(1) IN GENERAL.—In determining under subsection (b)(7)(B) whether a covered legislative branch official directly or indirectly established, finances, maintains, or controls an entity, the factors described in paragraph (2) shall be examined in the context of the overall relationship between that covered official and the entity to determine whether the presence of any such factor or factors is evidence that the covered official directly or indirectly established, finances, maintains, or controls the entity.

''(2) FACTORS.—The factors referred to in paragraph (1) include, but are not limited to, the following:

''(A) Whether the covered official, directly or through its agent, owns a controlling interest in the voting stock or securities of the entity.

''(B) Whether the covered official, directly or through its agent, has the authority or ability to direct or participate in the governance of the entity through provisions of constitutions, bylaws, contracts, or other rules, or through formal or informal practices or procedures.

''(C) Whether the covered official, directly or through its agent, has the authority or ability to hire, appoint, demote, or otherwise control the officers or other decisionmaking employees or members of the entity.

''(D) Whether the covered official has a common or overlapping membership with the entity that indicates a formal or ongoing relationship between the covered official and the entity.

''(E) Whether the covered official has common or overlapping officers or employees with the entity that indicates a formal or ongoing relationship between the covered official and the entity.

''(F) Whether the covered official has any members, officers, or employees who were members, officers, or employees of the entity that indicates a formal or ongoing relationship between the covered official and the entity, or that indicates the creation of a successor entity.

''(G) Whether the covered official, directly or through its agent, provides funds or goods in a significant amount or on an ongoing basis to the entity, such as through direct or indirect payments for administrative, fundraising, or other costs.

''(H) Whether the covered official, directly or through its agent, causes or arranges for funds in a significant amount or on an ongoing basis to be provided to the entity.

''(I) Whether the covered official, directly or through its agent, had an active or significant role in the formation of the entity.

''(J) Whether the covered official and the entity have similar patterns of receipts or disbursements that indicate a formal or ongoing relationship between the covered official and the entity.''.

(c) CONFORMING AMENDMENT.—Section 3 of the Act (2 U.S.C. 1602) is amended by adding at the end the following new paragraphs:

''(17) GIFT.—The term 'gift' means a gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item having monetary value. The term includes gifts of services, training, and meals, whether provided in kind, by purchase of a ticket, payment in advance, or reimbursement after the expense has been incurred.

''(18) LEADERSHIP PAC.—The term 'leadership PAC' means, with respect to an individual holding Federal office, an unauthorized political committee (as defined in the

Federal Election Campaign Act of 1971) which is associated with such individual.''.

SEC. 106. INCREASED PENALTY FOR FAILURE TO COMPLY WITH LOBBYING DISCLOSURE REQUIREMENTS.

Section 7 of the Act (2 U.S.C. 1606) is amended—

(1) by striking ''Whoever'' and inserting ''(a) CIVIL PENALTY.—Whoever'';

(2) by striking ''$50,000'' and inserting ''$100,000''; and

(3) by adding at the end the following:

''(b) CRIMINAL PENALTY.—

''(1) IN GENERAL.—Whoever knowingly and willfully fails to comply with any provision of this Act shall be imprisoned not more than 3 years, or fined under title 18, United States Code, or both.

''(2) CORRUPTLY.—Whoever knowingly, willfully, and corruptly fails to comply with any provision of this Act shall be imprisoned not more than 5 years, or fined under title 18, United States Code, or both.''.

TITLE II—SLOWING THE REVOLVING DOOR

SEC. 201. NOTIFICATION OF POST-EMPLOYMENT RESTRICTIONS.

Section 207(e) of title 18, United States Code, is amended by adding at the end the following new paragraph:

''(8) NOTIFICATION OF POST-EMPLOYMENT RESTRICTIONS.—After a Member of the House of Representatives or an elected officer of the House of Representatives leaves office, or after the termination of employment with the House of Representatives of an employee of the House of Representatives covered under paragraph (2), (3), or (4), the Clerk of the House of Representatives, after consultation with the Committee on Standards of Official Conduct, shall inform the Member, officer, or employee of the beginning and ending date of the prohibitions that apply to the Member, officer, or employee under this subsection, and also inform each office of the House of Representatives with respect to which such prohibitions apply of those dates.''.

SEC. 202. DISCLOSURE BY MEMBERS OF THE HOUSE OF REPRESENTATIVES OF EMPLOYMENT NEGOTIATIONS.

The Code of Official Conduct set forth in rule XXIII of the Rules of the House of Representatives is amended by redesignating clause 14 as clause 15 and by inserting after clause 13 the following new clause:

''14. (a) A Member, Delegate, or Resident Commissioner shall file with the Committee on Standards of Official Conduct a statement that he or she is negotiating compensation for prospective employment or has any arrangement concerning prospective employment if a conflict of interest or the appearance of a conflict of interest may exist. Such statement shall be made within 5 days (other than Saturdays, Sundays, or public holidays) after commencing the negotiation for compensation or entering into the arrangement.

''(b) A Member, Delegate, or Resident Commissioner should refrain from voting on any legislative measure pending before the House or any committee thereof if the negotiation described in subparagraph (a) may create a conflict of interest.''.

SEC. 203. WRONGFULLY INFLUENCING, ON A PARTISAN BASIS, AN ENTITY'S EMPLOYMENT DECISIONS OR PRACTICES.

The Code of Official Conduct set forth in rule XXIII of the Rules of the House of Representatives (as amended by section 202) is further amended by redesignating clause 15 as clause 16 and by inserting after clause 14 the following new clause:

''15. A Member, Delegate, Resident Commissioner, officer, or employee of the House may not, with the intent to influence on the basis of political party affiliation an employment decision or employment practice of any private or public entity (except for the Congress)—

''(a) take or withhold, or offer or threaten to take or withhold, an official act; or

''(b) influence, or offer or threaten to influence, the official act of another.''.

TITLE III—SUSPENSION OF PRIVATELY-FUNDED TRAVEL; CURBING LOBBYIST GIFTS

SEC. 301. SUSPENSION OF PRIVATELY-FUNDED TRAVEL.

Notwithstanding clause 5 of rule XXV of the Rules of the House of Representatives, no Member, Delegate, Resident Commissioner, officer, or employee of the House may accept a gift of travel (including any transportation, lodging, and meals during such travel) from any private source.

SEC. 302. RECOMMENDATIONS FROM THE COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT ON GIFTS AND TRAVEL.

Not later than December 15, 2006, the Committee on Standards of Official Conduct shall report its recommendations on changes to rule XXV of the Rules of the House of Representatives to the Committee on Rules. In developing such recommendations, the Committee on Standards of Official Conduct shall consider the following:

(1) The ability of the current provisions of rule XXV to protect the House, its Members, officers, and employees, from the appearance of impropriety.

(2) With respect to the allowance for privately-funded travel contained in clause 5(b) of rule XXV—

(A) the degree to which privately-funded travel meets the representational needs of the House, its Members, officers, and employees;

(B) whether certain entities should or should not be permitted to fund the travel of the Members, officers, and employees of the House, what sources of funding may be permissible, and what other individuals may participate in that travel; and

(C) the adequacy of the current system of approval and disclosure of such travel.

(3) With respect to the exceptions to the limitation on the acceptance of gifts contained in clause 5(a)—

(A) the degree to which those exceptions meet the representational and personal needs of the House, its Members, officers, and employees;

(B) the clarity of the limitation and its exceptions; and

(C) the suitability of the current dollar limitations contained in clause 5(a)(1)(B) of such rule, including whether such limitations should be lowered.

SEC. 303. PROHIBITING REGISTERED LOBBYISTS ON CORPORATE FLIGHTS.

The Lobbying Disclosure Act of 1995 is amended by inserting after section 5 the following new section:

''SEC. 5A. PROHIBITING REGISTERED LOBBYISTS ON CORPORATE FLIGHTS.

''If a Representative in, or Delegate or Resident Commissioner to, the Congress, or an officer or employee of the House of Representatives, is a passenger or crew member on a flight of an aircraft that is not licensed by the Federal Aviation Administration to operate for compensation or hire and that is owned or operated by a person who is the client of a lobbyist or a lobbying firm, then such lobbyist may not be a passenger or crew member on that flight.''.

SEC. 304. VALUATION OF TICKETS TO SPORTING AND ENTERTAINMENT EVENTS.

Clause 5(a)(2)(A) of rule XXV of the Rules of the House of Representatives is amended by—

(1) inserting ''(i)'' after ''(A)''; and

(2) adding at the end the following:

''(ii) A gift of a ticket to a sporting or entertainment event shall be valued at the face value of the ticket, provided that in the case of a ticket without a face value, the ticket shall be valued at the highest cost of a ticket with a face value for the event.''.

TITLE IV—OVERSIGHT OF LOBBYING AND ENFORCEMENT

SEC. 401. AUDITS OF LOBBYING REPORTS BY HOUSE INSPECTOR GENERAL.

(a) ACCESS TO LOBBYING REPORTS.—The Office of Inspector General of the House of Representatives shall have access to all lobbyists' disclosure information received by the Clerk of the House of Representatives under the Lobbying Disclosure Act of 1995 and shall conduct random audits of lobbyists' disclosure information as necessary to ensure compliance with that Act.

(b) REFERRAL AUTHORITY.—The Office of the Inspector General of the House of Representatives may refer potential violations by lobbyists of the Lobbying Disclosure Act of 1995 to the Department of Justice for disciplinary action.

SEC. 402. HOUSE INSPECTOR GENERAL REVIEW AND ANNUAL REPORTS.

(a) ONGOING REVIEW REQUIRED.—The Inspector General of the House of Representatives shall review on an ongoing basis the activities carried out by the Clerk of the House of Representatives under section 6 of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1605). The review shall emphasize—

(1) the effectiveness of those activities in securing the compliance by lobbyists with the requirements of that Act; and

(2) whether the Clerk has the resources and authorities needed for effective oversight and enforcement of that Act.

(b) ANNUAL REPORTS.—Not later than December 31 of each year, the Inspector General of the House of Representatives shall submit to the House of Representatives a report on the review required by subsection (a). The report shall include the Inspector General's assessment of the matters required to be emphasized by that subsection and any recommendations of the Inspector General to—

(1) improve the compliance by lobbyists with the requirements of the Lobbying Disclosure Act of 1995; and

(2) provide the Clerk of the House of Representatives with the resources and authorities needed for effective oversight and enforcement of that Act.

TITLE V—INSTITUTIONAL REFORMS

SEC. 501. EARMARKING REFORM.

(a) In the House of Representatives, it shall not be in order to consider—

(1) a general appropriation bill reported by the Committee on Appropriations unless the report includes a list of earmarks in the bill or in the report (and the names of Members who submitted requests to the Committee on Appropriations for earmarks included in such list); or

(2) a conference report to accompany a general appropriation bill unless the joint explanatory statement prepared by the managers on the part of the House and the managers on the part of the Senate includes a list of earmarks in the conference report or joint statement (and the names of Members who submitted requests to the Committee on Appropriations for earmarks included in such list) that were—

(A) not committed to the conference committee by either House;

(B) not in the report specified in paragraph (1); and

(C) not in a report of a committee of the Senate on a companion measure.

(b) In the House of Representatives, it shall not be in order to consider a rule or

order that waives the application of subsection (a)(2).

(c)(1) A point of order raised under subsection (a)(1) may be based only on the failure of a report of the Committee on Appropriations to include the list required by subsection (a)(1).

(2) As disposition of a point of order under subsection (a), the Chair shall put the question of consideration with respect to the proposition that is the subject of the point of order.

(3) As disposition of a point of order under subsection (b) with respect to a rule or order relating to a conference report, the Chair shall put the question of consideration as follows: ''Shall the House now consider the resolution notwithstanding the assertion of [the maker of the point of order] that the object of the resolution introduces a new earmark or new earmarks?''.

(4) The question of consideration under this subsection shall be debatable for 15 minutes by the Member initiating the point of order and for 15 minutes by an opponent, but shall otherwise be decided without intervening motion except one that the House adjourn.

(d)(1) For the purpose of this resolution, the term ''earmark'' means a provision in a bill or conference report, or language in an accompanying committee report or joint statement of managers, providing or recommending a specific amount of discretionary budget authority to a non-Federal entity, if such entity is specifically identified in the report or bill; or if the discretionary budget authority is allocated outside of the normal formula-driven or competitive bidding process and is targeted or directed to an identifiable person, specific State, or congressional district.

(2) For the purpose of subsection (a), government-sponsored enterprises, Federal facilities, and Federal lands shall be considered Federal entities.

(3) For the purpose of subsection (a), to the extent that the non-Federal entity is a State or territory, an Indian tribe, a foreign government or an intergovernmental international organization, the provision or language shall not be considered an earmark unless the provision or language also specifies the specific purpose for which the designated budget authority is to be expended.

SEC. 502. MANDATORY ETHICS TRAINING FOR HOUSE EMPLOYEES.

(a) MANDATORY ETHICS TRAINING FOR HOUSE EMPLOYEES.—

(1) CHIEF ADMINISTRATIVE OFFICER.—Clause 4 of rule II of the Rules of the House of Representatives is amended by inserting the following new paragraph at the end:

''(d) The Chief Administrative Officer may not pay any compensation to any employee of the House with respect to any pay period during which the employee, as determined by the Committee on Standards of Official Conduct, is not in compliance with the applicable requirements of regulations promulgated pursuant to clause 3(r) of Rule XI. ''.

(2) MANDATORY ETHICS TRAINING PROGRAM.—Clause 3 of rule XI of the Rules of the House of Representatives is amended by adding at the end the following:

''(r) The committee shall establish a program of regular ethics training for employees of the House and promulgate regulations providing for the following:

''(1)(A) Except as otherwise provided, all employees of the House are required to complete ethics training offered by the committee at least once during each congress. Any employee who is hired after the date of adoption of such rules is required to complete such training within 30 days of being hired.

''(B) Any employee of the House who works in a Member's district office shall not be required to complete such ethics training until 30 days after the district office has received a notice from the Committee on Standards of Official Conduct that the required ethics training program is available on the Internet.

''(2) After any employee of the House completes such ethics training, that employee shall file a written certification with the committee that he is familiar with the contents of any pertinent publications that are so designated by the committee and has completed the required ethics training.

''(3) As used in this paragraph, the term 'employee of the House' refers to any individual whose compensation is disbursed by the Chief Administrative Officer, including any staff assigned to a Member's personal office, any staff of a committee or leadership office, or any employee of the Office of the Clerk, of the Office of the Chief Administrative Officer, or of the Sergeant-at-Arms, but does not include a Member, Delegate, or Resident Commissioner.''.

(b) ETHICS TRAINING FOR MEMBERS, DELEGATES AND THE RESIDENT COMMISSIONER.—Clause 3 of rule XI of the Rules of the House of Representatives is amended by inserting the following new paragraph at the end:

''(s) The committee shall establish a program of regular ethics training for Members, Delegates, and the Resident Commissioner similar to the program established in paragraph (r), and encourage participation in such program.''.

SEC. 503. BIENNIAL PUBLICATION OF ETHICS MANUAL.

Within 120 days after the date of enactment of this Act and during each Congress thereafter, the Committee on Standards of Official Conduct shall publish an up-to-date ethics manual for Members, officers, and employees of the House of Representatives and make such manual available to all such individuals. The committee has a duty to keep all Members, Delegates, the Resident Commissioner, officers, and employees of the House of Representatives apprised of current rulings or advisory opinions when potentially constituting changes to or interpretations of existing policies.

TITLE VI—FORFEITURE OF RETIREMENT BENEFITS

SEC. 601. LOSS OF PENSIONS ACCRUED DURING SERVICE AS A MEMBER OF CONGRESS FOR ABUSING THE PUBLIC TRUST.

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

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

''(2)(A) An offense described in this paragraph is any offense described in subparagraph (B) for which the following apply:

''(i) Every act or omission of the individual (referred to in paragraph (1)) that is needed to satisfy the elements of the offense occurs while the individual is a Member.

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

''(iii) The offense is committed after the date of enactment of this subsection.

''(B) An offense described in this subparagraph is only the following, and only to the extent that the offense is a felony under title 18:

''(i) An offense under section 201 of title 18 (bribery of public officials and witnesses).

''(ii) An offense under section 219 of title 18 (officers and employees acting as agents of foreign principals).

''(iii) An offense under section 371 of title 18 (conspiracy to commit offense or to defraud United States) to the extent of any conspiracy to commit an act which constitutes an offense under clause (i) or (ii).

''(3) An individual convicted of an offense described in paragraph (2) shall not, after the date of the final conviction, be eligible to participate in the retirement system under this subchapter or chapter 84 while serving as a Member.

''(4) The Office of Personnel Management shall prescribe any regulations necessary to carry out this subsection. Such regulations shall include—

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

''(B) provisions under which the Office may provide for—

''(i) the payment, to the spouse or children of any individual referred to in the first sentence of paragraph (1), of any amounts which (but for this clause) would otherwise have been nonpayable by reason of such first sentence, but only to the extent that the application of this clause is considered necessary given the totality of the circumstances; and

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

''(5) For purposes of this subsection—

''(A) the term 'Member' has the meaning given such term by section 2106, notwithstanding section 8331(2); and

''(B) the term 'child' has the meaning given such term by section 8341.''.

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

''(l)(1) Notwithstanding any other provision of this chapter, the service of an individual finally convicted of an offense described in paragraph (2) shall not be taken into account for purposes of this chapter, except that this sentence applies only to service rendered as a Member (irrespective of when rendered). Any such individual (or other person determined under section 8424(d), if applicable) shall be entitled to be paid so much of such individual's lump-sum credit as is attributable to service to which the preceding sentence applies.

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

''(A) Every act or omission of the individual (referred to in paragraph (1)) that is needed to satisfy the elements of the offense occurs while the individual is a Member.

''(B) Every act or omission of the individual that is needed to satisfy the elements of the offense directly relates to the performance of the individual's official duties as a Member.

''(C) The offense is committed after the date of enactment of this subsection.

''(3) An individual finally convicted of an offense described in paragraph (2) shall not, after the date of the conviction, be eligible to participate in the retirement system under this chapter while serving as a Member.

''(4) The Office of Personnel Management shall prescribe any regulations necessary to

carry out this subsection. Such regulations shall include—

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

''(B) provisions under which the Office may provide for—

''(i) the payment, to the spouse or children of any individual referred to in the first sentence of paragraph (1), of any amounts which (but for this clause) would otherwise have been nonpayable by reason of such first sentence, but only to the extent that the application of this clause is considered necessary given the totality of the circumstances; and

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

''(5) For purposes of this subsection—

''(A) the term 'Member' has the meaning given such term by section 2106, notwithstanding section 8401(20); and

''(B) the term 'child' has the meaning given such term by section 8341.''.

The Acting CHAIRMAN. The bill, as amended, shall be considered as an original bill for the purpose of further amendment under the 5-minute rule and shall be considered read.

No further amendment to the bill, as amended, is in order except those printed in part B of House Report 109–441. Each further amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. GOHMERT

Mr. GOHMERT. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 1 printed in House Report 109–441 offered by Mr. GOHMERT:

Strike section 106 and insert the following:

SEC. 106. INCREASED PENALTY FOR FAILURE TO COMPLY WITH LOBBYING DISCLOSURE REQUIREMENTS.

Section 7 of the Act (2 U.S.C. 1606) is amended—

(1) by striking ''Whoever'' and inserting

''(a) IN GENERAL.—Whoever'';

(2) by inserting '', corruptly, and with the intent to evade the law'' after ''knowingly'';

(3) by striking ''knowing'';

(4) by striking ''of not more than'' and all that follows through the end and inserting ''as provided in subsection (b).''; and

(5) by adding at the end the following:

''(b) PENALTY.—The civil fine under subsection (a) shall be the following, depending on the extent and gravity of the violation:

''(1) For the first offense, not more than $100,000.

''(2) For the second offense, not more than $250,000.

''(3) For the third offense, not more than $500,000.

''(4) For the fourth or any subsequent offense, not more than $1,000,000.''.

The Acting CHAIRMAN. Pursuant to House Resolution 783, the gentleman from Texas (Mr. GOHMERT) and the gentlewoman from California (Ms. ZOE LOFGREN) each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. GOHMERT. Mr. Chairman, I yield myself such time as I may consume.

I have this amendment to this bill. This is a bill that requires administrative reporting requirements. There are a myriad of things this bill requires, and we have chosen, apparently, to try to criminalize administrative conduct.

Innocent mistakes will allow people to be taken off in handcuffs and have to prove later down the road what effectively will be an affirmative defense that they did not willfully and knowingly make these kind of omissions. That is just a dangerous business to get into, to keep criminalizing things.

The way you fight things like this is, when you say it is the dollars or the problems, then you hit people with dollars, and so that is what this amendment does. It says, we are not going to talk about handcuffs; we are going to talk about immense fines.

The first violation would be up to $100,000; second up to $250,000; third up to $500,000; and the fourth up to $1 million. That gives all the incentive anybody needs to make sure they file properly. Those are extremely high fines, the highest I have ever heard of, but I put them there to give people a degree of comfort that there would be sufficient penalty for failing to comply with the requirements.

Now, what has come into play here is pure politics. On one side, people want to feel like, gee, we want to show that we are being tough, even though innocent people down the road will be hurt, and when that happens, ''I told you so'' will not be adequate to me because my heart will go out to people that are hurt unnecessarily.

I understand the Democrats are going to stand up and oppose this. And when their Members are taken out in handcuffs because of this bill, if it passes with criminal sanctions, when their people are carried out in handcuffs, they will look to them and say, You know what, we probably should not have criminalized that because that gave a prosecutor what they wanted.

I am just asking for a bipartisan way to handle this. The way to handle administrative errors is to punish with fines and not with dragging people out from their homes in handcuffs to try to make a political statement.

If people will be honest, they know that happens on both sides. And I would rather not see that happen as an old judge and chief justice. It can happen, and I would rather not see it happen to either side.

Mr. Chairman, I reserve my time.

Ms. ZOE LOFGREN of California. Mr. Chairman, I yield myself such time as I may consume.

This amendment would further weaken an already appallingly weak bill by striking the criminal penalties for corrupt lobbyists that knowingly violate disclosure requirements. The amendment would strike out provisions in the bill that were agreed to by the Judiciary Committee that would hold lobbyists criminally responsible for violating the Lobbying Disclosure Act of 1995 by failing to disclose their contacts with Members of Congress with criminal intent and replace them with finds.

The provision in the base text establishes criminal penalties for whoever knowingly and willfully or knowingly, willfully and corruptly fails to comply with any provision of the bill. I do not see why we should object to this. These new criminal penalties are to lobbyists who knowingly and willfully or knowingly, willfully and corruptly lie on their disclosure forms. Is the lobbyist who corruptly lies in his disclosure form not deserving of the criminal sanction? This amendment would strike those tough criminal penalties and instead replace them with monetary fines.

We know from reading in the newspaper that Mr. Jack Abramoff made $66 million defrauding Indian tribal clients alone. Does anyone think that a $100,000 fine would deter Mr. Abramoff from making his $66 million corruptly? It is a drop in the bucket. In fact, this amendment is worsened by the fact that it adds a requirement to the intent element of the civil penalty of the Lobbyist Act, corruptly and with intent to evade the law, which is an almost impossible standard for the prosecutor to meet.

□ 1515

The proponent of this amendment has argued that the language included in the current criminal provision is vague and undefined; we went through that in the committee. But I don't believe this argument is accurate. The term ''corruptly'' appears in title 18 at least 15 times, even appearing in the Federal Bribery Statute. Moreover, according to Black's Law Dictionary, the term ''corruptly'' means ''to act knowingly and dishonestly with the specific intent to subvert or undermine the integrity of something.'' I do not think the definition can get any clearer than that.

This bill is already so weak and limited that it is virtually powerless to prevent future abuses. This amendment would remove one of the few tough deterrents in the bill. I would note that the provision for criminal penalties applies to lobbyists, not to Members of Congress, unless those lobbyists are former Members or acting in violation of the current rules on lobbying illegally.

So we do think that this amendment, although I am sure the gentleman is offering it with all good faith, is misguided, and we do oppose and urge our colleagues to oppose.

Mr. Chairman, I reserve the balance of my time.

Mr. GOHMERT. Mr. Chairman, my colleague across the aisle points to a

$100,000 fine as not being adequate to deter Mr. Abramoff, and I would remind my colleague, he is going to prison. Mr. Cunningham has gone to prison. People who violate the law will go to prison.

Mr. Chairman, there are already bribery statutes. There are already corruption statutes. This reminds me a lot of the 1990s, when anytime someone did a violent act with a gun, the Clinton administration ran in and said, we need more gun control laws, never mind the fact that they already violated many gun control laws as it is. What is needed is just enforcement of the current laws.

Now, the lobbying reform bill will create some requirements of filing that will enable people to do their job, but apparently there is not a real knowledge of how the system works. Let me tell you how this will play out. Someday, heaven forbid but it will happen, there will be a politically motivated prosecutor, and he will go to a lobbyist, and he will say, You know, we have scoured through every report you have ever filed, and we finally found one entry you failed to make. Your accountant did not put this in, and you signed it, and by golly, you are going to go to prison for maybe 3 years. Now, we do notice you made a contribution to this Congressman over there. You know, and I am sure you can go to trial, and maybe, on your part of the case, you may be able to convince them it was not corrupt or willfully, knowingly. But you know what? If you just happened to remember that this Congress Member, Democrat or Republican, whoever they happen to be after, had asked for something in return or said they would do something in return for contribution, then we might just go away because that would show what good faith you are acting in, and maybe you really did not know and maybe this was not willful. That will happen someday because there are some prosecutors who are politically motivated.

Now, I do not think it will happen under this administration, but it will happen someday. And when it does, if this amendment goes down, you can be reminded that there was a Congressman who stood up to try to do the right thing, because we have plenty of corruption laws; it is a matter of reporting requirements that will be enhanced here. We do not need to criminalize administrative functions.

Mr. Chairman, with that, I would ask for Members to do the bipartisan thing and vote for this amendment.

Ms. ZOE LOFGREN of California. Mr. Chairman, I would just note that the bill puts in new disclosure requirements and also tough enforcement of those requirements, which the gentleman's amendment would essentially remove.

I was a little surprised to hear the argument that the penalty invites suborning perjury on the part of prosecutors. I have never heard that argument advanced in the situation of any other criminal penalty, bribery or drug cases or any other kind of criminal penalty. And I must say that I have yet in my many, many years as an attorney run into a case where a prosecutor suborned perjury in the way described by the gentleman. Maybe he has run into a different situation in his State. But I think to suggest that prosecutors are going to engage in misconduct is misleading, and also it is revealing that that concern is only expressed when it is to protect corrupt lobbyists.

Let us remember that the standard that is being outlined in this bill is corruption. Knowingly, willfully and corruptly is the standard, and that has to be proven with evidence beyond a reasonable doubt. I think that is the due process protection that we generally rely on in our great country.

I would just note in concluding that recently a Roll Call editorial described this bill as, ''This bill all but shouts to voters that the GOP is not serious about reform and that it values its ties to K Street more than the public's trust.''

I would say that the gentleman's amendment is an elevation of that concern for K Street that this House should reject rather soundly.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. All time for debate has expired.

The question is on the amendment offered by the gentleman from Texas (Mr. GOHMERT).

The question was taken; and the Acting Chairman announced that the ayes appeared to have it.

Ms. ZOE LOFGREN of California. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

AMENDMENT NO. 2 OFFERED BY MR. CASTLE

Mr. CASTLE. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 2 printed in House Report 109–441 offered by Mr. CASTLE:

Insert the following after section 106 and redesignate the succeeding section accordingly:

SEC. 107. PENALTIES FOR OFFERING GIFTS.

Section 7 of the Act (2 U.S.C. 1606), as amended by section 106, is amended by adding at the end the following:

''(c) PENALTIES FOR OFFERING GIFTS.—

''(1) IN GENERAL.—Any person who is—

''(A) a lobbyist registered under this Act,

''(B) a lobbyist who is an employee of an organization registered under this Act, or

''(C) the client of any such lobbyist or organization,

and who offers to a covered legislative branch official of the House of Representatives any gift, knowing that such gift violates the rules of the House of Representatives, shall, upon proof thereof by a preponderance of the evidence, be subject to a civil fine of not more than $50,000.

''(2) DEFINITION.—In this subsection, the term 'covered legislative branch official of the House of Representatives' means—

''(A) a Representative in, or Delegate or Resident Commissioner to, the Congress; and

''(B) an employee of, or any other individual functioning in the capacity of an employee of—

''(i) an individual described in subparagraph (A);

''(ii) a committee of the House of Representatives;

''(iii) the leadership staff of the House of Representatives;

''(iv) a joint committee of Congress; or

''(v) a working group or caucus organized to provide legislative services to individuals described in subparagraph (A).''.

The Acting CHAIRMAN. Pursuant to House Resolution 783, the gentleman from Delaware (Mr. CASTLE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Delaware.

Mr. CASTLE. Mr. Chairman, I yield myself such time as I may consume.

I appreciate the opportunity to offer this amendment today with my colleague from Pennsylvania (Mr. GERLACH). The amendment is simple, so I will be relatively brief.

Let me take a moment to thank the chairman of the Rules Committee for his tremendous work in preparing this ethics legislation. I know the process he has been through; I have been to a lot of the meetings. There is a lot of disagreement even within his own party, including me on some issues, and I realize the difficulty of putting this together. I would just like to thank him for his great work on this particular piece of legislation.

Mr. DREIER. Mr. Chairman, will the gentleman yield?

Mr. CASTLE. I yield to the gentleman from California.

Mr. DREIER. Mr. Chairman, I will simply say, I support the gentleman's amendment.

Mr. CASTLE. Mr. Chairman, maybe I should stop right there.

One way I think we can strengthen the laws governing gift giving from lobbyists to legislators and their staffs is to hold all individuals liable for knowingly breaking the law. Currently, Members and staff are responsible for making sure that they do not accept gifts or meals that violate the current gift limit of $50. Our amendment would also hold liable those individuals who knowingly offer gifts in violation of the law. It is simply common sense that anyone who intends to break the law should be held responsible. With this commonsense amendment, we bring intentional gift-giving violations under the civil penalties already established in the Lobbying Disclosure Act which are currently set at up to $50,000.

If there is a silver lining in the clouds surrounding the recent ethics problems in Congress, it is the opportunity to enact meaningful reform. Personally, I think the bill could go much farther by establishing greater disclosure and reporting requirements.

I firmly believe that full transparency has the potential to minimize abuses of the system. Unfortunately, an individual who wants to violate the law will usually find a way no matter what we do here today.

Regardless, we have a responsibility to pass the strongest bill possible here today, and I think this amendment moves us in that direction. Personally, I believe in transparency. I believe in the education of everybody including lobbyists, staff members and Members of Congress. In terms of ethics laws, I believe in enforcement of the ethics laws as it involves all of us. And that is simply what this amendment does, is move in that direction.

Mr. Chairman, I reserve the balance of my time.

Ms. ZOE LOFGREN of California. Mr. Chairman, I rise to claim the time in opposition, although I am not opposed.

Mr. Chairman, I would note that laws already exist to prevent this activity and that to some extent this amendment is redundant and that the enforcement of current laws would solve the problem. And when it comes to lobbyists who are making the kind of money that Mr. Abramoff made, the $50,000 fine may well not be a deterrent.

Nevertheless, I think an additional deterrent to some lobbyists for violating the gift rules is useful. I would note that the primary responsibility falls upon Members of Congress for not accepting extravagant gifts. This amendment really looks to the gift giver instead of the guilty gift receiver.

Nevertheless, I think it is a useful component of a bill, and I do support it, and I believe that many on this side of the aisle do support it.

Mr. Chairman, I reserve the balance of my time.

Mr. CASTLE. Mr. Chairman, I agree with the gentlewoman from California. She is absolutely right. The greatest responsibility, in my judgment, is on us, Members of Congress, or on staff people or whatever. And it probably is slightly redundant, too. That is probably also correct.

But the point I am trying to make here is that if everybody is educated and everybody is aware of this and everybody can be responsible for it, maybe we can prevent some of the problems from happening. Maybe we can't, but I just hope that we can.

Mr. Chairman, I yield to the distinguished sponsor of the bill, the chairman of the Rules Committee, Mr. DREIER.

Mr. DREIER. Mr. Chairman, I thank my friend for yielding, and I would like to, as I said a moment ago, support the amendment and say that I think this amendment is evidence of a strong bipartisan commitment to our dealing with the issue of reform.

Accountability is what this measure is all about, and MIKE CASTLE is someone who has demonstrated a very strong commitment to increased accountability, transparency and disclosure. And when we look at the issue of gifts, heretofore the responsibility has simply fallen on the shoulders of Members of Congress. We believe that when those who are out there are trying to shower gifts onto Members, that they in fact should have some responsibility.

That is exactly what the Castle-Gerlach amendment is getting at. I think it is a very good and very helpful addition to the legislation, and I would also like to join in congratulating Mr. GERLACH, who also is a very strongly committed reformer for this institution.

Mr. CASTLE. Mr. Chairman, finally, I would just say Mr. GERLACH and I presented almost identical amendments, and that is how it became the Castle-Gerlach, Gerlach-Castle amendment, because they were very similar.

Mr. Chairman, I yield back the balance of my time.

Ms. ZOE LOFGREN of California. Mr. Chairman, I would just, in closing, note that this is not a bipartisan amendment, unless either Mr. CASTLE or Mr. GERLACH has made a party decision that we don't yet know about. However, we don't oppose the amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. All time for debate has expired.

The question is on the amendment offered by the gentleman from Delaware (Mr. CASTLE).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. DANIEL E. LUNGREN OF CALIFORNIA

Mr. DANIEL E. LUNGREN of California. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 3 printed in House Report 109–441 offered by Mr. DANIEL E. LUNGREN of California:

Section 301 is amended to read as follows:

SEC. 301. PRE-CERTIFICATION OF PRIVATELY FUNDED TRAVEL.

(a) ACCEPTANCE OF PRIVATELY FUNDED TRAVEL.—Notwithstanding clause 5 of rule XXV of the Rules of the House of Representatives, no Member, Delegate, Resident Commissioner, officer, or employee of the House may accept a gift of travel related to his official duties (including any transportation, lodging, and meals during such travel) from any private source unless the private source first obtains a certification in writing from the Committee on Standards of Official Conduct that the gift of travel complies with all House rules and standards of conduct.

(b) REVIEW AND RECOMMENDATIONS.—(1) The Committee on Standards of Official Conduct may not issue any such certification until it reports its recommendations on changes to rule XXV to the Committee on Rules unless two-thirds of the Members of the Committee, present and voting in the affirmative, vote to issue such certification. The Committee on Standards of Official Conduct shall report its recommendations to the Committee on Rules not later than June 15, 2006.

(2) In developing such recommendations, the Committee on Standards of Official Conduct shall—

(A) survey public reports of registered lobbyist and registered foreign agent-related private travel, as well as public reports of late or inaccurate disclosure of private travel, and

(B) consider—

(i) The ability of the current provisions of rule XXV regarding travel to protect the House, its Members, officers, and employees, from the appearance of impropriety.

(ii) With respect to the allowance for privately-funded travel contained in clause 5(b) of rule XXV—

(I) the degree to which the privately-funded travel meets the representational needs of the House, its Members, officers, and employees;

(II) whether certain entities should or should not be permitted to fund the travel of the Members, officers, and employees of the House, what sources of funding may be permissible, and what other individuals may participate in that travel; and

(III) the adequacy of the current system of approval and disclosure of such travel. Section 302 is amended to read as follows:

SEC. 302. RECOMMENDATIONS FROM THE COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT ON GIFTS.

The Committee on Standards of Official Conduct shall report its recommendations on changes to rule XXV of the Rules of the House of Representatives regarding the exceptions to the limitation on the acceptance of gifts contained in clause 5(a) of that rule to the Committee on Rules. In developing its recommendations, the Committee on Standards of Official Conduct shall consider the following:

The Acting CHAIRMAN. Pursuant to House Resolution 783, the gentleman from California (Mr. DANIEL E. LUNGREN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. DANIEL E. LUNGREN of California. Mr. Chairman, I yield myself such time as I may consume.

This is one of those bipartisan moments in our consideration of a lobbying reform bill. Congressman GEORGE MILLER, Congressman HOWARD BERMAN, TOM COLE, DOC HASTINGS have joined me as cosponsors of this amendment, and Congressman JEFF FLAKE worked with us in crafting this proposal.

Mr. Chairman, if it is in order, I would ask unanimous consent that his name be added as a cosponsor to the amendment.

The Acting CHAIRMAN. The Chair would advise the proponent of the amendment that other Members whom he identified as supporters of the amendment are reflected in the RECORD, but there are no ''cosponsors'' of an amendment.

Mr. DANIEL E. LUNGREN of California. Mr. Chairman, it is essential to those of us who have been elected to serve in this body to have confidence that the interests of the constituents are being served. The democratic process as well as the integrity of the people's House require no less.

As the Supreme Court recognized in Buckley v. Valeo, it is both corruption and even the appearance of corruption which threaten the public trust and warrant congressional regulatory action. The safeguards contained in this

amendment will protect the integrity of the process by allowing private travel which has nothing to do with corruption and which in fact contributes to our ability to effectively represent those who have elected us.

This bipartisan compromise provides that the Ethics Committee shall have until June 15 of this year to develop a permanent plan governing future private travel. In the interim, private travel would be allowed if, after its review, two-thirds of the Ethics Committee approves the trip. That requires bipartisan approval.

□ 1530

Our amendment will protect legitimate travel which relates to our ability as Members of this body, and I ask for support of this amendment.

Mr. DREIER. Mr. Chairman, will the gentleman yield?

Mr. DANIEL E. LUNGREN of California. I yield to the gentleman from California.

Mr. DREIER. Mr. Chairman, I would like to compliment the gentleman for his leadership on this issue.

Again, this is an indication of our ability to work in a bipartisan way to deal with a question that constantly came to me from Democrats on the other side of the aisle who talked about the notion of imposing a travel ban, and some Members on our side. I believe Mr. LUNGREN and all of those Members, Mr. BERMAN from California and Mr. COLE on the Rules Committee, have worked very diligently, and I look forward to accepting this amendment.

Mr. DANIEL E. LUNGREN of California. Mr. Chairman, I reserve the balance of my time.

Ms. ZOE LOFGREN of California. Mr. Chairman, I claim the time in opposition, although I do not oppose the amendment; and I yield 3 minutes to the gentleman from California (Mr. GEORGE MILLER), our colleague, and one of the authors of the amendment.

Mr. GEORGE MILLER of California. Mr. Chairman, I thank the gentlewoman for yielding; and I want to thank the cosponsors of this legislation and those who have worked on this from both sides of the aisle.

For the first time this amendment will give the Ethics Committee an opportunity to revise the rules and the standards of conduct for travel which Members of Congress engage in. This amendment embraces all travel that Members of Congress are confronted with, whether it is from the 501(c)(3) community or from the private community.

I happen to think that the Ethics Committee is going to have to make different determinations for different kinds of travel. But the fact of the matter is, because of this amendment, they will have that responsibility to bring greater transparency to that process. And hopefully Members will have to get pre-approval of that travel, and hopefully the Ethics Committee will have to approve that. They will make determinations about what is a legitimate itinerary, the attendance at the various conferences, the participants and the sources of funding.

The problem with travel in the past has not been the travel; it has been those who sought out deliberately to game the system. I believe that if the Ethics Committee meets its responsibility, people will not be able to game the system, to hide the sources of financing or hide the purposes of the trip; and Members will be able to deal with it forthrightly and take advantage of travel where it is helpful to their jobs as Members of Congress, to their constituents, and to the country.

Also, this will allow for the kind of disclosure and prior disclosure of the trips hopefully so constituents, the press and others can check out what the Ethics Committee has done and they can comment on it. The Members will defend it or not defend it if they want to take these trips and if they truly believe they are valuable.

This give us until June 15 for the Ethics Committee to come up with that process. If there is travel to take place prior to that, it requires a two-thirds vote, a strong bipartisan vote of the Ethics Committee to approve any travel prior to that day.

I think this is a big step to the reform of congressional travel in the House. I urge my colleagues to support this amendment.

Ms. ZOE LOFGREN of California. Mr. Chairman, I reserve the balance of my time.

Mr. DANIEL E. LUNGREN of California. Mr. Chairman, I yield 1 minute to the gentleman from Oklahoma (Mr. COLE), one of the cosponsors of this amendment.

Mr. COLE of Oklahoma. Mr. Chairman, I want to take a moment and thank my friends on the other side of the aisle, particularly Mr. MILLER and Mr. BERMAN, for working with us; and, of course, my friends on this side of the aisle, Mr. LUNGREN, whose leadership has been so critical on this, Mr. FLAKE, and, of course, Mr. HASTINGS, chairman of the Ethics Committee.

This really is a moment where we have come together and thought about what is best for the institution instead of trying to score political points against one another. I think we have taken a dramatic step.

I agree very much with my friend, Mr. MILLER. This offers the opportunity for real scrutiny and a real look at the entire travel issue; and I look forward to working with Mr. BERMAN and Chairman HASTINGS on the Ethics Committee, to come back with a scheme that both sides can have confidence in and the American people can have confidence in.

In conclusion, I thank the chairman, Mr. DREIER, and certainly the Speaker. This would not have happened without their help and without their active cooperation so we could resolve what was a knotty issue. They, too, deserve a great deal of credit for working in a bipartisan manner and allowing this to come about.

Mr. DANIEL E. LUNGREN of California. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I was in this body for 10 years and then out for 16. I have had a chance to look at the importance of travel as it adds to the information base that Members have. While we have had problems in certain areas of travel, we ought not to just throw them all out. This is a real effort to try and get transparency and to work on a bipartisan basis to make sure this works.

Mr. DREIER. Mr. Chairman, will the gentleman yield?

Mr. DANIEL E. LUNGREN of California. I yield to the gentleman from California.

Mr. DREIER. Mr. Chairman, I would like to say that I think it is very important for us to hear from our very good friend from California, Mr. BERMAN; and I hope he may be able to offer some comments on this as one of the lead authors on this important amendment.

Mr. DANIEL E. LUNGREN of California. Mr. Chairman, I ask Members to support this worthy amendment, and I yield back the balance of my time.

Ms. ZOE LOFGREN of California. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. All time for debate has expired.

The question is on the amendment offered by the gentleman from California (Mr. DANIEL E. LUNGREN).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. SODREL

Mr. SODREL. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 4 printed in House Report 109–441 offered by Mr. SODREL:

Amend section 502(b) to read as follows:

(b) ETHICS TRAINING FOR MEMBERS, DELEGATES, AND THE RESIDENT COMMISSIONER.—Clause 3 of rule XI of the Rules of the House of Representatives is amended by inserting at the end:

''(s)(1) The committee shall establish a program of regular ethics training for Members, Delegates, and the Resident Commissioner similar to the program established in paragraph (r).

''(2) The committee shall publish a list of Members who have and have not completed such ethics training within the first one hundred calendar days after being sworn-in during each Congress. The committee shall update this list with the names of Members who complete the training after the deadline with the date on which the training was completed.

''(3) Publication of the list of Members who have and have not completed the ethics training shall be made available on the official website of the committee and published in the Congressional Record.''.

The Acting CHAIRMAN. Pursuant to House Resolution 783, the gentleman from Indiana (Mr. SODREL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Indiana.

Mr. SODREL. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today to offer this amendment with my colleagues, the gentleman from Massachusetts (Mr. MCGOVERN) and the gentleman from Kentucky (Mr. DAVIS), to ensure that Members of Congress know the ethics rules and provide American voters with the information to hold their elected representatives accountable.

As with most jobs, there is a need to understand the rules that apply to your employment so you do not violate them. Before I was elected to this office, I was a business owner. When we hired an employee, we required individuals to receive training on the rules of the company as well as local and State laws. We required this training because we wanted to make sure our company employees did not break the laws. We kept a record that the employee had completed the training and was familiar with the rules and laws they were expected to comply with.

Our amendment does the same thing. It creates a voluntary program for Members of Congress to participate in an ethics training program within 100 days of being sworn into office. This program affords Members the ability to learn and understand the rules they are required to follow while serving in office.

This amendment also provides information to the electorate to help them assess their own representative by publicly disclosing who has and who has not completed this ethics training.

I believe this amendment is simple. We must know the rules for us to follow the rules, and we must demonstrate to our constituents that we will adhere to the laws while serving in Congress. I urge my colleagues to support the Sodrel-McGovern-Davis amendment, and urge its adoption.

Mr. Chairman, I reserve the balance of my time.

Ms. ZOE LOFGREN of California. Mr. Chairman, I claim the time in opposition, although I do not oppose the amendment.

The Acting CHAIRMAN. Without objection, the gentlewoman is recognized.

There was no objection.

Ms. ZOE LOFGREN of California. Mr. Chairman, section 502 of the underlying bill establishes mandatory ethics training for staff and voluntary training for Members. This amendment would not change the voluntary nature of Members' ethics training, but it would require the Ethics Committee to post the names of Members who have not taken the training.

I guess the purpose of this amendment is a worthy one. Members and staff should certainly know the ethics rules and should go back and refresh their memory of the ethics rules every couple of years. We all support that proposition, and in my opinion most Members are conscientious and know the ethics rule and do their best to follow them. But if posting Members' name on a Web site will make them more likely to go and get the training, then that is a good result.

But let us be honest here. A couple of new ethics seminars are not going to solve this problem. A Wall Street Journal-NBC poll released today found that almost 80 percent of the American people disapprove of the job Congress is doing. The public has watched this Congress bend and break the rules over the past few years, and I think they have had it. It is going to take more than ethics seminars to convince these people that we are interested in cleaning up Congress.

Even if this amendment is adopted, and I believe it will be, this bill is not going to change anybody's mind that the majority, who are running this House, are serious about cleaning up the mess that is here.

With that, I would note that although many of us go in person for classes, those of us who come from places like Silicon Valley really do our reading over the Internet. For those Members who have not visited the Ethics Committee site, there is a wealth of information online and available and very easy to access from home at any hour of the day or night, and that is a very good alternative for Members whose schedules are very pressed.

Mr. Chairman, I reserve the balance of my time.

Mr. SODREL. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. DREIER).

Mr. DREIER. Mr. Chairman, I thank my friend for yielding, and I rise in strong support of this amendment.

Once again, we are demonstrating a very strong bipartisan commitment to dealing with the issue of institutional reform.

Mr. SODREL has come forward with a very creative and thoughtful idea to enhance our goal of accountability; and he is doing it in a bipartisan way by getting our Rules Committee colleague, the gentleman from Massachusetts (Mr. MCGOVERN), to join as a cosponsor, as well as the gentleman from Kentucky (Mr. DAVIS). I think that is a brilliant move on his part, and I think it will strengthen this piece of legislation as we aspire to the goals of once again creating a higher level of respect by the American people and is necessary for this great institution. I congratulate the gentleman from Indiana (Mr. SODREL).

Ms. ZOE LOFGREN of California. Mr. Chairman, I yield back the balance of my time.

Mr. SODREL. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, let me close quickly by saying that we were elected to this body to serve our constituents to the best of our ability. The voters believe we had the character to represent them, and we take that trust seriously. I think this amendment demonstrates our commitment. I urge the adoption of this amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. All time for debate has expired.

The question is on the amendment offered by the gentleman from Indiana (Mr. SODREL).

The amendment was agreed to.

The Acting CHAIRMAN. It is now in order to consider amendment No. 5 printed in part B of House Report 109–441.

Amendment No. 5 is not offered.

AMENDMENT NO. 6 OFFERED BY MR. GINGREY

Mr. GINGREY. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 6 printed in House Report 109–441 offered by Mr. GINGREY:

Add at the end the following:

TITLE VII—LEADERSHIP PACS

SEC. 701. RESTRICTIONS ON DISPOSITION OF FUNDS BY LEADERSHIP PACS.

(a) RESTRICTIONS.—Section 313 of the Federal Election Campaign Act of 1971 (2 U.S.C. 439a) is amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by inserting after subsection (a) the following new subsection:

''(b) USE OF FUNDS BY LEADERSHIP PACS.—

''(1) USES PERMITTED.—The funds of a leadership PAC may be used by the leadership PAC—

''(A) for otherwise authorized expenditures in connection with campaigns for election for Federal office;

''(B) for charitable contributions described in section 170(c) of the Internal Revenue Code of 1986; or

''(C) for transfers to a national, State, or local committee of a political party (subject to the applicable limitations of this Act).

''(2) LEADERSHIP PAC DEFINED.—In this subsection, the term 'leadership PAC' means a political committee which is directly or indirectly established, maintained, or controlled by a candidate for election for Federal office or an individual holding Federal office but is not an authorized committee of the candidate or individual, except that such term does not include any political committee of a political party.''.

(b) CONFORMING AMENDMENT REGARDING CONVERSION OF FUNDS TO PERSONAL USE.—Section 313(c) of such Act (2 U.S.C. 439a(c)), as redesignated by subsection (a), is amended by inserting after ''subsection (a)'' the following: ''or funds of a leadership PAC described in subsection (b)''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to elections occurring after December 2006.

The Acting CHAIRMAN. Pursuant to House Resolution 783, the gentleman from Georgia (Mr. GINGREY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. GINGREY. Mr. Chairman, I yield myself such time as I may consume.

First of all, let me thank Chairman DREIER for this commonsense piece of legislation in regard to the Lobbying Accountability and Transparency Act. We worked diligently with three separate hearings in the Rules Committee, 12 to 14 hours of testimony; and I think

we have struck the exact right balance in regard to this legislation. I am proudly supporting this bill.

I do have an amendment, and it is a very commonsense amendment. This was brought out during the course of these hearings, but basically what the amendment does is apply the same rules to leadership PACs as exist now in regard to campaign committee funds.

I think you all know, my colleagues, certainly Mr. Chairman knows that Members, when they leave this body, certainly as they are continuing to serve, cannot use any campaign funds for personal use. When they leave this body, if they happen to have a balance, which in some cases they do and have done in the past, then that cannot in any way, shape or form be converted to personal use.

But when this law was passed back in the early 1980s and sort of finalized in 1989, shortly after which a lot of Members left so they could be grandfathered and be able to keep those balances, there were not many leadership PACs. But we know today there are a lot of leaders in this place, and a lot of folks do have leadership PACs. In some instances we are talking about balances, cash on hand of six and maybe even seven figures.

□ 1545

So basically what this amendment does, and it is really quite simple, the same rules that apply to campaign committees would apply to leadership PACs. And I would commit that amendment to my colleagues and to the chairman and ask for its support.

Mr. DREIER. Mr. Chairman, will the gentleman yield?

Mr. GINGREY. I yield to the gentleman from California.

Mr. DREIER. Mr. Chairman, I simply rise in support of the committee process itself.

I was not aware of the fact that Members who have leadership PACs would be in a position to convert those funds to personal use when they choose to leave this institution. And it was because of the three hearings that we held in the Rules Committee that it came to the surprise, I think, of virtually everyone that the law that was put into place two and a half decades ago preventing Members of Congress, or at least one and a half decades ago, preventing Members of Congress from converting their campaign funds to personal use once they leave this institution does not apply to the so-called leadership PACs.

And I simply want to congratulate my friend, Mr. GINGREY, who came forward with this very, very thoughtful idea that emerged from the hearing process itself, and has now offered this amendment, which I think should enjoy very strong bipartisan support. It once again will underscore in this legislation the accountability and the transparency that is very important for the American people to see in this place. And so I am in strong support of the Gingrey amendment, Mr. Chairman.

Mr. GINGREY. Mr. Chairman, reclaiming my time, again, I want to thank my chairman for his support on this amendment. And the amendment, I want to commit it to my colleagues on both sides of the aisle because it is in the spirit of this legislation, which is a bipartisan bill that we worked diligently on, and I again congratulate Chairman DREIER and my colleagues on the Rules Committee that brought forth this legislation. And I ask for support of the amendment.

I have no other speakers, Mr. Chairman. And I reserve the balance of my time.

Ms. ZOE LOFGREN of California. Mr. Chairman, I rise to claim the time in opposition, at least until the ranking member of the House Administration Committee arrives.

The Acting CHAIRMAN. The gentlewoman from California is recognized for 5 minutes.

Ms. ZOE LOFGREN of California. Mr. Chairman, I yield myself such time as I may consume.

I will support this amendment. I don't, frankly, know that this has ever been an issue that I have heard of or seen in the press that someone has converted a leadership PAC to personal use. It shouldn't happen and, therefore, I don't have a problem supporting the amendment.

To the extent that it is difficult for the FEC to make a judgment call on what is personal use and what is not, this doesn't compound it because they already have to make that judgment when it comes to re-election PACs.

I would just note that, like the rest of the bill before us, this is okay, but it really doesn't accomplish the real problem solving that the country is crying out for. I don't think that any of our Members on this side of the aisle oppose, but even approving this will not clean up the ethics swamp that the country is so very concerned about.

Mr. Chairman, I reserve the balance of my time.

Mr. GINGREY. Mr. Chairman, I thank the gentlewoman from California (Ms. ZOE LOFGREN) for supporting the amendment.

Mr. Chairman, I yield 1 minute to the distinguished chairman of the House Administration Committee, the gentleman from Michigan (Mr. EHLERS).

Mr. EHLERS. Mr. Chairman, I, for years, have always said we must ensure proper behavior of the Members of this body or the members of any State legislature I have been in. And I particularly want to thank the gentleman for this amendment because I was not aware that this prohibition did not apply to leadership PACs. Current law does prohibit conversion of campaign funds to personal use, but, unfortunately, we have never had occasion to say that it should also apply to leadership PACs because I am not aware of any instance where that has occurred.

Nevertheless, I totally agree with the gentleman from Georgia that we should close this loophole, and that we should not permit any Member under any circumstances to convert leadership PAC funds to personal use. And I, therefore, very strongly support his amendment and thank him for bringing this to our attention.

Mr. GINGREY. Mr. Chairman, I thank the gentleman from Michigan for supporting the amendment. And again, I have no additional speakers at this time. I reserve the balance of my time.

The Acting CHAIRMAN. The gentleman's time has expired.

Ms. ZOE LOFGREN of California. Mr. Chairman, I yield myself such time as I may consume.

As I mentioned earlier, we are supporting this amendment, even though it solves a problem that apparently has not yet come into play.

But what this amendment and this bill fail to do is to fundamentally reform a culture of corruption. It does not end the practice of lobbyists giving gifts to Members of Congress and their staffs. It does not end the practice of Members using corporate jets, does not require disclosure of lobbyists bundling contributions to Members of Congress. It does not end the practice of leaving votes open to twist arms and lobby Members on the floor of the House. It does not do anything to close the revolving door from government service to personal gain. It does nothing to clean up our campaign finance system, to take special-interest money out of politics.

The bottom line is that, although we are supporting this amendment, it really doesn't actually reform the system that has the American people so concerned and rightly so.

Mr. Chairman, I yield the balance of my time to the ranking member of the House Administration Committee, my colleague from California, the Honorable JUANITA MILLENDER-MCDONALD.

Ms. MILLENDER-MCDONALD. Mr. Chairman, I am not opposing this amendment because of what the amendment does, but because of what the amendment doesn't do. And what the gentleman's amendment doesn't do is apply the same rule to other types of political entities. That is, it doesn't prohibit the conversion of political funds to personal use after such a political entity has concluded its electoral business. It closes a small loophole, but what we should be talking about in closing all loopholes in this lobbying bill. And so the amendment doesn't go far enough.

Mr. Chairman, the Republican leadership's restrictive procedures for consideration of this bill has shut out all amendments affecting not only this lobbying bill, but the 527 bill as well. So the gentleman's amendment fixes a loophole, which the Republican leadership thinks needs to be plugged—and that is why they allowed the House to consider this amendment today—but

why haven't we applied this same principle to other political entities?

No one should be allowed to siphon off political contributions, and convert those contributions to personal use, irrespective of the type of political organization or entity.

So, Mr. Chairman, I oppose the gentleman's amendment, not for what it does, but for what it doesn't do in the same manner I oppose the underlying bill, because it doesn't go far enough.

Ms. ZOE LOFGREN of California. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia (Mr. GINGREY).

The amendment was agreed to.

The Acting CHAIRMAN. The Chair is advised that amendment No. 7 will not be offered.

AMENDMENT NO. 8 OFFERED BY MR. CASTLE

Mr. CASTLE. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 8 printed in House Report 109–441 offered by Mr. CASTLE:

Add at the end of the bill the following:

TITLE VII—ETHICS TRAINING FOR LOBBYISTS

SEC. 701. ETHICS TRAINING FOR LOBBYISTS.

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

(b) CONTENTS OF COURSE.—Training under subsection (a) shall cover information on the code of conduct and disclosure requirements applicable to Members, officers, and employees of the House of Representatives, including rules relating to acceptance of gifts (including travel and meals), and financial disclosure requirements under the Ethics in Government Act of 1978.

(c) PENALTIES FOR FAILURE TO COMPLETE TRAINING.—Any person who is registered or required to register as a lobbyist under the Lobbying Disclosure Act of 1995 and who fails to complete the training course under subsection (a) at least once during each Congress shall be subject to the penalties under section 7 of that Act to the same extent as a failure to comply with any provision of that Act.

The Acting CHAIRMAN. Pursuant to House Resolution 783, the gentleman from Delaware (Mr. CASTLE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Delaware.

Mr. CASTLE. Mr. Chairman, I yield myself such time as I may consume.

I appreciate the opportunity to offer this amendment today. The way to prevent further abuses of power may not be readily apparent, but by adopting this commonsense amendment to require ethics training for lobbyists, we will be one step closer to achieving greater accountability and transparency.

My amendment would require that all registered lobbyists complete a mandatory 8 hours of ethics training each Congress. Ethics training would entail instruction by the Committee on Standards on the code of conduct and disclosure requirements applicable to Members, officers and employees of the House, including the rules relating to acceptance of gifts, travel and meals and financial disclosure requirements. Any registered lobbyist failing to complete ethics training each Congress would be subject to penalties.

If we have learned anything over these few years, we have learned that many people in many different capacities, from lobbyists to Members and even staff, abuse the laws and rules that govern this body. We are seeing high-level abuses of power, the exchange of favors and the neglect of basic ethical standards.

There is absolutely no reason that we shouldn't educate registered lobbyists on the rules and laws that we have written and adopted to govern the House of Representatives.

When a lobbyist registers, they are saddled with pamphlet after pamphlet of rules and regulations. What they can and cannot do is more often learned through word of mouth. Ethics training to clearly outline the rules would be welcome. With the adoption of this amendment, there will be no uncertainty about what the rules are and how to follow them.

Requiring ethics training for registered lobbyists helps us begin to repair a system that has failed to regain the confidence of the American people.

Mr. Chairman, I would just like to say, finally, before I yield to the chairman of the Rules Committee, that this just goes along with my whole thinking that if we can educate everybody as to precisely what these rules are, then maybe we can prevent some of the abuses. Some of them we are never going to prevent, but maybe we can prevent some of the abuses. And that is the reason for this amendment.

I yield to the chairman of the Rules Committee.

Mr. DREIER. Mr. Chairman, once again, we have seen our friend from Delaware charge towards a greater offer of enhancing this piece of legislation. One of the things that we have been saying time and time again is that brighter, clearer lines are imperative as we look at this legislation. And it seems to me that as we look at where it is that we are going, everyone who is impacted by this legislation should have an opportunity to understand it. That is exactly what the Castle amendment does. And I appreciate the fact that he has spent so much time and effort going through the legislation, working to improve it. So I strongly support the amendment and urge my colleagues to join in support of the Castle amendment.

Mr. CASTLE. Mr. Chairman, I reserve the balance of my time.

Ms. ZOE LOFGREN of California. Mr. Chairman, I rise to claim the time in opposition.

The Acting CHAIRMAN. The gentlewoman from California is recognized for 5 minutes.

Ms. ZOE LOFGREN of California. Mr. Chairman, I do not object to this amendment, but like the underlying bill, I think it fails to seriously address the scandals that have made so many Americans distrustful of this Congress.

Requiring mandatory ethics training for registered lobbyists is probably a good idea. But I didn't think that classes for lobbyists were the major issue facing the country.

Mr. Chairman, I yield 4 minutes to the gentlewoman from Texas, Ms. SHEILA JACKSON-LEE.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the distinguished gentlewoman from California, and I thank her for service on the Ethics Committee.

I, too, believe that this is an amendment that certainly moves us forward, but it is not the panacea.

And I rise because I now understand that this is clearly a partisan bill because this is not a bill to really do anything. It is a bill to bash and to look like you are doing something.

I did not offer the Jackson-Lee amendment because I realized that, rather than doing real lobbying reform, the other side wants to bash innocent spouses and children. That is what they want to do. They wanted to make light of an amendment that I was offering to ensure the clarity of the fact that if you had no inside knowledge or benefit to the fact that your spouse or anyone else was involved in culpable behavior, that you, as an innocent spouse, and an innocent child, should not be, of course, the, if you will, the victim of that criminal behavior.

On the other hand, in the Judiciary Committee, when we had the right kind of amendment, Mr. VAN HOLLEN offered an amendment that would require additional quarterly disclosures by lobbyists, including disclosures of the names of Federal candidates and office holders, their leadership PACs or political committees for whom fundraising events are hosted by lobbyists, and information regarding payment for events honoring Members.

Guess what? That was eliminated from the final bill, even though it was passed successfully in the Judiciary Committee.

So this is not a serious attempt for lobbying reform. It is an attempt to eliminate amendments of Democrats. Bring one on the floor so that you can bash it, rather than looking seriously at the language that the Jackson-Lee amendment had, which was to clarify to make sure that we get those who are the true culprits.

If the spouse and the child is involved in the bad behavior, then eliminate all their benefits. If they are not, then you should protect them so that they are not the victims of this bad behavior.

But I see, Mr. Chairman, you are not interested in serious lobbying reform. All you are interested in doing is bashing other Members, bashing spouses,

bashing children and representing that this is a bipartisan bill. It is not a bipartisan bill. You have eliminated all the amendments, and it is not a bipartisan bill.

I hope that we will be able to get on track and find our way in the real manner of collaborative work so that when Members try to go to the other side and speak intelligently about an amendment, they won't get the back hand of someone who thinks that they can just ''diss'' you just because you are on the minority.

We need to be working on this issue in a bipartisan manner. And I welcome some of the very progressive amendments. And I when I say progressive, don't think I am labeling you, but the very smart amendments that add more requirements.

And I think the idea of training certainly moves us forward. But as the gentlewoman from California said, we have left out an enormous amount of real reasonable response to this question.

□ 1600

So I hope that in the final analysis that we will go back to the drawing board and be able to assess, if you will, the importance of real collaboration.

I will just simply say that this idea of using innocent spouses and children, opposing a proposed amendment, which I did not offer because I understood that this was going to be a scapegoat that would cause people not to see the true issue, which is to clarify those who had nothing to do with the bad behavior.

And to the American public and my colleagues, I think we can understand the concept in America of due process and innocent until proven guilty. Let us get to the bottom line of making sure that our house is in order, but when it comes to those innocent individuals, let us make sure that we have clear language to protect innocent children and spouses who are determined to be without fault.

The Office of Personnel Management is a regulatory agency, not a lawmaking body, as the Congress is; and I thought it was important for my amendment to have been offered and accepted to clarify the protection of families. But the majority was opposing it because they wanted sound bites not real enforceable legislation. It was not offered because I did not want political play to get in the place of serious legislation.

With that, Mr. CASTLE, let me say you have something that is a good idea, but we could clearly do more; and I ask my colleagues to vote against this false representation of lobbying reform, H.R. 4975.

Mr. Chairman, I appreciate the opportunity to explain my amendment. The need for the amendment I offer is not obvious at first glance but the harm it corrects would be apparent to all Members as soon as they have a chance to think about it.

I share the discomfort that comes with writing laws that govern ourselves, rather than laws that govern the Nation. However, we are legislators just as much as we are politicians. We must rise to the occasion, excel beyond expectations, and sensibly construct guidelines that will secure our honesty and accountability .

What will Americans read in the newspaper tomorrow, or see on the news this evening? We do not want to appear like a classroom of children turning out their pockets when we accuse each other of stealing candy. We want to stand together as a legislature and raise our own standard of conduct and value of ethics proudly, in a bipartisan manner, as colleagues.

Until this week, this lobbying reform bill was succeeding. Differences of opinion were discussed openly, language and subject matter was debated publicly, and compromises were made with the larger goal of improving and correcting the involvement of interest groups in legislative work.

However, without an open rule, it is difficult to continue asserting that this is a bipartisan effort, and it is impossible to say that this is a transparent process. If we are struggling to make lobbying more accountable and transparent, how can we create these laws in an unaccountable and nontransparent manner? The hypocrisy is as obvious as it is embarrassing.

I am pleased that the Rules Committee was open to consideration of each amendment, and I thank Chairman DREIER and every Rules committee member for the opportunity to offer my amendment preserving the rights of spouses and children to benefit from pensions without bearing the burden of disproving guilt by association.

However, I am disturbed by the abruptness and the brevity with which privately funded travel was discarded in the committee print of the bill. Although the Lungren/Miller amendment that will be in order today is better, I believe that stifling any Member's opportunity to grow and learn is myopic, and I believe that many of these trips are crucially educational.

We, as Members of Congress, have a duty to act as witnesses for human rights considerations, for foreign policy interests, and for domestic troubles. Travel can be vital continuing education.

We must put ethical guidelines in place, but not without thinking them through thoroughly. We all understand and agree that major changes must take place in lobbying reform. We must concentrate on what is most responsible, most practical, and most cogent.

Overall, I am disappointed in this bill, and disappointed that there are those among us who would sabotage the legislative process—such as subcommittee and committee hearings and markups and floor debates—in order to achieve their own ends. We need lobbying reform because we need to return the policy discussion to the American people, and take it out of the hands and pockets of over-privileged insiders and favor-traders.

We have a long history of lobbying reform, dating back to the passionate debates of the Federalist Papers. Interest groups, or ''factions,'' to use the contemporary term, provided both an immeasurable value to democracy, and yet interest groups also bring the threat of undue influence. According to Madison:

Liberty is to faction, what air is to fire, an ailment without which it instantly expires. But it could not be a less folly to abolish liberty, which is essential to political life, because it nourishes faction, than it would be to wish the annihilation of air, which is essential to animal life, because it imparts to fire its destructive agency. (Federalist Paper #10)

I am inclined to agree. I urge my colleagues to allow the debate today to assist in building lobbying reform that will withstand criticism many years from now, and that we may look upon as noble, fair, and correct.

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (Mr. PETRI). Members should direct their remarks to the Chair and not to others in the second person.

Mr. CASTLE. Mr. Chairman, I yield myself such time as I may consume.

Let me just say at the outset that what we have just heard essentially is about an amendment that was not presented, not this particular amendment, and perhaps about the bill; and I appreciate the support of the amendment by both sides here.

Mr. Chairman, I yield such time as he may consume to the distinguished chairman of the Rules Committee, Mr. DREIER.

Mr. DREIER. Mr. Chairman, I really was somewhat saddened. I am always pleased to yield to Members when they ask me for time, regardless of what side of the aisle they are on, because I am interested in rigorous debate.

As the chairman of the Rules Committee, I was very proud to make in order the Jackson-Lee amendment that would have allowed for a full debate and a discussion on the issue of spouses being the beneficiary of pensions. We in this legislation have provided flexibility to the Office of Personnel Management to ensure that they could, in fact, when a spouse, a victim, as my friend has described them, has potentially been in a position where they could lose their pension.

We are now in the midst of the Castle amendment, which is enjoying bipartisan support, as is virtually every other amendment that we have considered on the floor this afternoon. And yet I am talking about an amendment, the Jackson-Lee amendment, that I made in order in the Rules Committee and she chose not to offer that amendment; instead, stood up and said that I am not committed to reform. And I am happy that the Chair, in fact, admonished the Member to address the comments to the Chair.

We would not be here today, Mr. Chairman, were it not for the strong commitment of Speaker HASTERT and the Republican leadership to the issue of institutional reform; and we want to make sure that no one is victimized by abhorrent behavior that takes place by lobbyists or by individual Members. But we also believe strongly in the issue of accountability, and that is exactly what we are getting at by providing the flexibility to the Office of Personnel Management.

I think that, on the issue of accountability, once again, as I said, Mr. CASTLE has done a great job of ensuring that there is a clear understanding of

exactly what the new definition will consist of when we pass this legislation.

I thank my friend for yielding, and I thank my friend from Houston for her thoughtful comments, and I still am, again, sorry that she would not yield to me. I would be happy, if Mr. CASTLE has the time, to yield to her at this time if she would like to respond to any of the comments that I have made.

The Acting CHAIRMAN. The gentleman from Delaware's time has expired.

Ms. ZOE LOFGREN of California. Mr. Chairman, I yield for the purpose of making a unanimous consent request to the gentleman from Texas (Mr. GENE GREEN).

(Mr. GENE GREEN of Texas asked and was given permission to revise and extend his remarks.)

Mr. GENE GREEN of Texas. Mr. Chairman, I rise in opposition to H.R. 4975, the fake lobby regulation and transparency act.

This is an attempt to fool the American people into thinking that this body is doing something substantive to reform the way lobbyists and Congress do business.

This bill does no such thing.

This legislation does nothing to address the larger issues of ethics reform. It does not address corporate jet travel, tougher gift rules, or financial perks provided by lobbyists.

The temporary suspension of privately funded trips offered here today is not good enough. We should commit to ban private corporate travel. I understand there is some sentiment that we should wait for the Ethics Committee to issue rules on this issue. However, if we want a ban on corporate travel, then we should pass such a ban now.

Also, we've heard a lot of talk about strengthening gift rules, but there is no disclosure. We need to tighten gift rules to ensure that people abide by them.

The gift rule should address the sometimes extravagant receptions honoring Members of this body paid for by lobbyists and corporations. This bill does not require the disclosure of such events.

We could have started to address these issues had the Rules Committee allowed amendments on the Floor today that would have addressed these issues.

I offered an amendment to bring transparency to State governments using tax dollars to hire lobbyists here in Washington.

The State of Texas hired lobbyists for over $1 million and we have no idea what they have done to earn that money.

They have never called, e-mailed, or come by my office or any other Democratic Member's office from Texas in the years they have been under contract.

We have written Governor Perry twice asking what these lobbyists are doing and he has ignored our requests.

The bottom line is this bill does nothing to bring true lobbying reform to Congress and we owe the American people better than this.

The people of this country can not be fooled. They will not tolerate anything but real lobbying reform that contains true transparency of all lobbying transactions and an ethics system that works.

This Republican majority arbitrarily changed the House Ethics rules last year and removed the republican chair and Members who were trying to do their job.

Then, they terminated Ethics Committee staff members for partisan reasons. They do not want real lobby reform.

I urge my colleagues to vote against H.R. 4975 and support the motion to recommit.

Ms. ZOE LOFGREN of California. Mr. Chairman, I yield the balance of my time to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the gentlewoman for yielding me this time.

But let me say to the distinguished gentleman, I did not have time to yield; and I thank you for your graciousness. But I think if we had had the gracious discussion that you offered now on the floor of the House previously where we could have discussed the idea of a full debate on this matter, there might have been a different response by myself the proponent of the amendment to protect innocent spouses and children shown to be without fault in any manner of corruption. I think we are all committed, as you have said, to the idea of getting the ones who are guilty, but the innocent we should protect.

The Acting CHAIRMAN. All time for debate has expired.

The question is on the amendment offered by the gentleman from Delaware (Mr. CASTLE).

The amendment was agreed to.

AMENDMENT NO. 9 OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 9 printed in House Report 109–441 offered by Mr. FLAKE:

Add at the end of the bill the following:

TITLE VII—MISCELLANEOUS PROVISIONS

SEC. 701. BRIBERY.

Section 201(a)(3) of title 18, United States Code, is amended by inserting ''including an earmark as defined in section 501(d) of the Lobbying Accountability and Transparency Act of 2006,'' after ''controversy,''.

The Acting CHAIRMAN. Pursuant to House Resolution 783, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, I yield myself such time as I may consume.

This amendment would simply clarify the application of criminal bribery and illegal gratuities statutes with regard to earmarks. Specifically, this amendment would bolster the bribery statute in the criminal code by adding earmarks, as defined by this bill, to the statute. This is the first time we have ever defined earmark in this bill, and so I think it is appropriate to ensure that we add it to the bribery statute.

This will mean that the law would prohibit a person from, directly or indirectly, corruptly giving, offering, or promising anything of value to any public official with the intent to influence any official act relating to an earmark.

The amendment would also prohibit a public official from corruptly demanding, seeking, receiving, accepting, or agreeing to receive anything of value in return for influence in the performance of an official act related to an earmark.

Recent bribery scandals have brought to light something that fiscal conservatives on both sides of the aisle have been talking about for years, that the number and dollar value of earmarks are out of control. Lobbyists, Members, earmarks, and campaign contributions have, unfortunately, been inextricably linked in the Duke Cunningham scandal. It was reported that Mr. Cunningham actually had a bribe menu on his congressional letterhead, that he actually offered earmarks in exchange for money. How many more stories are we likely to see unless Members realize that this is a serious matter?

It is my hope this amendment will bring more attention to this ongoing problem by adding earmarks to the bribery statute. I believe that this will bolster the already meaningful earmark reform in the underlying bill.

Again, I thank the Speaker, the majority leader, the chairman, and Chairman SENSENBRENNER, also, in the Judiciary Committee for help with this amendment.

Mr. DREIER. Mr. Chairman, will the gentleman yield?

Mr. FLAKE. I yield to the gentleman from California.

Mr. DREIER. Mr. Chairman, I thank my friend for yielding.

I believe that as we look at the issue of earmark reform, Mr. Chairman, it is very important for us to realize that our attempts to rein in the size and scope of the Federal Government is a high priority. My friend has worked on that, and I believe that this amendment itself goes right at that goal of especially the question of people seeing some sort of self-enrichment through the appropriations process here. I thank my friend for his contribution, and I am proud to strongly support the amendment.

Ms. ZOE LOFGREN of California. Mr. Chairman, I claim the time in opposition, although I will not oppose the amendment.

Members should recognize that the amendment is redundant at best and really does not do anything to strengthen the lobby laws.

This amendment creates a redundancy in the U.S. Code by adding language that is already covered. Section 201(a)(3) already and currently prohibits receiving a personal benefit in exchange for ''any decision or action on any question, matter, cause, suit, proceeding, or controversy.'' This amendment would add to that language ''including an earmark as defined in section 501(d) of the Lobbying Accountability and Transparency Act,'' but

earmarks are already covered under the current code because it is already a decision or action, and thus the language in the amendment is unnecessary. But, as I told my colleague on the Judiciary Committee, I do not oppose redundancies in the committee or on the floor.

I would note, however, that if those across the aisle wanted real reform in the way of earmarks, they would support a measure that would prohibit Members from offering or withholding an earmark to influence how another Member votes. And if those across the aisle wanted real reform, they would require real disclosure of earmarks.

I would note further that, in proof of the redundancy comment I made at the start of my comments, our former colleague from the 50th Congressional District in California is living proof that the statute works. He is in prison today for bribery. And I have often thought, although he was convicted of bribery, he actually took money to sell out the military; and, as far as I am concerned, that is treason as well. Our military has the right to expect the very best that we can buy for them by way of intelligence, equipment. They deserve the very best. What they do not deserve is a Member of Congress selling them out for money, and that is what happened in that case.

I would note that there were discussions of having some kind of earmark reform in this bill, and it is a measure of how discombobulated the majority is. I believe that the appropriators were unable to come to agreement with the authorizers, and what we have ended up with actually is a bill where you can sneak those earmarks in in the dead of night. You can sneak them in; and although it is a bribe that we are talking about, the real reform, the transparency that would prevent that, is missing from this bill.

Mr. Chairman, I reserve the balance of my time.

Mr. FLAKE. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. DREIER).

Mr. DREIER. Mr. Chairman, I thank my friend for yielding.

Mr. Chairman, I think it is very important for us to note that last week, as we were prepared to consider the vote on this rule, a strong commitment was made by the Speaker of the House, the majority leader, and others on the leadership team; and I, as the author of this legislation, have been very pleased to make a commitment that, as we look at the issue of earmark reform, it should be broad. And we want to do everything that we can to ensure that the kind of abuse a number of people have talked about in the past does not take place.

It is important to note that we have seen a 37 percent reduction in the number of earmarks under the very able leadership of Chairman JERRY LEWIS on this issue, and he is committed to further earmark reform. But we also are committed to dealing with this issue in a similar way to the way it has been addressed in the Senate, and that is to ensure that it is broad based and crosses from appropriators to authorizers as well. So I think that the conclusion that my very good friend from California has drawn is an inaccurate one.

Mr. FLAKE. Mr. Chairman, I yield myself such time as I may consume.

I would just point out, Mr. Chairman, there is nothing wrong with redundancy, but this is more than that. This is the first time that we have actually defined earmark in this underlying bill, and it is appropriate when we have defined earmark to then apply a criminal statute to it, and that is what this is an attempt to do.

The point was made about Duke Cunningham. As I mentioned, he reportedly had a bribe menu on his congressional letterhead. My guess is that if there was a statute like this and earmarks defined like this that it would have given him second thoughts before he went down this road. I hope that is the case. That is the purpose of this amendment, and I am pleased there seems to be broad acceptance of it.

Mr. Chairman, I yield back the balance of my time.

Ms. ZOE LOFGREN of California. Mr. Chairman, I yield myself such time as I may consume.

I would just note that we are today dealing with this rather small effort to do lobbying reform and missing, I guess, sort of ''the check is in the mail'' on earmark reform. I do not believe for a minute, and as a matter of fact, former Congressman Cunningham himself admitted that what he did was wrong, that he knew it was wrong. He sold his country. He sold his vote.

□ 1615

The fact is that he was convicted of bribery, and he is in prison today. We need to have greater transparency on these earmarks. That is really a very serious issue that is completely missing.

I don't oppose the Flake amendment. It doesn't really do anything, but I don't oppose it. We would really accomplish something if we were to publish the earmarks, if we were to make sure that earmarks could not be included in the dark of night; if we were to make sure that this mess was cleaned up, then we would actually be yielding something for the American people. I don't believe that we are.

Mr. FLAKE. Mr. Chairman, will the gentlewoman yield?

Ms. ZOE LOFGREN of California. I yield to the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, I would just point out that had any of us known Mr. Cunningham had been bribed for the earmarks he got, it is still unlikely we would have been able to go and challenge those earmarks. The underlying bill will at least make that possible, where his name would have been next to it and we would have had an opportunity during the House consideration of the bill and even perhaps in the conference process.

I thank the gentlewoman for yielding.

Ms. ZOE LOFGREN of California. Mr. Chairman, reclaiming my time, I would just like to note it is the entire system that is a problem here. It is a culture that leads to corruption that we are trying to correct here. I don't think the gentleman's amendment succeeds in that, although I am sure he is sincere in offering it, and the underlying bill does not succeed in cleaning up that swamp.

Again, I do not object to the amendment, but I wish this whole bill were a lot more than it is.

Mr. Chairman, I yield back my time.

The Acting CHAIRMAN. All time for debate has expired.

The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The amendment was agreed to.

AMENDMENT NO. 1 OFFERED BY MR. GOHMERT

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. GOHMERT) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 108, noes 320, not voting 4, as follows:

[Roll No. 117]

AYES—108

Aderholt	Gingrey	Norwood
Akin	Gohmert	Nunes
Bachus	Granger	Otter
Baker	Gutknecht	Oxley
Barrett (SC)	Hall	Paul
Bartlett (MD)	Hayes	Pearce
Barton (TX)	Hefley	Pitts
Beauprez	Hensarling	Radanovich
Bishop (UT)	Herger	Renzi
Blackburn	Hostettler	Reynolds
Blunt	Hulshof	Rogers (AL)
Boehner	Hunter	Rogers (MI)
Bonilla	Istook	Rohrabacher
Bonner	Jenkins	Ryun (KS)
Boozman	Johnson, Sam	Sabo
Brady (TX)	Jones (NC)	Schwarz (MI)
Burgess	King (IA)	Sessions
Burton (IN)	Kingston	Sherwood
Cannon	Kline	Shuster
Carter	Kolbe	Simpson
Coble	Latham	Smith (TX)
Cole (OK)	Linder	Stearns
Conaway	Lucas	Sullivan
Cooper	Lungren, Daniel E.	Tancredo
Cubin	Mack	Terry
Deal (GA)	Manzullo	Thornberry
Delahunt	Marchant	Tiahrt
DeLay	McCrery	Tiberi
Doolittle	McHenry	Wamp
Duncan	McKeon	Weldon (FL)
English (PA)	McMorris	Westmoreland
Everett	Miller (FL)	Wicker
Feeney	Miller, Gary	Wilson (SC)
Flake	Murtha	Young (AK)
Foxx	Myrick	Young (FL)
Franks (AZ)	Neugebauer	
Garrett (NJ)		

NOES—320

Abercrombie
Ackerman
Alexander
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bass
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Boehlert
Bono
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Butterfield
Calvert
Camp (MI)
Campbell (CA)
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Conyers
Costa
Costello
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
DeFazio
DeGette
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doyle
Drake
Dreier
Edwards
Ehlers
Emanuel
Emerson
Engel
Eshoo
Etheridge
Farr
Fattah
Ferguson
Filner
Fitzpatrick (PA)
Foley
Forbes
Ford
Fortenberry
Fossella
Frank (MA)
Frelinghuysen
Gallegly
Gerlach
Gibbons
Gilchrest
Gillmor
Gonzalez
Goode
Goodlatte
Gordon
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayworth
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hyde
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (NY)
Kirk
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McDermott
McGovern
McHugh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (MI)
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Musgrave
Nadler
Napolitano
Neal (MA)
Ney
Northup
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Reyes
Rogers (KY)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Scott (VA)
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Sherman
Shimkus
Simmons
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Strickland
Stupak
Sweeney
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Thomas
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (PA)
Weller
Wexler
Whitfield
Wilson (NM)
Wolf
Woolsey
Wu
Wynn

NOT VOTING—4

Buyer
Evans
Osborne
Scott (GA)

□ 1646

Mrs. NORTHUP, Ms. GINNY BROWN-WAITE of Florida, Ms. HARRIS, Mrs. JO ANN DAVIS of Virginia, Messrs. LoBIONDO, POMBO, LEWIS of Kentucky, FOLEY, MOLLOHAN, CAMPBELL of California, GIBBONS, HYDE, GRAVES, SODREL, CULBERSON, KELLER, PICKERING, CALVERT, Mrs. MUSGRAVE, Messrs. FORBES, GOODLATTE, BILIRAKIS and CANTOR changed their vote from ''aye'' to ''no.''

Miss McMORRIS, Mr. OTTER and Mr. ISTOOK changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Ms. HARRIS. Mr. Chairman, I am writing in regards to the Gohmert Amendment to the Lobbying Accountability and Transparency Act. During the vote on the amendment, roll No. 117, I inadvertently voted "no," but intended to vote "aye."

The Acting CHAIRMAN (Mr. PETRI). There being no other amendments, the question is on the amendment in the nature of a substitute, as amended.

The amendment in the nature of a substitute, as amended, was agreed to.

The Acting CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. GILLMOR) having assumed the chair, Mr. PETRI, Acting Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4975) to provide greater transparency with respect to lobbying activities, and for other purposes, pursuant to House Resolution 783, he reported the bill, as amended pursuant to that rule, back to the House with further sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any further amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MS. SLAUGHTER

Ms. SLAUGHTER. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentlewoman opposed to the bill?

Ms. SLAUGHTER. Mr. Speaker, I am in its present form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Ms. Slaughter of New York moves to recommit the bill H.R. 4975 to the Committee on Rules with instructions to report the same back to the House forthwith with the following amendment:

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Honest Leadership and Open Government Act of 2006''.

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

TITLE I—CLOSING THE REVOLVING DOOR

SEC. 101. EXTENSION OF LOBBYING BAN FOR FORMER MEMBERS AND EMPLOYEES OF CONGRESS AND EXECUTIVE BRANCH OFFICIALS.

Section 207 of title 18, United States Code, is amended—

(1) in subsection (c)—

(A) in the subsection heading, by striking ''One-year'' and inserting ''Two-year'';

(B) in paragraph (1), by striking ''1 year'' and inserting ''2 years'' in both places it appears; and

(C) in paragraph (2)(B), by striking ''1-year period'' and inserting ''2-year period;''

(2) in subsection (d)—

(A) in paragraph (1), by striking ''1 year'' and inserting ''2 years''; and

(B) in paragraph (2)(A), by striking ''1 year'' and inserting ''2 years''; and

(3) in subsection (e)—

(A) in paragraph (1)(A), by striking ''1 year'' and inserting ''2 years'';

(B) in paragraph (2)(A), by striking ''1 year'' and inserting ''2 years'';

(C) in paragraph (3), by striking ''1 year'' and inserting ''2 years'';

(D) in paragraph (4), by striking ''1 year'' and inserting ''2 years'';

(E) in paragraph (5)(A), by striking ''1 year'' and inserting ''2 years''; and

(F) in paragraph (6), by striking ''1-year period'' and inserting ''2-year period''.

SEC. 102. ELIMINATION OF FLOOR PRIVILEGES AND ACCESS TO MEMBERS EXERCISE FACILITIES FOR FORMER MEMBER LOBBYISTS.

(a) FLOOR PRIVILEGES.—(1) Clause 4 of rule IV of the Rules of the House of Representatives is amended to read as follows:

''4. (a) A former Member, Delegate, or Resident Commissioner; a former Parliamentarian of the House; or a former elected officer of the House or former minority employee nominated as an elected officer of the House; or a head of a department shall not be entitled to the privilege of admission to the Hall of the House and rooms leading thereto if he or she—

''(1) is a registered lobbyist or agent of a foreign principal as those terms are defined in clause 5 of rule XXV;

''(2) has any direct personal or pecuniary interest in any legislative measure pending before the House or reported by a committee; or

''(3) is in the employ of or represents any party or organization for the purpose of influencing, directly or indirectly, the passage, defeat, or amendment of any legislative proposal.

''(b) The Speaker may promulgate regulations that exempt ceremonial or educational functions from the restrictions of this clause.''.

(2) Clause 2(a)(12) of rule IV of the Rules of the House of Representatives is amended by inserting ''(subject to clause 4)'' before the period.

(b) EXERCISE FACILITIES.—(1) The House of Representatives may not provide access to any exercise facility which is made available exclusively to Members and former Members of the House of Representatives to any former Member who is a lobbyist registered under the Lobbying Disclosure Act of 1995 or any successor statute. For purposes of this section, the term ''Member of the House of Representatives'' includes a Delegate or Resident Commissioner to the Congress.

(2) The Committee on House Administration shall promulgate regulations to carry out this section.

SEC. 103. DISCLOSURE BY MEMBERS OF CONGRESS AND SENIOR CONGRESSIONAL STAFF OF EMPLOYMENT NEGOTIATIONS.

Rule XXIII of the Rules of the House of Representatives is amended by redesignating clause 14 as clause 15 and by adding at the end the following new clause:

''14. (a) A Member, Delegate, Resident Commissioner, officer, or employee of the House covered by the post employment restriction provisions of title 18, United States Code, shall notify the Committee on Standards of Official Conduct that he or she is negotiating or has any arrangement concerning prospective private employment if a conflict of interest or the appearance of a conflict of interest may exist.

''(b) The disclosure and notification under subparagraph (a) shall be made within 3 business days after the commencement of such negotiation or arrangement.

''(c) A Member or employee to whom this rule applies shall recuse himself or herself from any matter in which there is a conflict of interest for that Member or employee under this rule and notify the Committee on Standards of Official Conduct of such recusal.

''(d)(1) The Committee on Standards of Official Conduct shall develop guidelines concerning conduct which is covered by this paragraph.

''(2) The Committee on Standards of Official Conduct shall maintain a current public record of all notifications received under subparagraph (a) and of all recusals under subparagraph (c).''.

SEC. 104. ETHICS REVIEW OF EMPLOYMENT NEGOTIATIONS BY EXECUTIVE BRANCH OFFICIALS.

Section 208 of title 18, United States Code, is amended—

(1) in subsection (b)(1)—

(A) by inserting after ''the Government official responsible for appointment to his or her position'' the following: ''and the Office of Government Ethics''; and

(B) by striking ''a written determination made by such official'' and inserting ''a written determination made by the Office of Government Ethics, after consultation with such official,''; and

(2) in subsection (b)(3), by striking ''the official responsible for the employee's appointment, after review of'' and inserting ''the Office of Government Ethics, after consultation with the official responsible for the employee's appointment and after review of''; and

(3) in subsection (d)(1)—

(A) by striking ''Upon request'' and all that follows through ''Ethics in Government Act of 1978.'' and inserting ''In each case in which the Office of Government Ethics makes a determination granting an exemption under subsection (b)(1) or (b)(3) to a person, the Office shall, not later than 3 business days after making such determination, make available to the public pursuant to the procedures set forth in section 105 of the Ethics in Government Act of 1978, and publish in the Federal Register, such determination and the materials submitted by such person in requesting such exemption.''; and

(B) by striking ''the agency may withhold'' and inserting ''the Office of Government Ethics may withhold''.

SEC. 105. WRONGFULLY INFLUENCING A PRIVATE ENTITY'S EMPLOYMENT DECISIONS OR PRACTICES.

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

''§ 226. Wrongfully influencing a private entity's employment decisions by a Member of Congress

''Whoever, being a Senator or Representative in, or a Delegate or Resident Commissioner to, the Congress or an employee of either House of Congress, with the intent to influence on the basis of partisan political affiliation an employment decision or employment practice of any private entity—

''(1) takes or withholds, or offers or threatens to take or withhold, an official act; or

''(2) influences, or offers or threatens to influence, the official act of another;

shall be fined under this title or imprisoned for not more than 15 years, or both, and may be disqualified from holding any office of honor, trust, or profit under the United States.''.

(b) NO INFERENCE.—Nothing in section 226 of title 18, United States Code, as added by this section, shall be construed to create any inference with respect to whether the activity described in section 226 of title 18, United States Code, was already a criminal or civil offense prior to the enactment of this Act, including sections 201(b), 201(c), and 216 of title 18, United States Code.

(c) CHAPTER ANALYSIS.—The chapter analysis for chapter 11 of title 18, United States Code, is amended by adding at the end the following:

''226. Wrongfully influencing a private entity's employment decisions by a Member of Congress.''.

(d) HOUSE RULES.—Rule XXIII of the Rules of the House (as amended by section 103) is further amended by redesignating clause 15 as clause 16, and by inserting after clause 14 the following new clause:

''15. No Member, Delegate, or Resident Commissioner shall, with the intent to influence on the basis of partisan political affiliation an employment decision or employment practice of any private entity—

''(1) take or withhold, or offer or threaten to take or withhold, an official act; or

''(2) influence, or offer or threaten to influence, the official act of another.''.

TITLE II—FULL PUBLIC DISCLOSURE OF LOBBYING

SEC. 201. QUARTERLY FILING OF LOBBYING DISCLOSURE REPORTS.

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

(1) in subsection (a)—

(A) by striking ''Semiannual'' and inserting ''Quarterly'';

(B) by striking ''the semiannual period'' and all that follows through ''July of each year'' and insert ''the quarterly period beginning on the first days of January, April, July, and October of each year''; and

(C) by striking ''such semiannual period'' and insert ''such quarterly period''; and

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''semiannual report'' and inserting ''quarterly report'';

(B) in paragraph (2), by striking ''semiannual filing period'' and inserting ''quarterly period'';

(C) in paragraph (3), by striking ''semiannual period'' and inserting ''quarterly period''; and

(D) in paragraph (4), by striking ''semiannual filing period'' and inserting ''quarterly period''.

(b) CONFORMING AMENDMENTS.—

(1) DEFINITION.—Section 3(10) of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1602) is amended by striking ''six month period'' and inserting ''three-month period''.

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

(A) in subsection (a)(3)(A), by striking ''semiannual period'' and inserting ''quarterly period''; and

(B) in subsection (b)(3)(A), by striking ''semiannual period'' and inserting ''quarterly period''.

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

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

(A) in subsection (a)(1), by striking ''semiannual period'' and inserting ''quarterly period''; and

(B) in subsection (b)(1), by striking ''semiannual period'' and inserting ''quarterly period''.

(5) DOLLAR AMOUNTS.—

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

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

(ii) in subsection (a)(3)(A)(ii), by striking ''$20,000'' and inserting ''$10,000'';

(iii) in subsection (b)(3)(A), by striking ''$10,000'' and inserting ''$5,000''; and

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

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

(i) in subsection (c)(1), by striking ''$10,000'' and ''$20,000'' and inserting ''$5,000'' and ''$10,000'', respectively; and

(ii) in subsection (c)(2), by striking ''$10,000'' both places such term appears and inserting ''$5,000''.

SEC. 202. ELECTRONIC FILING OF LOBBYING DISCLOSURE REPORTS.

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

''(d) ELECTRONIC FILING REQUIRED.—A report required to be filed under this section shall be filed in electronic form, in addition to any other form that may be required by the Secretary of the Senate or the Clerk of the House of Representatives. The Secretary of the Senate and the Clerk of the House of Representatives shall provide for public access to such reports on the Internet.''.

SEC. 203. ADDITIONAL LOBBYING DISCLOSURE REQUIREMENTS.

(a) DISCLOSURE OF CONTRIBUTIONS AND PAYMENTS.—Section 5(b) of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1604(b)) is amended—

(1) in paragraph (5), as added by section 204(c), by striking the period and inserting a semicolon; and

(2) by adding at the end the following:

''(6) for each registrant (and for any political committee, as defined in section 301(4) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(4)), affiliated with such registrant) and for each employee listed as a lobbyist by a registrant under paragraph 2(C)—

''(A) the name of each Federal candidate or officeholder, leadership PAC, or political party committee, to whom a contribution was made, and the amount of such contribution; and

''(B) the name of each Federal candidate or officeholder, or a leadership PAC of such candidate or officeholder, or political party committee for whom a fundraising event was hosted, cohosted, or otherwise sponsored, the date and location of the event, and the total amount raised by the event;

''(7) a certification that the lobbying firm or registrant has not provided, requested, or directed a gift, including travel, to a Member or employee of Congress in violation of clause 5 of rule XXV of the Rules of the House of Representatives;

''(8) the date, recipient, and amount of funds contributed or disbursed by, or arranged by, a registrant or employee listed as a lobbyist—

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

''(B) to, or on behalf of, an entity that is named for a covered legislative branch official or covered executive branch official, or to a person or entity in recognition of such official;

''(C) to an entity established, financed, maintained, or controlled by a covered legislative branch official or covered executive branch official, or an entity designated by such official; or

''(D) to pay the costs of a meeting, retreat, conference or other similar event held by, or for the benefit of, 1 or more covered legislative branch officials or covered executive branch officials;

except that this paragraph shall not apply to any payment or reimbursement made from funds required to be reported under section 304 of the Federal Election Campaign Act of 1971 (2 U.S.C. 434); and

''(9) the name of each Member of Congress contacted by lobbyists employed by the registrant on behalf of the client.''.

(b) LEADERSHIP PAC.—Section 3 of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1602) is amended by adding at the end the following:

''(17) LEADERSHIP PAC.—The term 'leadership PAC' means an unauthorized multicandidate political committee that is established, financed, maintained, and controlled by an individual who is a Federal officeholder or a candidate for Federal office.''.

(c) FULL AND DETAILED ACCOUNTING.—Section 5(c)(1) of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1604(c)(1)) is amended by striking ''shall be rounded to the nearest $20,000'' and inserting ''shall be rounded to the nearest $1,000''.

(d) NOTIFICATION OF MEMBERS.—Section 6 of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1605) is amended in paragraph (2) by striking ''review, and, where necessary'' and inserting ''review and—

''(A) if a report states (under section 5(b)(9) or otherwise) that a Member of Congress was contacted, immediately notify that Member of that report; and

''(B) where necessary,''.

SEC. 204. DISCLOSURE OF PAID EFFORTS TO STIMULATE GRASSROOTS LOBBYING.

(a) DISCLOSURE OF PAID EFFORTS TO STIMULATE GRASSROOTS LOBBYING.—Section 3 of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1602) is amended—

(1) in paragraph (7), by adding at the end the following: ''Lobbying activities include paid efforts to stimulate grassroots lobbying, but do not include grassroots lobbying.''; and

(2) by adding at the end the following:

''(18) GRASSROOTS LOBBYING.—The term 'grassroots lobbying' means the voluntary efforts of members of the general public to communicate their own views on an issue to Federal officials or to encourage other members of the general public to do the same.

''(19) PAID EFFORTS TO STIMULATE GRASSROOTS LOBBYING.—The term 'paid efforts to stimulate grassroots lobbying'—

''(A) means any paid attempt to influence the general public, or segments thereof, to engage in grassroots lobbying or lobbying contacts; and

''(B) does not include any attempt described in subparagraph (A) by a person or entity directed to its members, employees, officers or shareholders, unless such attempt is financed with funds directly or indirectly received from or arranged by a lobbyist or other registrant under this Act retained by another person or entity.

''(20) GRASSROOTS LOBBYING FIRM.—The term 'grassroots lobbying firm' means a person or entity that—

''(A) is retained by 1 or more clients to engage in paid efforts to stimulate grassroots lobbying on behalf of such clients; and

''(B) receives income of, or spends or agrees to spend, an aggregate of $50,000 or more for such efforts in any quarterly period.''.

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

(1) in paragraph (1), by striking ''45'' and inserting ''20'';

(2) in the flush matter at the end of paragraph (3)(A)—

(A) by striking ''as estimated'' and inserting ''as included''; and

(B) by adding at the end the following: ''For purposes of clauses (i) and (ii) the term 'lobbying activities' shall not include paid efforts to stimulate grassroots lobbying.'';

(3) by redesignating paragraph (3) as paragraph (4); and

(4) by inserting after paragraph (2) the following:

''(3) GRASSROOTS LOBBYING FIRMS.—Not later than 20 days after a grassroots lobbying firm first is retained by a client to engage in paid efforts to stimulate grassroots lobbying, such grassroots lobbying firm shall register with the Secretary of the Senate and the Clerk of the House of Representatives.''.

(c) SEPARATE ITEMIZATION OF PAID EFFORTS TO STIMULATE GRASSROOTS LOBBYING.—Section 5(b) of the Act (2 U.S.C. 1604(b)) is amended—

(1) in paragraph (3), by—

(A) inserting after ''total amount of all income'' the following: ''(including a separate good faith estimate of the total amount relating specifically to paid efforts to stimulate grassroots lobbying and, within that amount, a good faith estimate of the total amount specifically relating to paid advertising)''; and

(B) striking ''and'' after the semicolon;

(2) in paragraph (4), by—

(A) inserting after ''total expenses'' the following: ''(including a good faith estimate of the total amount relating specifically to

paid efforts to stimulate grassroots lobbying and, within that total amount, a good faith estimate of the total amount specifically relating to paid advertising)''; and

(B) striking the period and inserting a semicolon;

(3) by adding at the end the following:

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

''(A) a good faith estimate of the total disbursements made for grassroots lobbying activities, and a subtotal for disbursements made for grassroots lobbying through paid advertising;

''(B) identification of each person or entity other than an employee who received a disbursement of funds for grassroots lobbying activities of $10,000 or more during the period and the total amount each person or entity received; and

''(C) if such disbursements are made through a person or entity who serves as an intermediary or conduit, identification of each such intermediary or conduit, identification of the person or entity who receives the funds, and the total amount each such person or entity received.''; and

(4) by adding at the end the following:

''Subparagraphs (B) and (C) of paragraph (2) shall not apply with respect to reports relating to paid efforts to stimulate grassroots lobbying activities.''.

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

(1) by striking ''No later'' and inserting:

''(1) IN GENERAL.—Except as provided in paragraph (2), not later''; and

(2) by adding at the end the following:

''(2) LARGE GRASSROOTS EXPENDITURE.—A registrant that is a grassroots lobbying firm and that receives income of, or spends or agrees to spend, an aggregate amount of $250,000 or more on paid efforts to stimulate grassroots lobbying for a client, or for a group of clients for a joint effort, shall file—

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

''(B) an additional report not later than 20 days after each time such registrant receives income of, or spends or agrees to spend, an aggregate amount of $250,000 or more on paid efforts to stimulate grassroots lobbying for a client, or for a group of clients for a joint effort.''.

SEC. 205. DISCLOSURE OF LOBBYING ACTIVITIES BY CERTAIN COALITIONS AND ASSOCIATIONS.

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

''(2) CLIENT.—

''(A) IN GENERAL.—The term 'client' means any person or entity that employs or retains another person for financial or other compensation to conduct lobbying activities on behalf of that person or entity. A person or entity whose employees act as lobbyists on its own behalf is both a client and an employer of such employees.

''(B) TREATMENT OF COALITIONS AND ASSOCIATIONS.—

''(i) IN GENERAL.—Except as provided in clauses (ii) and (iii), in the case of a coalition or association that employs or retains other persons to conduct lobbying activities, each of the individual members of the coalition or association (and not the coalition or association) is the client. For purposes of section 4(a)(3), the preceding sentence shall not apply, and the coalition or association shall be treated as the client.

''(ii) EXCEPTION FOR CERTAIN TAX-EXEMPT ASSOCIATIONS.—In case of an association—

''(I) which is described in paragraph (3) of section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code, or

''(II) which is described in any other paragraph of section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code and which has substantial exempt activities other than lobbying with respect to the specific issue for which it engaged the person filing the registration statement under section 4,

the association (and not its members) shall be treated as the client.

''(iii) EXCEPTION FOR CERTAIN MEMBERS.—

''(I) IN GENERAL.—Information on a member of a coalition or association need not be included in any registration under section 4 if the amount reasonably expected to be contributed by such member toward the activities of the coalition or association of influencing legislation is less than $500 per any quarterly period.

''(II) EXCEPTION.—Subclause (I) shall not apply with respect to any member who unexpectedly makes aggregate contributions of more than $500 in any quarterly period, and the date the aggregate of such contributions first exceeds $500 in such period shall be treated as the date of first employment or retention to make a lobbying contact for purposes of section 4.

''(III) NO DONOR OR MEMBERSHIP LIST DISCLOSURE.—No disclosure is required under this Act if it is publicly available knowledge that the organization that would be identified is affiliated with the client or has been publicly disclosed to have provided funding to the client, unless the organization in whole or in major part plans, supervises or controls such lobbying activities. Nothing in this paragraph shall be construed to require the disclosure of any information about individuals who are members of, or donors to, an entity treated as a client by this Act or an organization identified under this paragraph.''.

''(iv) LOOK-THRU RULES.—In the case of a coalition or association which is treated as a client under the first sentence of clause (i)—

''(I) such coalition or association shall be treated as employing or retaining other persons to conduct lobbying activities for purposes of determining whether any individual member thereof is treated as a client under clause (i), and

''(II) information on such coalition or association need not be included in any registration under section 4 of the coalition or association with respect to which it is treated as a client under clause (i).''.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply to—

(A) coalitions and associations listed on registration statements filed under section 4 of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1603) after the date of the enactment of this Act, and

(B) coalitions and associations for whom any lobbying contact is made after the date of the enactment of this Act.

(2) SPECIAL RULE.—In the case of any coalition or association to which the amendments made by this Act apply by reason of paragraph (1)(B), the person required by such section 4 to file a registration statement with respect to such coalition or association shall file a new registration statement within 30 days after the date of the enactment of this Act.

SEC. 206. DISCLOSURE BY REGISTERED LOBBYISTS OF PAST EXECUTIVE AND CONGRESSIONAL EMPLOYMENT.

Section 4(b)(6) of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1603(b)(6)) is amended by striking ''or a covered legislative branch official'' and all that follows through ''as a lobbyist on behalf of the client,'' and inserting ''or a covered legislative branch official,''.

SEC. 207. PUBLIC DATABASE OF LOBBYING DISCLOSURE INFORMATION.

(a) DATABASE REQUIRED.—Section 6 of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1605) is further amended—

(1) in paragraph (7) by striking ''and'' at the end;

(2) in paragraph (8) by striking the period at the end and inserting ''; and''; and

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

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

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

''(B) directly links the information it contains to the information disclosed in reports filed with the Federal Election Commission under section 304 of the Federal Election Campaign Act of 1971 (2 U.S.C. 434); and

''(C) is searchable and sortable to the maximum extent practicable, including searchable and sortable by each of the categories of information described in section 4(b) or 5(b).''.

(b) AVAILABILITY OF REPORTS.—Section 6 of such Act is further amended in paragraph (4) by inserting before the semicolon at the end the following: ''and, in the case of a report filed in electronic form pursuant to section 5(d), shall make such report available for public inspection over the Internet not more than 48 hours after the report is so filed''.

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

SEC. 208. CONFORMING AMENDMENT.

The requirements of this Act shall not apply to the activities of any political committee described in section 301(4) of the Federal Election Campaign Act of 1971.

TITLE III—RESTRICTING CONGRESSIONAL TRAVEL AND GIFTS

SEC. 301. BAN ON GIFTS FROM LOBBYISTS.

(a) IN GENERAL.—Clause 5(a)(1)(A) of rule XXV of the Rules of the House of Representatives is amended by inserting ''(i)'' after ''(A)'' and adding at the end the following:

''(ii) A Member, Delegate, Resident Commissioner, officer, or employee of the House may not knowingly accept a gift from a registered lobbyist or agent of a foreign principal or from a nongovernmental organization that retains or employs registered lobbyists or agents of a foreign principal except as provided in subparagraphs (2)(B) or (3) of this paragraph.''.

(b) RULES COMMITTEE REVIEW.—The Committee on Rules shall review the present exceptions to the House gift rule and make recommendations to the House not later than 3 months after the date of enactment of this Act on eliminating all but those which are absolutely necessary to effectuate the purpose of the rule.

SEC. 302. PROHIBITION ON PRIVATELY FUNDED TRAVEL.

Clause 5(b)(1)(A) of rule XXV of the Rules of the House of Representatives is amended by inserting ''or from a nongovernmental organization that retains or employs registered lobbyists or agents of a foreign principal'' after ''foreign principal''.

SEC. 303. PROHIBITING LOBBYIST ORGANIZATION AND PARTICIPATION IN CONGRESSIONAL TRAVEL.

(a) IN GENERAL.—Clause 5 of rule XXV of the Rules of the House of Representatives is amended by redesignating paragraphs (e) and

(f) as paragraphs (g) and (h), respectively, and by inserting after paragraph (d) the following:

''(e) A Member, Delegate, Resident Commissioner, officer, or employee of the House may not accept transportation or lodging on any trip that is planned, organized, requested, arranged, or financed in whole or in part by a lobbyist or agent of a foreign principal, or in which a lobbyist participates.

''(f) Before a Member, Delegate, Resident Commissioner, officer, or employee of the House may accept transportation or lodging otherwise permissible under this paragraph from any person, such individual shall obtain 30 days before such trip a written certification from such person (and provide a copy of such certification to the Committee on Standards of Official Conduct) that—

''(1) the trip was not planned, organized, requested, arranged, or financed in whole, or in part by a registered lobbyist or agent of a foreign principal and was not organized at the request of a registered lobbyist or agent of a foreign principal;

''(2) registered lobbyists will not participate in or attend the trip; and

''(3) the person did not accept, from any source, funds specifically earmarked for the purpose of financing the travel expenses.

The Committee on Standards of Official Conduct shall make public information received under this paragraph as soon as possible after it is received.''.

(b) CONFORMING AMENDMENTS.—Clause 5(b)(3) of rule XXV of the Rules of the House of Representatives is amended—

(1) by striking ''of expenses reimbursed or to be reimbursed'';

(2) in subdivision (E), by striking ''and'' after the semicolon;

(3) in subdivision (F), by striking the period and inserting ''; and''; and

(4) by adding at the end the following:

''(G) a description of meetings and events attended during such travel, except when disclosure of such information is deemed by the Member or supervisor under whose direct supervision the employee works to jeopardize the safety of an individual or otherwise interfere with the official duties of the Member, Delegate, Resident Commissioner, officer, or employee.''.

(c) PUBLIC AVAILABILITY.—Subparagraph (5) of rule XXV of the Rules of the House of Representatives is amended to read as follows:

''(e) The Clerk of the House shall make available to the public all advance authorizations, certifications, and disclosures filed pursuant to subparagraphs (1) and subparagraph (3)(H) as soon as possible after they are received.''.

SEC. 304. PROHIBITION ON OBLIGATION OF FUNDS FOR TRAVEL BY LEGISLATIVE AND EXECUTIVE BRANCH OFFICIALS.

No Federal agency may obligate any funds made available in an appropriation Act for a flight on a non-governmental airplane that is not licensed by the Federal Aviation Administration to operate for compensation or hire, taken as part of official duties of a United States Senator, a Member, Delegate, or Resident Commissioner of the House of Representatives, an officer or employee of the Senate or House of Representatives, or an officer or employee of the executive branch.

SEC. 305. PER DIEM EXPENSES FOR CONGRESSIONAL TRAVEL.

Rule XXV of the Rules of the House of Representatives (as amended by section 304(b) is further amended by adding at the end the following:

''(h) Not later than 90 days after the date of adoption of this paragraph and at annual intervals thereafter, the Committee on House Administration shall develop and revise, as necessary, guidelines on what constitutes 'reasonable expenses' or 'reasonable expenditures' for purposes of this rule. In developing and revising the guidelines, the committee shall take into account the maximum per diem rates for official Government travel published annually by the General Services Administration, the Department of State, and the Department of Defense.''.

TITLE IV—ENFORCEMENT OF LOBBYING RESTRICTIONS

SEC. 401. OFFICE OF PUBLIC INTEGRITY.

(a) ESTABLISHMENT.—There is established within the Office of Inspector General of the House of Representatives an office to be known as the ''Office of Public Integrity'' (referred to in this section as the ''Office''), which shall be headed by a Director of Public Integrity (hereinafter referred to as the ''Director'').

(b) OFFICE.—The Office shall have access to all lobbyists' disclosure information received by the Clerk under the Lobbying Disclosure Act of 1995 and conduct such audits and investigations as are necessary to ensure compliance with the Act.

(c) REFERRAL AUTHORITY.—The Office shall have authority to refer violations of the Lobbying Disclosure Act of 1995 to the Committee on Standards of Official Conduct and the Department of Justice for disciplinary action, as appropriate.

(d) DIRECTOR.—

(1) IN GENERAL.—The Director shall be appointed by the Inspector General of the House. Any appointment made under this subsection shall be made without regard to political affiliation and solely on the basis of fitness to perform the duties of the position. Any person appointed as Director shall be learned in the law, a member of the bar of a State or the District of Columbia, and shall not engage in any other business, vocation, or employment during the term of such appointment.

(2) STAFF.—The Director shall hire such additional staff as are required to carry out this section, including investigators and accountants.

(e) AUDITS AND INVESTIGATIONS.—

(1) IN GENERAL.—The Office shall audit lobbying registrations and reports filed pursuant to the Lobbying Disclosure Act of 1995 to determine the extent of compliance or noncompliance with the requirements of such Act by lobbyists and their clients.

(2) EVIDENCE OF NON-COMPLIANCE.—If in the course an audit conducted pursuant to the requirements of paragraph (1), the Office obtains information indicating that a person or entity may be in non-compliance with the requirements of the Lobbying Disclosure Act of 1995, the Office shall refer the matter to the United States Attorney for the District of Columbia.

(f) CONFORMING AMENDMENT.—Section 8 of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1607) is amended by striking subsection (c).

(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated in a separate account such sums as are necessary to carry out this section.

SEC. 402. INCREASED CIVIL AND CRIMINAL PENALTIES FOR FAILURE TO COMPLY WITH LOBBYING DISCLOSURE REQUIREMENTS.

Section 7 of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1606) is amended—

(1) by inserting '' (a) CIVIL PENALTY.—'' before ''Whoever'';

(2) by striking ''$50,000'' and inserting ''$100,000''; and

(3) by adding at the end the following:

''(b) CRIMINAL PENALTY.—

''(1) IN GENERAL.—Whoever knowingly and wilfully fails to comply with any provision of this section shall be imprisoned for not more than 5 years, or fined under title 18, United States Code, or both.

''(2) CORRUPTLY.—Whoever knowingly, wilfully, and corruptly fails to comply with any provision of this section shall be imprisoned for not more than 10 years, or fined under title 18, United States Code, or both.''.

SEC. 403. PENALTY FOR FALSE CERTIFICATION IN CONNECTION WITH CONGRESSIONAL TRAVEL.

(a) CIVIL FINE.—

(1) IN GENERAL.—Whoever makes a false certification in connection with the travel of a Member, officer, or employee of either House of Congress (within the meaning given those terms in section 207 of title 18, United States Code), under clause 5 of rule XXV of the Rules of the House of Representatives, shall, upon proof of such offense by a preponderance of the evidence, be subject to a civil fine depending on the extent and gravity of the violation.

(2) MAXIMUM FINE.—The maximum fine per offense under this section depends on the number of separate trips in connection with which the person committed an offense under this subsection, as follows:

(A) FIRST TRIP.—For each offense committed in connection with the first such trip, the amount of the fine shall be not more than $100,000 per offense.

(B) SECOND TRIP.—For each offense committed in connection with the second such trip, the amount of the fine shall be not more than $300,000 per offense.

(C) ANY OTHER TRIPS.—For each offense committed in connection with any such trip after the second, the amount of the fine shall be not more than $500,000 per offense.

(3) ENFORCEMENT.—The Attorney General may bring an action in United States district court to enforce this subsection.

(b) CRIMINAL PENALTY.—

(1) IN GENERAL.—Whoever knowingly and wilfully fails to comply with any provision of this section shall be imprisoned for not more than 5 years, or fined under title 18, United States Code, or both.

(2) CORRUPTLY.—Whoever knowingly, wilfully, and corruptly fails to comply with any provision of this section shall be imprisoned for not more than 10 years, or fined under title 18, United States Code, or both.

SEC. 404. MANDATORY ANNUAL ETHICS TRAINING FOR HOUSE EMPLOYEES.

(a) ETHICS TRAINING.—

(1) IN GENERAL.—The Committee on Standards of Official Conduct shall provide annual ethics training to each employee of the House which shall include knowledge of the Official Code of Conduct and related House rules.

(2) NEW EMPLOYEES.—A new employee of the House shall receive training under this section not later than 60 days after beginning service to the House.

(b) CERTIFICATION.—Not later than January 31 of each year, each employee of the House shall file a certification with the Committee on Standards of Official Conduct that the employee attended ethics training in the last year as established by this section.

TITLE V—OPEN GOVERNMENT

SEC. 501. FISCAL RESPONSIBILITY.

(a) RECONCILIATION.—Clause 10 of rule XVIII of the Rules of the House of Representatives is amended by adding at the end the following new paragraph:

''(d) It shall not be in order to consider any reconciliation legislation which has the net effect of reducing the surplus or increasing the deficit compared to the most recent Congressional Budget Office estimate for any fiscal year.''.

(b) APPLICATION OF POINTS OF ORDER UNDER CONGRESSIONAL BUDGET ACT TO ALL BILLS

AND JOINT RESOLUTIONS CONSIDERED UNDER SPECIAL ORDERS OF BUSINESS.—Rule XXI of the Rules of the House of Representatives is amended by adding at the end the following new clause:

''7. For purposes of applying section 315 of the Congressional Budget and Impoundment Control Act of 1974, the term 'as reported' under such section shall be considered to include any bill or joint resolution considered in the House pursuant to a special order of business.''.

SEC. 502. CURBING ABUSES OF POWER.

(a) LIMIT ON TIME PERMITTED FOR RECORDED ELECTRONIC VOTES.—Clause 2(a) of rule XX of the Rules of the House of Representatives is amended by inserting after the second sentence the following sentence: ''The maximum time for a record vote by electronic device shall be 20 minutes, except that the time may be extended with the consent of both the majority and minority floor managers of the legislation involved or both the majority leader and the minority leader.''.

(b) CONGRESSIONAL INTEGRITY.—Rule XXIII of the Rules of the House of Representatives (the Code of Official Conduct) is amended—

(1) by redesignating clause 14 as clause 16; and

(2) by inserting after clause 13 the following new clauses:

''14. A Member, Delegate, or Resident Commissioner shall not condition the inclusion of language to provide funding for a district-oriented earmark, a particular project which will be carried out in a Member's congressional district, in any bill or joint resolution (or an accompanying report thereof) or in any conference report on a bill or joint resolution (including an accompanying joint statement of managers thereto) on any vote cast by the Member, Delegate, or Resident Commissioner in whose Congressional district the project will be carried out.

''15. (a) A Member, Delegate, or Resident Commissioner who advocates to include a district-oriented earmark in any bill or joint resolution (or an accompanying report) or in any conference report on a bill or joint resolution (including an accompanying joint statement of managers thereto) shall disclose in writing to the chairman and ranking member of the relevant committee (and in the case of the Committee on Appropriations to the chairman and ranking member of the full committee and of the relevant subcommittee)—

''(1) the name of the Member, Delegate, or Resident Commissioner;

''(2) the name and address of the intended recipient of such earmark;

''(3) the purpose of such earmark; and

''(4) whether the Member, Delegate, or Resident Commissioner has a financial interest in such earmark.

''(b) Each committee shall make available to the general public the information transmitted to the committee under paragraph (a) for any earmark included in any measure reported by the committee or conference report filed by the chairman of the committee or any subcommittee thereof.

''(c) The Joint Committee on Taxation shall review any revenue measure or any reconciliation bill or joint resolution which includes revenue provisions before it is reported by a committee and before it is filed by a committee of conference of the two Houses, and shall identify whether such bill or joint resolution contains any limited tax benefits. The Joint Committee on Taxation shall prepare a statement identifying any such limited tax benefits, stating who the beneficiaries are of such benefits, and any substantially similar introduced measures and the sponsors of such measures. Any such statement shall be made available to the general public by the Joint Committee on Taxation.''.

(c) RESTRICTIONS ON REPORTING CERTAIN RULES.—Clause 6(c) of rule XIII of the Rules of the House of Representatives is amended—

(1) by striking ''or'' at the end of subparagraph (1);

(2) by striking the period at the end of subparagraph (2) and inserting a semicolon; and

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

''(3) a rule or order for consideration of a bill or joint resolution reported by a committee that makes in order as original text for purposes of amendment, text which differs from such bill or joint resolution as recommended by such committee to be amended unless the rule or order also makes in order as preferential a motion to amend that is neither divisible nor amendable but, if adopted will be considered original text for purposes of amendment, if requested by the chairman or ranking minority member of the reporting committee, and such rule or order shall waive all necessary points of order against that amendment only if it restores all or part of the text of the bill or joint resolution as recommended by such committee or strikes some or all of the original text inserted by the Committee on Rules that was not contained in the recommended version;

''(4) a rule or order that waives any points of order against consideration of a bill or joint resolution, against provisions in the measure, or against consideration of amendments recommended by the reporting committee unless the rule or order makes in order and waives the same points of order against one germane amendment if requested by the minority leader or a designee;

''(5) a rule or order that waives clause 10(d) of rule XVIII, unless the majority leader and minority leader each agree to the waiver and a question of consideration of the rule is adopted by a vote of two-thirds of the Members voting, a quorum being present; or

''(6) a rule or order that waives clause 12(a) of rule XXII.''.

SEC. 503. ENDING 2-DAY WORK WEEKS.

Rule XV of the Rules of the House of Representatives is amended by adding at the end the following new clause:

''8. It shall not be in order to consider a resolution providing for adjournment sine die unless, during at least 20 weeks of the session, a quorum call or recorded vote was taken on at least 4 of the weekdays (excluding legal public holidays).''.

SEC. 504. KNOWING WHAT THE HOUSE IS VOTING ON.

(a) BILLS AND JOINT RESOLUTIONS.—

(1) IN GENERAL.—Rule XIII of the Rules of the House of Representatives is amended by adding at the end the following new clause:

''8. Except for motions to suspend the rules and consider legislation, it shall not be in order to consider in the House a bill or joint resolution until 24 hours after or, in the case of a bill or joint resolution containing a district-oriented earmark or limited tax benefit, until 3 days after copies of such bill or joint resolution (and, if the bill or joint resolution is reported, copies of the accompanying report) are available (excluding Saturdays, Sundays, or legal holidays except when the House is in session on such a day).''.

(2) PROHIBITING WAIVER.—Clause 6(c) of rule XIII of the Rules of the House of Representatives, as amended by section 3(a), is further amended—

(A) by striking ''or'' at the end of subparagraph (5);

(B) by striking the period at the end of subparagraph (6) and inserting ''; or''; and

(C) by adding at the end the following new subparagraph:

''(7) a rule or order that waives clause 8 of rule XIII or clause 8(a)(1)(B) of rule XXII, unless a question of consideration of the rule is adopted by a vote of two-thirds of the Members voting, a quorum being present.''.

(b) CONFERENCE REPORTS.—Clause 8(a)(1)(B) of rule XXII of the Rules of the House of Representatives is amended by striking ''2 hours'' and inserting ''24 hours or, in the case of a conference report containing a district-oriented earmark or limited tax benefit, until 3 days after''.

SEC. 505. FULL AND OPEN DEBATE IN CONFERENCE.

(a) NUMBERED AMENDMENTS.—Clause 1 of rule XXII of the Rules of the House of Representatives is amended by adding at the end the following new sentence: ''A motion to request or agree to a conference on a general appropriation bill is in order only if the House expresses its disagreements with the House in the form of numbered amendments.''.

(b) PROMOTING OPENNESS IN DELIBERATIONS OF MANAGERS.—Clause 12(a) of rule XXII of the Rules of the House of Representatives is amended by adding at the end the following new subparagraph:

''(3) All provisions on which the two Houses disagree shall be open to discussion at any meeting of a conference committee. The text which reflects the conferees' action on all of the differences between the two Houses, including all matter to be included in the conference report and any amendments in disagreement, shall be available to any of the managers at least one such meeting, and shall be approved by a recorded vote of a majority of the House managers. Such text and, with respect to such vote, the total number of votes cast for and against, and the names of members voting for and against, shall be included in the joint explanatory statement of managers accompanying the conference report of such conference committee.''.

(c) POINT OF ORDER AGAINST CONSIDERATION OF CONFERENCE REPORT NOT REFLECTING RESOLUTION OF DIFFERENCES AS APPROVED.—

(1) IN GENERAL.—Rule XXII of the Rules of the House of Representatives is amended by adding at the end the following new clause:

''13. It shall not be in order to consider a conference report the text of which differs in any material way from the text which reflects the conferees' action on all of the differences between the two Houses, as approved by a recorded vote of a majority of the House managers as required under clause 12(a).''.

(2) PROHIBITING WAIVER.—Clause 6(c)(6) of rule XIII of the Rules of the House of Representatives, as added by section 3(c)(3), is further amended by striking ''clause 12(a)'' and inserting ''clause 12(a) or clause 13''.

TITLE VI—ANTI-CRONYISM AND PUBLIC SAFETY

SEC. 601. MINIMUM REQUIREMENTS FOR POLITICAL APPOINTEES HOLDING PUBLIC SAFETY POSITIONS.

(a) IN GENERAL.—A public safety position may not be held by any political appointee who does not meet the requirements of subsection (b).

(b) MINIMUM REQUIREMENTS.—An individual shall not, with respect to any position, be considered to meet the requirements of this subsection unless such individual—

(1) has academic, management, and leadership credentials in one or more areas relevant to such position;

(2) has a superior record of achievement in one or more areas relevant to such position;

(3) has training and expertise in one or more areas relevant to such position; and

(4) has not, within the 2-year period ending on the date of such individual's nomination for or appointment to such position, been a lobbyist for any entity or other client that is subject to the authority of the agency within which, if appointed, such individual would serve.

(c) POLITICAL APPOINTEE.—For purposes of this section, the term ''political appointee'' means any individual who—

(1) is employed in a position listed in sections 5312 through 5316 of title 5, United States Code (relating to the Executive Schedule);

(2) is a limited term appointee, limited emergency appointee, or noncareer appointee in the Senior Executive Service; or

(3) is employed in the executive branch of the Government in a position which has been excepted from the competitive service by reason of its policy-determining, policy-making, or policy-advocating character.

(d) PUBLIC SAFETY POSITION.—For purposes of this section, the term ''public safety position'' means—

(1) the Under Secretary for Emergency Preparedness and Response, Department of Homeland Security;

(2) the Director of the Federal Emergency Management Agency, Department of Homeland Security;

(3) each regional director of the Federal Emergency Management Agency, Department of Homeland Security;

(4) the Recovery Division Director of the Federal Emergency Management Agency, Department of Homeland Security;

(5) the Assistant Secretary for Immigration and Customs Enforcement, Department of Homeland Security;

(6) the Assistant Secretary for Public Health Emergency Preparedness, Department of Health and Human Services;

(7) the Assistant Administrator for Solid Waste and Emergency Response, Environmental Protection Agency; and

(8) any position (not otherwise identified under any of the preceding provisions of this subsection) a primary function of which involves responding to a direct threat to life or property or a hazard to health, as identified by the head of each employing agency in consultation with the Office of Personnel Management.

Beginning not later than 30 days after the date of the enactment of this Act, the head of each agency shall maintain on such agency's public website a current list of all public safety positions within such agency.

(e) COORDINATION WITH OTHER REQUIREMENTS.—The requirements set forth in subsection (b) shall be in addition to, and not in lieu of, any requirements that might otherwise apply with respect to any particular position.

(f) DEFINITIONS.—For purposes of this section—

(1) the term ''agency'' means an Executive agency (as defined by section 105 of title 5, United States Code);

(2) the terms ''limited term appointee'', ''limited emergency appointee'', and ''noncareer appointee'' have the respective meanings given them by section 3132 of such title 5;

(3) the term ''Senior Executive Service'' has the meaning given such term by section 2101a of such title 5;

(4) the term ''competitive service'' has the meaning given such term by section 2102 of such title 5; and

(5) the terms ''lobbyist'' and ''client'' have the respective meanings given them by section 3 of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1602).

SEC. 602. EFFECTIVE DATE.

This title shall apply with respect to any appointment made after the end of the 30-day period beginning on the date of the enactment of this Act.

TITLE VII—ZERO TOLERANCE FOR CONTRACT CHEATERS

SEC. 701. PUBLIC AVAILABILITY OF FEDERAL CONTRACT AWARDS.

(a) AMENDMENT.—The Office of Federal Procurement Policy Act (41 U.S.C. 403 et seq.) is amended by inserting after section 19 the following new section:

''SEC. 19A. PUBLIC AVAILABILITY OF CONTRACT AWARD INFORMATION.

''Not later than 14 days after the award of a contract by an executive agency, the head of the executive agency shall make publicly available, including by posting on the Internet in a searchable database, the following information with respect to the contract:

''(1) The name and address of the contractor.

''(2) The date of award of the contract.

''(3) The number of offers received in response to the solicitation.

''(4) The total amount of the contract.

''(5) The contract type.

''(6) The items, quantities, and any stated unit price of items or services to be procured under the contract.

''(7) With respect to a procurement carried out using procedures other than competitive procedures—

''(A) the authority for using such procedures under section 303(c) of title III of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(c)) or section 2304(c) of title 10, United States Code; and

''(B) the number of sources from which bids or proposals were solicited.

''(8) The general reasons for selecting the contractor.''.

(b) CLERICAL AMENDMENT.—The table of contents contained in section 1(b) of such Act is amended by inserting after the item relating to section 19 the following new item:

''Sec. 19A. Public availability of contract award information.''.

(c) EFFECTIVE DATE.—The amendments made by this Act shall apply to contracts entered into more than 90 days after the date of the enactment of this Act.

SEC. 702. PROHIBITION ON AWARD OF MONOPOLY CONTRACTS.

(a) Paragraph (3) of section 303H(d) of title III of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253h(d)) is amended to read as follows:

''(3)(A) The regulations implementing this subsection shall prohibit the award of monopoly contracts.

''(B) In this subsection, the term 'monopoly contract' means a task or delivery order contract in an amount estimated to exceed $10,000,000 (including all options) awarded to a single contractor.

''(C) Notwithstanding subparagraph (A), a monopoly contract may be awarded if the head of the agency determines in writing that—

''(i) for one of the reasons set forth in section 303(c), a single task or delivery order contract is in the best interest of the Federal Government; or

''(ii) the task orders expected under the contract are so integrally related that only a single contractor can reasonably perform the work.''.

(b) Section 303H(d)(1) of such Act is amended by striking ''The head'' and inserting ''Subject to paragraph (3), the head''.

(c) Subsection (e) of section 303I of such Act (41 United States Code 253i) is amended to read as follows:

''(e) MULTIPLE AWARDS.—Section 303H(d) applies to a task or delivery order contract for the procurement of advisory and assistance services under this section.''.

SEC. 703. COMPETITION IN MULTIPLE AWARD CONTRACTS.

Title III of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 251 et seq.) is amended by inserting after section 303M the following new section:

''SEC. 303N. COMPETITION IN MULTIPLE AWARD CONTRACTS.

''(a) REGULATIONS REQUIRED.—Not later than 180 days after the date of the enactment of this section, the Federal Acquisition Regulation shall be revised to require competition in the purchase of goods and services by each executive agency pursuant to multiple award contracts.

''(b) CONTENT OF REGULATIONS.—(1) The regulations required by subsection (a) shall provide, at a minimum, that each individual purchase of goods or services in excess of $100,000 that is made under a multiple award contract shall be made on a competitive basis unless a contracting officer of the executive agency—

''(A) waives the requirement on the basis of a determination that—

''(i) one of the circumstances described in paragraphs (1) through (4) of section 303J(b) applies to such individual purchase; or

''(ii) a statute expressly authorizes or requires that the purchase be made from a specified source; and

''(B) justifies the determination in writing.

''(2) For purposes of this subsection, an individual purchase of goods or services is made on a competitive basis only if it is made pursuant to procedures that—

''(A) require fair notice of the intent to make that purchase (including a description of the work to be performed and the basis on which the selection will be made) to be provided to all contractors offering such goods or services under the multiple award contract; and

''(B) afford all contractors responding to the notice a fair opportunity to make an offer and have that offer fairly considered by the official making the purchase.

''(3) Notwithstanding paragraph (2), notice may be provided to fewer than all contractors offering such goods or services under a multiple award contract described in subsection (c)(2)(A) if notice is provided to as many contractors as practicable.

''(4) A purchase may not be made pursuant to a notice that is provided to fewer than all contractors under paragraph (3) unless—

''(A) offers were received from at least three qualified contractors; or

''(B) a contracting officer of the executive agency determines in writing that no additional qualified contractors were able to be identified despite reasonable efforts to do so.

''(5) For purposes of paragraph (2), fair notice means notice of intent to make a purchase under a multiple award contract posted, at least 14 days before the purchase is made, on the website maintained by the General Services Administration known as FedBizOpps.gov (or any successor site).

''(c) DEFINITIONS.—In this section:

''(1) The term 'individual purchase' means a task order, delivery order, or other purchase.

''(2) The term 'multiple award contract' means—

''(A) a contract that is entered into by the Administrator of General Services under the multiple award schedule program referred to in section 309(b)(3);

''(B) a multiple award task order contract that is entered into under the authority of sections 2304a through 2304d of title 10, United States Code, or sections 303H through 303K; and

''(C) any other indefinite delivery, indefinite quantity contract that is entered into by the head of an executive agency with two or more sources pursuant to the same solicitation.

''(d) APPLICABILITY.—The revisions to the Federal Acquisition Regulation pursuant to subsection (a) shall take effect not later than 180 days after the date of the enactment of this section and shall apply to all individual purchases of goods or services that are made under multiple award contracts on or after the effective date, without regard to whether the multiple award contracts were entered into before, on, or after such effective date.''.

SEC. 704. SUSPENSION AND DEBARMENT OF UNETHICAL CONTRACTORS.

(a) CIVILIAN AGENCY CONTRACTORS.—Title III of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 251 et seq.) is amended by inserting after section 303N, as added by section 703, the following new section:

''SEC. 303O. SUSPENSION AND DEBARMENT OF UNETHICAL CONTRACTORS.

''(a) IN GENERAL.—No prospective contractor may be awarded a contract with an agency unless the contracting officer for the contract determines that such prospective contractor has a satisfactory record of integrity and business ethics.

''(b) DEFINITION.—No prospective contractor shall be considered to have a satisfactory record of integrity and business ethics if it—

''(1) has exhibited a pattern of overcharging the Government under Federal contracts;

''(2) has exhibited a pattern of failing to comply with the law, including tax, labor and employment, environmental, antitrust, and consumer protection laws; or

''(3) has an outstanding debt with a Federal agency in a delinquent status.''

(b) CONFORMING AMENDMENT.—The table of sections at the beginning of such Act is amended by inserting after the item relating to section 303N, as added by section 703, the following new item:

''Sec. 303O. Suspension and debarment of unethical contractors.''.

SEC. 705. CRIMINAL SANCTIONS FOR CHEATING TAXPAYERS AND WARTIME FRAUD.

(a) PROHIBITION.—

(1) IN GENERAL.—Chapter 47 of title 18, United States Code, is amended by adding at the end the following:

''§ 1039. Criminal sanctions for cheating taxpayers and wartime fraud

''(a) PROHIBITION.—

''(1) IN GENERAL.—Whoever, in any matter involving a Federal contract for the provision of goods or services, knowingly and willfully—

''(A) executes or attempts to execute a scheme or artifice to defraud the United States;

''(B) falsifies, conceals, or covers up by any trick, scheme, or device a material fact;

''(C) makes any materially false, fictitious, or fraudulent statements or representations, or makes or uses any materially false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry; or

''(D) materially overvalues any good or service with the specific intent to excessively profit from war, military action, or relief or reconstruction activities;

shall be fined under paragraph (2), imprisoned not more than 10 years, or both.

''(2) FINE.—A person convicted of an offense under paragraph (1) may be fined the greater of—

''(A) $1,000,000; or

''(B) if such person derives profits or other proceeds from the offense, not more than twice the gross profits or other proceeds.

''(b) EXTRATERRITORIAL JURISDICTION.—There is extraterritorial Federal jurisdiction over an offense under this section.

''(c) VENUE.—A prosecution for an offense under this section may be brought—

''(1) as authorized by chapter 211 of this title;

''(2) in any district where any act in furtherance of the offense took place; or

''(3) in any district where any party to the contract or provider of goods or services is located.''.

(2) TABLE OF SECTIONS.—The table of sections for chapter 47 of title 18, United States Code, is amended by adding at the end the following:

''1039. Criminal Sanctions for Cheating Taxpayers and Wartime Fraud.''.

(d) CIVIL FORFEITURE.—Section 981(a)(1)(C) of title 18, United States Code, is amended by inserting ''1039,'' after ''1032,''.

(e) CRIMINAL FORFEITURE.—Section 982(a)(2)(B) of title 18, United States Code, is amended by striking ''or 1030'' and inserting ''1030, or 1039''.

(f) MONEY LAUNDERING.—Section 1956(c)(7)(D) of title 18, United States Code, is amended by inserting the following: '', section 1039 (relating to Criminal Sanctions for Cheating Taxpayers and Wartime Fraud,'' after ''liquidating agent of financial institution),''.

SEC. 706. PROHIBITION ON CONTRACTOR CONFLICTS OF INTEREST.

(a) PROHIBITION.—An agency may not enter into a contract for the performance of a function relating to contract oversight with any contractor with a conflict of interest.

(b) DEFINITIONS.—In this section:

(1) The term ''function relating to contract oversight'' includes the following specific functions:

(A) Evaluation of a contractor's performance.

(B) Evaluation of contract proposals.

(C) Development of statements of work.

(D) Services in support of acquisition planning.

(E) Contract management.

(2) The term ''conflict of interest'' includes cases in which the contractor performing the function relating to contract oversight, or any related entity—

(A) is performing all or some of the work to be overseen;

(B) has a separate ongoing business relationship, such as a joint venture or contract, with any of the contractors to be overseen;

(C) would be placed in a position to affect the value or performance of work it or any related entity is doing under any other Government contract;

(D) has a reverse role with the contractor to be overseen under one or more separate Government contracts; and

(E) has some other relationship with the contractor to be overseen that could reasonably appear to bias the contractor's judgment.

(3) The term ''related entity'', with respect to a contractor, means any subsidiary, parent, affiliate, joint venture, or other entity related to the contractor.

(c) CONTRACTS RELATING TO INHERENTLY GOVERNMENTAL FUNCTIONS.—An agency may not enter into a contract for the performance of inherently governmental functions for contract oversight (as described in subpart 7.5 of part 7 of the Federal Acquisition Regulation).

(d) EFFECTIVE DATE AND APPLICABILITY.—This section shall take effect on the date of enactment of this Act and shall apply to—

(1) contracts entered into on or after such date;

(2) any task or delivery order issued on or after such date under a contract entered into before, on, or after such date; and

(3) any decision on or after such date to exercise an option or otherwise extend a contract for the performance of a function relating to contract oversight regardless of whether such contract was entered into before, on, or after the date of enactment of this Act.

SEC. 707. DISCLOSURE OF GOVERNMENT CONTRACTOR OVERCHARGES.

(a) QUARTERLY REPORT TO CONGRESS.—

(1) The head of each Federal agency or department shall submit to the chairman and ranking member of each committee described in paragraph (2) on a quarterly basis a report that includes the following:

(A) A list of audits or other reports issued during the applicable quarter that describe contractor costs in excess of $1,000,000 that have been identified as unjustified, unsupported, questioned, or unreasonable under any contract, task or delivery order, or subcontract.

(B) The specific amounts of costs identified as unjustified, unsupported, questioned, or unreasonable and the percentage of their total value of the contract, task or delivery order, or subcontract.

(C) A list of audits or other reports issued during the applicable quarter that identify significant or substantial deficiencies in any business system of any contractor under any contract, task or delivery order, or subcontract.

(2) The report described in paragraph (1) shall be submitted to the Committee on Government Reform of the House of Representatives, the Committee on Homeland Security and Governmental Affairs of the Senate, and other committees of jurisdiction.

(b) SUBMISSION OF INDIVIDUAL AUDITS.—The head of each Federal agency or department shall provide, within 14 days after a request in writing by the chairman or ranking member of any of the committees described in subsection (a)(2), a full and unredacted copy of any audit or other report described in subsection (a)(1).

SEC. 708. PENALTIES FOR IMPROPER SOLE-SOURCE CONTRACTING PROCEDURES.

Section 303 of the Federal Property and Administrative Services Act (41 U.S.C. 253) is amended—

(1) by redesignating subsections (g), (h), and (i) as subsections (h), (i), and (j), respectively; and

(2) by inserting after subsection (f) the following new subsection:

''(g) Any official who knowingly and intentionally violates Federal procurement law in the preparation or certification of a justification for a sole-source contract, in the award of a sole-source contract, or in directing or participating in the award of a sole-source contract, shall be subject to administrative sanctions up to and including termination of employment.''.

SEC. 709. STOPPING THE REVOLVING DOOR.

(a) ELIMINATION OF LOOPHOLES THAT ALLOW FORMER FEDERAL OFFICIALS TO ACCEPT COMPENSATION FROM CONTRACTORS OR RELATED ENTITIES.—

(1) Paragraph (1) of section 27(d) of the Office of Federal Procurement Policy Act (41 U.S.C. 423(d)(1)) is amended—

(A) by striking ''or consultant'' and inserting ''consultant, lawyer, or lobbyist'';

(B) by striking ''one year'' and inserting ''two years''; and

(C) in subparagraph (C), by striking ''personally made for the Federal agency—'' and inserting ''participated personally and substantially in—''.

(2) Paragraph (2) of section 27(d) of such Act (41 U.S.C. 423(d)(2)) is amended to read as follows:

''(2) For purposes of paragraph (1), the term 'contractor' includes any division, affiliate, subsidiary, parent, joint venture, or other related entity of the contractor.''.

(b) PROHIBITION ON AWARD OF GOVERNMENT CONTRACTS TO FORMER EMPLOYERS.—Section 27 of such Act (41 U.S.C. 423) is amended by adding at the end the following new subsection:

''(i) PROHIBITION ON INVOLVEMENT BY CERTAIN FORMER CONTRACTOR EMPLOYEES IN PROCUREMENTS.—A former employee of a contractor who becomes an employee of the Federal government shall not be personally and substantially involved with any Federal agency procurement involving the employee's former employer, including any division, affiliate, subsidiary, parent, joint venture, or other related entity of the former employer, for a period of two years beginning on the date on which the employee leaves the employment of the contractor.''.

(c) REQUIREMENT FOR FEDERAL PROCUREMENT OFFICERS TO DISCLOSE JOB OFFERS MADE TO RELATIVES.—Section 27(c)(1) of such Act (41 U.S.C. 423(c)(1)) is amended by inserting after ''that official'' the following: ''or for a relative of that official (as defined in section 3110 of title 5, United States Code),''.

(d) ADDITIONAL CRIMINAL PENALTIES.—Paragraph (1) of section 27(e) of such Act (41 U.S.C. (e)(1)) is amended to read as follows:

''(1) CRIMINAL PENALTIES.—Whoever engages in conduct constituting a violation of—

''(A) subsection (a) or (b) for the purpose of either—

''(i) exchanging the information covered by such subsection for anything of value, or

''(ii) obtaining or giving anyone a competitive advantage in the award of a Federal agency procurement contract; or

''(B) subsection (c) or (d);

shall be imprisoned for not more than 5 years or fined as provided under title 18, United States Code, or both.''.

(e) REGULATIONS.—Section 27 of such Act (41 U.S.C. 423) is further amended by adding at the end of the following new subsection:

''(j) REGULATIONS.—The Director of the Office of Government Ethics, in consultation with the Administrator, shall—

''(1) promulgate regulations to carry out and ensure the enforcement of this section; and

''(2) monitor and investigate individual and agency compliance with this section.''.

TITLE VIII—PRESIDENTIAL LIBRARIES

SEC. 801. PRESIDENTIAL LIBRARIES.

(a) IN GENERAL.—Section 2112 of title 44, United States Code, is amended by adding at the end the following new subsection:

''(h)(1) Any organization that is established for the purpose of raising funds for creating, maintaining, expanding, or conducting activities at a Presidential archival depository or any facilities relating to a Presidential archival depository, shall submit to the Administration, the Committee on Government Reform of the House of Representatives, and the Committee on Governmental Affairs of the Senate on a quarterly basis, by not later than the applicable date specified in paragraph (2), information with respect to every contributor who, during the designated period—

''(A) with respect to a Presidential archival depository of a President who currently holds the Office of President or for which the Archivist has not accepted, taken title to, or entered into an agreement to use any land or facility, gave the organization a contribution or contributions (whether monetary or in-kind) totaling $100 or more for the quarterly period; or

''(B) with respect to a Presidential archival depository of a President who no longer holds the Office of President and for which the Archivist has accepted, taken title to, or entered into an agreement to use any land or facility, gave the organization a contribution or contributions (whether monetary or in-kind) totaling $100 or more for the quarterly period.

''(2) For purposes of paragraph (1), the applicable date—

''(A) with respect to information required under paragraph (1)(A), shall be April 15, July 15, October 15, and January 15 of each year and of the following year as applicable to the fourth quarterly filing; and

''(B) with respect to information required under paragraph (1)(B), shall be April 15, July 15, October 15, and January 15 of each year and of the following year as applicable to the fourth quarterly filing.

''(3) As used in this subsection, the term 'information' means the following:

''(A) The amount or value of each contribution made by a contributor referred to in paragraph (1) in the quarter covered by the submission.

''(B) The source of each such contribution, and the address of the entity or individual that is the source of the contribution.

''(C) If the source of such a contribution is an individual, the occupation of the individual.

''(D) The date of each such contribution.

''(4) The Archivist shall make available to the public through the Internet (or a successor technology readily available to the public) as soon as is practicable after each quarterly filing any information that is submitted in accordance with paragraph (1).

''(5)(A) It shall be unlawful for any person who makes a contribution described in paragraph (1) to knowingly and willfully submit false material information or omit material information with respect to the contribution to an organization described in such paragraph.

''(B) The penalties described in section 1001 of title 18, United States Code, shall apply with respect to a violation of subparagraph (A) in the same manner as a violation described in such section.

''(6)(A) It shall be unlawful for any organization described in paragraph (1) to knowingly and willfully submit false material information or omit material information under such paragraph.

''(B) The penalties described in section 1001 of title 18, United States Code, shall apply with respect to a violation of subparagraph (A) in the same manner as a violation described in such section.

''(7)(A) It shall be unlawful for a person to knowingly and willfully—

''(i) make a contribution described in paragraph (1) in the name of another person;

''(ii) permit his or her name to be used to effect a contribution described in paragraph (1); or

''(iii) accept a contribution described in paragraph (1) that is made by one person in the name of another person.

''(B) The penalties set forth in section 309(d) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g(d)) shall apply to a violation of subparagraph (A) in the same manner as if such violation were a violation of section 316(b)(3) of such Act.

''(8) The Archivist shall promulgate regulations for the purpose of carrying out this subsection.''.

(b) APPLICABILITY.—Section 2112(h) of title 44, United States Code (as added by subsection (a))—

(1) shall apply to an organization established for the purpose of raising funds for creating, maintaining, expanding, or conducting activities at a Presidential archival depository or any facilities relating to a Presidential archival depository before, on or after the date of the enactment of this Act; and

(2) shall only apply with respect to contributions (whether monetary or in-kind) made after the date of the enactment of this Act.

TITLE IX—FORFEITURE OF RETIREMENT BENEFITS

SEC. 901. LOSS OF PENSIONS ACCRUED DURING SERVICE AS A MEMBER OF CONGRESS FOR ABUSING THE PUBLIC TRUST.

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

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

''(2)(A) An offense described in this paragraph is any offense described in subparagraph (B) for which the following apply:

''(i) Every act or omission of the individual (referred to in paragraph (1)) that is needed to satisfy the elements of the offense occurs while the individual is a Member.

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

''(iii) The offense is committed after the date of enactment of this subsection.

''(B) An offense described in this subparagraph is only the following, and only to the extent that the offense is a felony under title 18:

''(i) An offense under section 201 of title 18 (bribery of public officials and witnesses).

''(ii) An offense under section 219 of title 18 (officers and employees acting as agents of foreign principals).

''(iii) An offense under section 371 of title 18 (conspiracy to commit offense or to defraud United States) to the extent of any conspiracy to commit an act which constitutes an offense under clause (i) or (ii).

''(3) An individual convicted of an offense described in paragraph (2) shall not, after the date of the final conviction, be eligible to participate in the retirement system under this subchapter or chapter 84 while serving as a Member.

''(4) The Office of Personnel Management shall prescribe any regulations necessary to carry out this subsection. Such regulations shall include—

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

''(B) provisions under which the Office may provide for—

''(i) the payment, to the spouse or children of any individual referred to in the first sentence of paragraph (1), of any amounts which (but for this clause) would otherwise have been nonpayable by reason of such first sentence, but only to the extent that the application of this clause is considered necessary given the totality of the circumstances; and

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

''(5) For purposes of this subsection—

''(A) the term 'Member' has the meaning given such term by section 2106, notwithstanding section 8331(2); and

''(B) the term 'child' has the meaning given such term by section 8341.''.

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

''(l)(1) Notwithstanding any other provision of this chapter, the service of an individual finally convicted of an offense described in paragraph (2) shall not be taken into account for purposes of this chapter, except that this sentence applies only to service rendered as a Member (irrespective of when rendered). Any such individual (or other person determined under section 8424(d), if applicable) shall be entitled to be paid so much of such individual's lump-sum credit as is attributable to service to which the preceding sentence applies.

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

''(A) Every act or omission of the individual (referred to in paragraph (1)) that is needed to satisfy the elements of the offense occurs while the individual is a Member.

''(B) Every act or omission of the individual that is needed to satisfy the elements of the offense directly relates to the performance of the individual's official duties as a Member.

''(C) The offense is committed after the date of enactment of this subsection.

''(3) An individual finally convicted of an offense described in paragraph (2) shall not, after the date of the conviction, be eligible to participate in the retirement system under this chapter while serving as a Member.

''(4) The Office of Personnel Management shall prescribe any regulations necessary to carry out this subsection. Such regulations shall include—

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

''(B) provisions under which the Office may provide for—

''(i) the payment, to the spouse or children of any individual referred to in the first sentence of paragraph (1), of any amounts which (but for this clause) would otherwise have been nonpayable by reason of such first sentence, but only to the extent that the application of this clause is considered necessary given the totality of the circumstances; and

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

''(5) For purposes of this subsection—

''(A) the term 'Member' has the meaning given such term by section 2106, notwithstanding section 8401(20); and

''(B) the term 'child' has the meaning given such term by section 8341.''.

Ms. SLAUGHTER (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York is recognized for 5 minutes in support of her motion.

Ms. SLAUGHTER. Mr. Speaker, let me make it clear at the outset that if our motion to recommit passes, it will simply substitute for a sham bill a real reform bill.

Mr. Speaker, an interesting new poll conducted by The Wall Street Journal and NBC News came out last week. One of its findings is that 78 percent of Americans disapprove of the job Congress is doing. That means that four out of every five people walking the streets today in America are not happy about what goes on here in this Capitol Building.

There are a lot of reasons Americans are not happy with Congress, Mr. Speaker, and let me list a few of them.

They are not happy that this Congress allowed their energy industry buddies to write a national energy policy that is earning the oil companies record profits and costing the rest of us more than $3 a gallon at the gas station.

They are not happy that special interests have been allowed into the back rooms to write legislation that benefits them but not the American people.

They are not happy that these days Members can get away with doing almost anything unless it is so bad it gets the attention of the Justice Department.

The Republican leadership can read the polls, too. They figured out they are in trouble, so they put together this so-called reform bill to show Americans that at long last they are ready to clean up their act.

But the problem is this is not a serious bill. For the past 2 weeks, commentators and newspapers have been calling this bill for what it is, and here is what they say about it: It is a ''watered down sham,'' The Washington Post; an ''anemic excuse for reform,'' USA Today; ''an Orwellian shell of righteous platitudes'' from the New York Times.

Mr. Speaker, the motion to recommit I have at the desk is a real reform proposal. It is a proposal that makes a serious effort at cleaning up this place, and there is good evidence that it is a real reform proposal, and the Republicans are afraid of it. They do not want it debated in the House. They do not want a vote on it, and that is why they blocked it from being considered on the floor.

My proposal will prohibit Members and staff in the House, Senate and executive branch from use of corporate jets. It shuts down the infamous K Street Project. It bans gifts and meals from lobbyists. It ends the practice of adding special interest provisions to conference reports in the dead of night and after the conference has finished. It takes pension benefits away from Members of Congress convicted of crimes; and it requires the public disclosure of all earmarks, not just those of the Appropriations Committee but authorizers and tax bills, and much, much more.

My colleagues are faced with a clear and a simple choice today: support the discredited Republican bill before us and prove to your constituents that you are not serious about reform but you rather prefer the status quo of corruption and cronyism and that you are satisfied with a bill that simply gets you by the election; or support a reform proposal that will really begin to clean this place up.

But I would warn my colleagues on both sides of the aisle that you cannot have it both ways. The integrity of this Congress is at stake here, and the time has come for all Members to choose their side in this debate. Either stand up and be part of the solution by supporting the proposal I have placed before the House, or remain a part of the problem and vote with the Republican leadership.

We know that the Democrat proposal is a tough one, Mr. Speaker, but that is what we have to do to drain this swamp. They want their Congress back out there in America, and so do I. They are sick and tired of a Congress that lavishes gifts on the special interests and then sends them the bill. Vote ''yes'' on the motion to recommit.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The gentleman from California (Mr. DREIER) is recognized for 5 minutes in opposition to the motion to recommit.

Mr. DREIER. Mr. Speaker, I would like to begin by saying that reform is very, very difficult work to do; and I yield to the gentleman from Missouri (Mr. HULSHOF), my very good friend, a lead reformer.

(Mr. HULSHOF asked and was given permission to revise and extend his remarks.)

Mr. HULSHOF. Mr. Speaker, I appreciate the trust and confidence the chairman has put in me and allowed me a few moments here today, and I rise in opposition to the motion to recommit.

Mr. Speaker, I would like to speak to the larger point, because my soul is in torment. I think that we have turned the clock back to 1996 and 1997, when the entire ethics process was so politicized, where one side would file a complaint against a Member on the opposing side and then that side would file a complaint against a Member on the initiating side.

I resent the fact when you have privileged resolutions and Special Order speeches that Members of this body would single out the misdeeds or even criminal actions of a few and seek to indict or tarnish an entire party. I resent that.

I stood at that very spot a couple of years ago and was charged as an Ethics Committee member to prosecute one of our colleagues who had committed crimes of corruption, and the Chamber was full like it is, and this body had a very weighty decision, and that was shall we expel our colleague from Ohio. We did with one dissenting vote, and it never crossed my mind that I would take that incident in any sort of short-term political gain and to try to label everyone in Mr. Traficant's party as a culture of corruption.

I am troubled by the fact of what we read in the newspaper. It pains me because I know these individuals that

these headlines are written about, and yet I believe that the short-term effort political gain is tarnishing the long-term goodwill of this institution.

Is the desire for political gain so powerful that Members are willing to indict an entire party? Is that recognition of short-term political gain, do you recognize how irreparably we are harming this institution?

The American people deserve a functioning ethics process; the American people deserve what our conscience demands; and, God willing, we will disappoint neither.

Mr. DREIER. Mr. Chairman, let me just say that this product we have here today, due to the leadership of Speaker DENNIS HASTERT, has been a 4-month-long process. We just heard very moving remarks from our friend from Missouri. It is absolutely imperative that we recognize that the motion to recommit is nothing but a sham that would slow the process of reform. It is imperative that we defeat this motion to recommit and pass this measure so that we can move on to the Senate to bring about real, meaningful reform.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Ms. SLAUGHTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage of H.R. 4975, if ordered, and on suspending the rules and agreeing to H. Res. 781.

The vote was taken by electronic device, and there were—yeas 213, nays 216, not voting 4, as follows:

[Roll No. 118]

YEAS—213

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bass
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boyd
Bradley (NH)
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Cardin
Cardoza
Carnahan
Carson
Case
Castle
Chabot
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Fitzpatrick (PA)
Ford
Frank (MA)
Gerlach
Gonzalez
Gordon
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Platts
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Reyes
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Shays
Sherman
Simmons
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Wilson (NM)
Woolsey
Wu
Wynn

NAYS—216

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Beauprez
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boucher
Boustany
Brady (TX)
Brown (SC)
Burgess
Burton (IN)
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capuano
Carter
Chocola
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Gutknecht
Hall
Harris
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (IL)
Johnson, Sam
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Otter
Oxley
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Sabo
Saxton
Schmidt
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—4

Brown-Waite, Ginny
Buyer
Evans
Osborne

□ 1719

Mr. DICKS and Ms. KAPTUR changed their vote from ''nay'' to ''yea.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Ms. SLAUGHTER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 217, noes 213, not voting 3, as follows:

[Roll No. 119]

AYES—217

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Beauprez
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boustany
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Cuellar
Culberson
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Gutknecht
Hall
Harris
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (IL)
Johnson, Sam
Keller
Kelly
Kennedy (MN)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.

Manzullo
Marchant
Marshall
Matheson
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Melancon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Otter
Oxley
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schmidt
Schwarz (MI)
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (SC)
Young (AK)
Young (FL)

NOES—213

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Bass
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Bonilla
Boucher
Boyd
Bradley (NH)
Brady (PA)
Brown (OH)
Brown, Corrine
Burton (IN)
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Ford
Frank (MA)
Gonzalez
Gordon
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Hefley
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Mack
Maloney
Markey
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Platts
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Reyes
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Shays
Sherman
Simmons
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Wilson (NM)
Wolf
Woolsey
Wu
Wynn

NOT VOTING—3

Buyer
Evans
Osborne

□ 1731

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Pursuant to section 2 of House Resolution 783, the text of H.R. 513, as passed by the House, will be appended to the engrossment of H.R. 4975.

(For the text of H.R. 513, see proceedings of the House of April 5, 2006, at page H1516.)

CONGRATULATING CHARTER SCHOOLS AND THEIR STUDENTS, PARENTS, TEACHERS, AND ADMINISTRATORS ACROSS THE UNITED STATES FOR THEIR ONGOING CONTRIBUTIONS TO EDUCATION

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 781.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nevada (Mr. PORTER) that the House suspend the rules and agree to the resolution, H. Res. 781, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 417, nays 1, answered ''present'' 3, not voting 11, as follows:

[Roll No. 120]

YEAS—417

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murtha
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)