

such as South Dakota, corn and soybeans, can be converted into energy that will lessen that dependence upon foreign sources of energy and, at the same time, create jobs. We are creating enormous numbers of jobs across this country, particularly in the Midwest.

New technologies will allow ethanol, cellulose ethanol, to be made from other products, from other feedstocks. This will be a trend that will continue to create jobs all across this country.

The ethanol industry and the economic gains we have seen have benefited our rural economy. Over the next year, ethanol will displace 2 million barrels of imported oil, create 234,840 jobs and boost American household incomes by \$43 billion. Because of the ethanol requirement in the Energy bill we passed last summer, 34 new ethanol plants are under construction, 8 existing plants will be expanded today, and more than 150 plants are in the works. Each plant employs between 40 and 50 people directly and creates hundreds of jobs throughout the local economy. These new plants will add more than 2 billion gallons of ethanol to the Nation's fuel supply by 2007, a 50-percent growth in ethanol production.

This is a good story for the American economy because the American economy relies upon affordable energy. My State of South Dakota is a case in point. We are an agriculture intense economy, energy intense economy, and rely on tourism. We have long distances to cover. We need affordable energy to continue to grow the economy and create jobs in states such as South Dakota.

The ethanol success story could not have happened had it not been for the Republican leadership in the Senate and the House coming together last summer on a bill that would put in place a renewable fuel standard that guarantees a market for ethanol moving forward in the year 2012. As a consequence, we are seeing remarkable improvements in the economy in places that had been struggling economic areas in this country, in rural areas of America that had been losing jobs and suffering from outmigration. It is a success story and one that could not have happened had it not been for the leadership that moved forward with an energy bill last year, that put in place the renewable fuel standard for the first time as a matter of policy in this country.

There are lots of other areas in the Energy bill currently being developed. If you look at wind energy, solar energy, nuclear energy, the Energy bill passed last summer provides great strides forward as we strive to achieve energy independence in this country and deal with what is a fundamental issue for our national security; that is, our energy security.

I rise this morning to again take note of the fact that we are an economy that is in some respects growing, seeing job expansion and a lot of good things happening in our economy, but

also acknowledging that unless we do something to decrease the amount, the 60 percent of the energy that we get from outside the United States, we run the risk of dramatically undermining and harming the economic growth we have experienced.

The energy policies we put in place last summer and some of the things currently under consideration in the Senate as we move forward will make great strides forward in helping America deal with what is an economic security issue, what is a national security issue, and that is the crisis of energy we see not only in the United States but across the world as more and more countries have an energy demand and the consumption continues to increase with a very limited supply.

We have a supply right in the Midwest. We grow corn each year, we grow soybeans each year. Other areas produce products that, as technology continues to improve, will enable us to convert those products into usable energy for America's future.

I yield the floor and suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. VITTER). Without objection, it is so ordered. The Senator from Mississippi is recognized.

Mr. LOTT. Mr. President, parliamentary inquiry: What is the status of the agenda at this time?

The PRESIDING OFFICER. In just a minute, morning business will be closed. Then the Senate will resume consideration of S. 2349.

Mr. LOTT. Mr. President, you say in a minute. Do we have other speakers?

The PRESIDING OFFICER. No. The Chair just needs to announce that.

Mr. LOTT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DODD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### LEGISLATIVE TRANSPARENCY AND ACCOUNTABILITY ACT OF 2006

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 2349 which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 2349) to provide greater transparency in the legislative process.

Pending:

Reid amendment No. 2932, to provide additional transparency in the legislative process.

Mr. DODD. Mr. President, I wish to spend a couple of minutes this morning commenting on the provisions offered by the Democratic leader, Senator REID of Nevada, which is a comprehensive amendment that covers a lot of the waterfront related to the matter before us, and that is greater transparency and accountability by Members of this institution as well as those who lobby us, who come to us and petition us as paid representatives of various public, private, and nonprofit entities, so we have a better opportunity to restore a lot of the confidence that has been eroded in how this institution performs its public function.

My colleague from Nevada, the chairman of the Democratic team here, has put together a very good proposal. It has been endorsed and supported by over 40 of our colleagues as part of the larger Reid bill. It is called the Honest Leadership Act. It covers a lot of ground. I want to identify the provisions in this bill. I know my colleague from Nevada has done that already, but it deserves repetition.

As someone who has now spent more than a quarter of a century in this body, I have great respect for my colleagues and their integrity. We all know that laws are not only written for the majority who abide by the law, but occasionally we write laws because there are those who step outside the boundaries, particularly when it comes to public responsibility and trust. I am not suggesting by this amendment, nor is the Democratic leader, that my colleagues in any way, at least the overwhelming majority, are violating not only the law of the land but even ethics, a sense of responsibility, a sense of good conduct. But we have learned painfully over the last number of months that there are people, unfortunately, who serve in public life, who serve in this great Capitol building, who do take advantage of their position for private gain, who have abused that public trust and have caused this institution and its Members to suffer once again the derision of our constituents, of people who are disappointed about how we conduct our business. It is a painful thing to go through.

I have often said I would be willing to take the 99 Members I serve with in this body and compare their ethics and morality to almost any other group of people, and I am sure they would stand up very well. But the facts are that we have people who do abuse the process, and we need to be cognizant of that and respond to it. That is what Senator LOTT and I are doing. That is what my colleagues, Senator LIEBERMAN and Senator COLLINS, are doing with their proposal which is part of the underlying bill.

Senator REID, on behalf of more than 40 of our colleagues, has put together a

comprehensive proposal to try and deal with many of these issues. I am sure there are matters with which some Members may disagree, may want to fine-tune in some way, may not necessarily support every dotted "I" and crossed "T." But the overall direction of the provisions included in this proposal is one that should enjoy broad support. We hope when the vote occurs later this morning, we can have strong support for it.

Let me mention several things it does. One, it bans all gifts, including meals, from lobbyists, the assumption being that this is no longer acceptable. There is no connection between the work of someone petitioning government on behalf of a client or an organization and simultaneously offering some gift to the Member or to the staff of that Member as a way of ingratiating themselves on behalf of the cause they represent. It may be innocent enough. We may find it obnoxious, even, in some cases, considering some of the things that are called gifts. But nonetheless, the perception—perception is reality in the business of public life—that Members of Congress or their staffs are receiving some unrelated item or gift or service or activity as a result of the relationship has come to be unacceptable to most of us here. And again, perceptions are such that we suffer as a result of that kind of conduct.

We also impose some additional restrictions of disclosure on the revolving door issue, requirements under the bill's revolving door provisions. This has to do with Members and senior staff who serve here and then leave and go into private life and become lobbyists and use that relationship to come back and have an immediate, direct influence on the legislative process as a result of those close, personal relationships. The revolving door has tried to have additional disclosure requirements and even extend to some degree the amount of time before such a person could come back and lobby their Member or other Members of this body or their senior staff.

We also deal in the Reid proposal with congressional travel. It bans lobbyists or anybody affiliated with them from being involved in congressional travel. Again, I say "congressional travel." Travel can be a very important element of service in the U.S. Congress. Members, from time to time, need to get out around the country and need to engage in foreign travel. We are not talking about that. We are not talking about related travel in which Members should be engaged. We are talking about those travel expenses that are unrelated.

The most egregious case recently is the matter involving Members of the other body on a golfing excursion in Scotland. When people look at that, they assume maybe all of us are doing those sorts of things. That is not the case, but that is the perception. We need to limit what we talk about here

in terms of the travel in which Members of Congress can engage. In my view, if you are traveling on behalf of your public responsibilities as a Member of the Senate or a Member of the Congress, then that is something we ought to allow. In fact, we ought to encourage it. If the travel is unrelated to that nexus of your public responsibility, we ought to try to limit it, if not ban it altogether.

The Reid proposal does that. It allows only bona fide 501(c)(3) organizations to pay for congressional travel for factfinding, educational purposes. It retains the requirement for Ethics Committee approval for travel beforehand so that if Members think it may be questionable, they can get a ruling ahead of time. It requires certification that the trip is not planned, supported, or paid for by lobbyists. It imposes per diem rates on acceptable third-party-paid travel and lodging.

I point out, Mr. President, it tightens the ban on the so-called K Street project. This is controversial. My colleague from Mississippi was patient in the Rules Committee in listening to the K Street project provision that was offered by my friend from Illinois. It was pointed out in committee that there are already prohibitions in existing criminal law for people who would suggest that there was going to be a price that someone would pay if they hired or did not hire someone else based on their political affiliation. We thought it was so important to establish this principle in the rules of this body that we have codified the prohibition against those who would pressure outside employers to make a hiring decision based primarily on party affiliation. This is wrong, it is an abuse, and it ought to be stopped. The Reid proposal does just that.

It is especially egregious where it is accompanied by a threat—implicit or explicit—that a Member might take or withhold certain actions based on the hiring decision. We have learned that has happened. It is unfortunate. The businesses that did that were unwise and shortsighted, but nonetheless it has occurred. This proposal includes the ban on the so-called K Street-type projects.

There are new civil and criminal penalties to combat public corruption. It would require new certifications by lobbyists on gifts and travel and by trip sponsors and increase penalties for knowing, willful, and corrupt violations under the False Statements Act. It would prohibit dead-of-night legislating, require a final vote on conference reports in a public meeting, which, again, I think is critical here.

We know if you are getting this legislation out, getting it to be public on the Internet so people have an opportunity to read, as well, what we are about to do, what actions we are about to take—I know this becomes difficult under certain circumstances, particularly at the end of a session if you are dealing with continuing resolutions

which can be very large and so forth. It imposes burdens on this institution. But I think we bear a responsibility to make sure the public has a clear idea, or at least the opportunity for a clear idea, to understand what we are about to do, what actions we are about to take, and how they would affect them.

So I urge my colleagues, again, to support this kind of provision. Not all are people on this side or the other side of the aisle. So that is what is being proposed by Senator REID of Nevada. I hope in looking at this, in conjunction with the underlying accomplishments—let me say once again to my colleagues, I think the work of the Rules Committee was a good effort, and we are proud of what we did. Again, this is a dynamic process that doesn't happen all at once. What is reform one day is not the next, and you go back and forth. I always loved this line, and you have to be careful.

There was a wonderful Republican Party chairman in New York who once said that the last refuge of the scoundrel was patriotism—until they invented the word "reform." People sometimes hide behind that language as a way to achieve certain ends.

What we have done here with the underlying bill—and I think with the Reid proposal—is strengthen this legislation. It is going to make us all better Members, help restore confidence in this institution and its individual Members. I emphasize what I said at the outset. I have great confidence in the ethical, moral behavior of my colleagues. People I have total disagreements with on policy matters, I trust them as to how they conduct themselves in these public arenas. But every profession learns that the laws are not written for the majority who obey the law. Laws and codes of ethics are written for those in the minority who violate that trust and confidence.

So we write these provisions and include these proposals in statutory law and in our code of conduct not because we believe every Member is somehow on the brink or cusp of engaging in irresponsible behavior but because we recognize and understand that from time to time there will be people who serve with us who will violate that public trust and confidence. That is why we have these codes of conduct, why we have statutory language that prohibits the behavior that we have outlined in these proposals.

So I urge my colleagues, when the time comes in roughly an hour or so, to support the Reid proposal. It is offered on behalf of more than 40 of us in this body. We think it is a sound proposal that would strengthen an already good bill. I urge my colleagues to cast and "aye" vote for the Reid amendment.

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

Mr. LOTT. Mr. President, after conferring with our colleagues on this side of the aisle, I ask unanimous consent that the vote in relation to the Reid amendment No. 2932 occur at 11:30 a.m.,

with no second degrees in order prior to the vote, and that all time be equally divided until the vote.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. DODD. Mr. President, I urge our colleagues to come over to speak if they wish.

Mr. LOTT. Those who would like to be heard, we want to make sure they can be heard. I would be glad to yield my own floor time so they can comment. I do have some comments I would like to make, and I will ask unanimous consent—I will do it then—that we set aside the Reid amendment so that we can have one offered by Senator SANTORUM, and we can begin debate on that. The emphasis will be on the Reid amendment, if you want to check that and make sure you are OK with that. I see one potential speaker.

In order to try to keep things moving, we are going to try to get another amendment offered, and we will alternate back and forth.

Mr. DODD. I have no objection at all to that proposal offered by my friend from Mississippi. I urge Members on both sides of the aisle who have amendments or ideas on the bill, let us know so we can move the process along, and let us know what your amendments are so we can begin to consider and discuss them even before they are offered as a way of trying to expedite the process. The Senate wants to consider other matters. This is very important, but I would like to move as rapidly as we can on the consideration of these ideas and proposals.

I urge my colleagues who have amendments and want to be heard to let us know as soon as possible.

Mr. LOTT. Mr. President, full disclosure, too. We have other Senators who would like to get into the mix, I say to Senator DODD. Senator INHOFE is here with some amendments, some of which we can probably get an agreement on, some of which will take more time. Also, Senator VITTER, who is in the chair now, would like to get into the mix.

As we go back and forth, I thought we would go to SANTORUM, and then if you have a Senator—or maybe we can clear a couple of the Inhofe amendments. That is what we would like to do.

Mr. President, I want to respond a little bit to the Reid proposal. I think you have to give credit to Senator REID and the Democrats for developing some legislation for this body to consider. People may be shocked to hear me say that, thinking that is not the way we do things. This is basically the Democratic leader's proposal. My attitude is, look, good work was done on it. They have a package here. Some of it was good enough that we pulled it out and put it right into the Rules Committee bill. I want to give credit to the fact that they want to work on this and have made some recommendations. In that vein, Senator SANTORUM, at the

request of our leader, as chairman of our conference, went to work and started developing a package of ideas, amendments, and concerns and solutions, too.

So both parties were working on this. Yes, it was on separate tracks, but as we went forward Senators began to realize that this is not really partisan. It is even bigger than the institution. It is about us and the people we represent and their rights. We need to think this through because whatever we do, we are going to have to live with it, and the American people are going to have to live with it.

As time went forward, Senator SANTORUM was working with Senator MCCAIN and Senator LIEBERMAN. I started working with Senator DODD—we talked—and Senator FEINSTEIN, and then bipartisan meetings started to happen. I tell you, I wish we could do more things here like this. We came to a juncture and we reported out a bill from the Rules Committee that was unanimously approved. The Homeland Security and Governmental Affairs Committee reported out a bill that had only one dissenting vote. This is the way it ought to work.

I give credit to Senator REID and the Democrats for getting involved and helping this process. But now we have to produce legislation. It is important that we hear each other out and that we have some debate and some amendments and votes and get this job done.

Mr. President, the amendment presented by the Democratic leader is not fundamentally different from any of the provisions of the bill reported by the Rules Committee and by the Homeland Security and Governmental Affairs Committee. It has similar provisions to what was in the Santorum package. Our main differences are on issues such as how to treat gifts from lobbyists, and the Reid amendment bars all gifts from registered lobbyists. The Rules Committee bans gifts from registered lobbyists, except for meals, which are not included in the definition of a gift. I will give you one example for why we are making this exception. Our bill bars gifts from registered lobbyists and foreign agents. A very thoughtful Senator, chairman of the Foreign Relations Committee, Senator LUGAR, inquired: Wait a minute. How will that work if I am invited as chairman of the Foreign Relations Committee to a dinner at an embassy of a foreign country that involves foreign agents? Will I be able to go? How will I deal with that?

That is the kind of thoughtful question we better think about because we don't want to put ourselves into a position where we cannot do our jobs.

Another example of where I am concerned is we have language in the Homeland Security bill that is going to restrict or require more reporting of grassroots lobbying activities. This will have a chilling effect on grassroots lobbying. Do we want to do that? What about the right of the people to peti-

tion their government for a redress of grievances? Why are we letting on like there is something wrong with people with a point of view who would get people involved and get our constituents to contact us about an issue? We are big boys and girls.

We should be able to hear from our constituents, even if they are inspired by the Chamber of Commerce or the Sierra Club, or even if it is something such as the ports issue. I heard from a lot of my constituents. We need to make sure we think through what we do here.

The Reid amendment claims to prohibit privately funded travel, yet, in fact, it does no such thing. It opens a loophole that would allow 501(c)(3) organizations to finance congressional travel. The Rules Committee requires far stricter preclearance of such trips.

My attitude is, instead of setting up a new process or new loophole, let's have these trips reviewed mandatorily and approved or you can't do it. Then you have to also divulge the itinerary and who is involved in these trips. I think that is a far better approach.

The Democratic alternative presented by Senator REID bars lobbyists from participating in such trips whereas the Rules Committee measure requires disclosure of lobbyist involvement.

The Reid amendment also prohibits a Member from negotiating for prospective private employment if a conflict of interest or the appearance of a conflict exists. We have that in our Rules Committee language. We actually went a step further than that. The law prohibits this already, but I also think that a rule in this area is fine.

The Reid amendment makes it a felony for a Member of Congress to seek to influence a private employment decision by threatening to take or withhold an official act. Absolutely we should do that. I think the law already does that. I honestly believe the bills reported by the Rules Committee and Governmental Affairs Committee are superior to the Reid amendment.

When I first looked at the Homeland Security and Governmental Affairs bill, I wasn't quite sure what it did. But as I read it more and more, it is very good in terms of reporting, disclosure, and transparency. It requires more reporting with regard to lobbyists.

We better continue to ask ourselves about what we are doing here. For instance, I am particularly troubled by the provisions that would only allow travel sponsored by 501(c)(3) organizations. Do my colleagues not realize that 501(c)(3) organizations can be manipulated and used by lobbyists as fronts for their lobbying activities? In fact, that is exactly what Jack Abramoff did. He laundered money through a 501(c)(3) and used a tax-exempt entity to finance congressional travel.

This is one of my major concerns with the Reid proposal. I think it actually endorses a process that has been used to abuse the lobbying rules.

While the effort here is a good one by Senator REID and in good faith, we have a superior bill. Where Senator REID had some good proposals, we put them into the Rules Committee bill. But there are many provisions, a much more detailed package from the Rules Committee and Homeland Security and Governmental Affairs Committee.

I hope when the time comes, this amendment will be rejected. We are trying to make this a responsible bill—not inferring that the Reid amendment is not responsible. We are also trying to make it bipartisan. So I am concerned that we have come right out of the gate with a partisan package. I assume we are not going to have the Santorum alternative offered as a package. It has been melded into what we have.

I urge my colleagues to reject the partisan package. Let's take the good stuff out of it and make it a part of our final product.

Mr. President, I will be glad to yield the floor so a Senator may speak on the Reid proposal. I yield the floor.

The PRESIDING OFFICER. The Senator from California is recognized.

Mrs. BOXER. Mr. President, if it is all right with Senator DODD, I wish to be heard on the Reid amendment for not longer than 15 minutes.

Mr. DODD. I yield whatever the time the Senator cares to use.

The PRESIDING OFFICER. The Senator from California is recognized.

Mrs. BOXER. Mr. President, I am very pleased the Senate has now taken up this important issue. I compliment Senators LOTT and DODD for working together, as well as Senators COLLINS and LIEBERMAN. We needed to have this debate. We need to have these changes.

Over the past several months, we have all heard the sorry tale of scandal and corruption and bribery involving Jack Abramoff, senior Bush administration officials, and, sadly for us, Members of Congress. Those tales have unfolded here in Washington. It is clear that these scandals show corruption has taken hold here and that we in Congress must act. That is why I am so glad we have set aside time for this bill.

The measure on the floor today makes important strides in cleaning up corruption, but, in my view, it doesn't go quite far enough. Under the leadership of Senator HARRY REID, Senate Democrats have advanced legislation that goes even further, but it doesn't go so far as to make it unworkable or unreasonable.

We were and Senator REID was the first to respond to the revelations of scandal and corruption in Washington. Nearly the entire Democratic caucus united to create a package of reforms which we call the Honest Leadership and Open Government Act of 2006. It was the first idea that we rolled out for the American people to see.

I believe the Reid bill helped set the tone for the bill we are debating today. I do, again, Mr. President, thank Senator LOTT for his leadership in the committee. I thank him for working so closely with Senator DODD. And I say the same to all my colleagues involved in this issue because we know the partisanship here is deep and the Senators set it aside, and for that we are all grateful.

What we have before us is an excellent start. If we did that and nothing else, it is a start. But we have a chance now to do better. I think the American people won't settle for just a good start; they want to see deep reform. They want the revolving door slowed so that they don't see Members of Congress—Senators and House Members—staff members, and administration officials walking out the Capitol steps and walking right into a lucrative job where they will have undue influence in terms of what goes on in the Congress.

The American people want to feel they still have a voice, even though they don't have thousands or maybe millions of dollars to shell out on K Street where the lobbyists thrive. They want gifts banned. They don't want to see a commission report on why the latest scandal happened; they want measures in place that prevent scandals from taking place at all.

My colleagues and I on this side of the aisle are prepared to offer amendments to strengthen this bill, and Senator REID's package is the first such attempt. I believe it is important, again, to strengthen this bill and raise it to a standard in which our constituents can take comfort.

We truly need to go beyond what we have before us. We also need to go beyond the Congress and follow the money, as sordid as it may be, and follow the meetings, and follow the contacts between Mr. Abramoff and the White House. So far, the White House is quick to admonish those outside the administration who engage in scandalous acts. Yet they have maintained a policy of duck and cover and denying when allegations are pointed in their direction.

I will have an amendment calling on the White House to cooperate, to turn over the information that we and the public deserve to have on how many times Jack Abramoff was in the White House, or his associates, and what it is they wanted and what it is they got and what it is they gave. That amendment will be coming soon. It is very clear. I hope it will be accepted. I know that my side of the aisle supports it.

My amendment simply says that the White House should fully disclose all of its dealings with Mr. Abramoff. We certainly should disclose our dealings, and as far as I know, every Member has gone back and looked to see if they received contributions from Mr. Abramoff, if they received contributions from anyone associated with him. Many of us have acted to either return

those contributions or to explain why we would rather give them to charity. We have opened up our books. The White House has to open up its books as well.

Again, I am very pleased at the bipartisan effort that has taken place to bring ethics reform to the floor today, and I urge all my colleagues on both sides of the aisle to support the amendment offered by the Senator from Nevada and continue this bipartisanship.

Anyone who knows HARRY REID knows he is a reasonable person who loves this institution, who has given his life to public service, starting from the time he was a police officer. The Reid amendment serves only to strengthen the reforms we seek and that the American people demand. This is what it does in part.

It closes the revolving door so that the outcome of legislation is not tied to a Member's potential job prospects. It ends the K Street project by shutting down the pay-to-play corruption scheme. K Street offices should be staffed by individuals who are the most qualified for the job, not well-placed former congressional staffers who obtain their job through a back-room deal to stack the deck in any party's political favor. And we know that calls come routinely to these offices saying: Hire this staff or that staff, and the implication is you will be treated better in legislation. It is a disgrace.

The Reid amendment increases penalties for violations of the rules under the Lobbying Disclosure Act as a further deterrent for lobbyists to engage in unethical practices, and it prohibits dead-of-night legislating to allow for an open meeting of the conferees with access by the public. The public is so shut out around here. Not only are Democrats shut out of some conferences, but the public certainly knows not what is going on. We want the light of day to shine. If you want to stop those bridges to nowhere and other projects that don't make any sense, open up the process to the light of day, and all of us—all of us—will be scrutinized.

I think we should impose tougher restrictions on congressional travel and gifts. We know there is a difference between traveling in an official congressional delegation and traveling because some company wants to do you a favor. We know what that is about. There is a difference between a truly educational trip that is sponsored by a foundation with no ties to special economic interests and a trip that is organized by some economic interests that want to treat you in a way that will make you more open to what they want. There is a difference here, and I think what the Reid amendment does is walk that line.

So with this bill, amended by the Reid amendment, the American public will have reason to feel confident that laws are being written and debated and voted on by Members who respect democracy and the wishes of their constituents and are not unduly influenced

by forces that simply want it because it is good for their bottom line.

We must be open, we must be honest, and we must be ethical. I know each of us tries to do that, but the rules need to reflect the highest denominator, not the middle, not the lowest. With this bill, we are at the middle denominator. The Reid amendment and some other amendments offered by colleagues on both sides of the aisle can bring us up to that highest level, and I hope we will start by voting "aye" on the Reid amendment in a bipartisan way. It will set the tone of this debate.

I thank my colleague Senator DODD for yielding me this time. I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon is recognized.

Mr. WYDEN. Mr. President, I wish to be recognized for the purpose of having a colloquy with the chairman and ranking minority member, Senator LOTT and Senator DODD.

The PRESIDING OFFICER. The Senator is recognized for that purpose.

Mr. WYDEN. I thank the Chair.

As the distinguished chairman of the Rules Committee knows, Senator GRASSLEY and I have worked for a decade to bring some openness and accountability to the Senate by requiring that when a Senator puts a hold on a major piece of legislation, they would have to disclose it publicly. Senator GRASSLEY and I are ready to go with that bipartisan amendment which we have worked on for a decade. I would simply ask the distinguished chairman of the committee and the ranking minority member what the process is so that Senator GRASSLEY and I can bring forward this bipartisan amendment. I pose my question to the distinguished chairman of the committee.

Mr. LOTT. Mr. President, in answer to the distinguished Senator from Oregon, we have before us the Reid amendment which is in the nature of a substitute.

I am advised it is not; it is a regular amendment. We are going to have a vote on it at 11:30. We are open for debate on that amendment.

Then we are working out arrangements where we would come back to this side to Senator SANTORUM and Senator DODD, who are going to offer the next amendment jointly, sometime between now and 11:30, or immediately after the vote on the Reid amendment. Then it would be back to the Democratic side and going back and forth for the next amendment that might be in order. We are encouraging Members to come to the floor and offer their amendments. We have Senator INHOFE coming up to offer amendments on our side. But after Senator SANTORUM, we would be back for I guess a jump ball if anybody wanted to offer an amendment.

Mr. WYDEN. Would it be acceptable to the distinguished chair of the committee and ranking minority member that I could ask unanimous consent that after you all have completed the

bipartisan amendment of the Senator from Connecticut and the Senator from Pennsylvania, that when you all have completed your business, the Wyden-Grassley amendment come next?

Mr. LOTT. Mr. President, we have no objection. We are encouraging Senators to come to the floor with their amendments, and if Senator WYDEN would like to be next in line, that is fine. As a part of that, let me ask consent that Senator INHOFE be allowed to offer the next amendment after the Wyden-Grassley amendment so we would have a package of the two lined up.

I propose then that we have the Wyden amendment in order after the Santorum-Dodd proposal, to be followed by the Inhofe amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WYDEN. I thank the distinguished chairman and the ranking minority member.

Mr. DODD. Mr. President, does my colleague from Delaware request time?

Mr. CARPER. I do. Can I ask for 5 minutes?

Mr. SANTORUM. Mr. President, we have been trying to go back and forth. The last speaker was Senator BOXER. I think we have been trying to alternate back and forth.

Mr. LOTT. Does the Senator propose to speak on the pending amendment?

Mr. SANTORUM. Mr. President, I am going to talk about the bill, and then I will yield back to Senator DODD to actually offer the amendment we are working on, was my intent. That was the plan.

Mr. President, I, too, rise to thank Senator LOTT and Senator DODD, as well as Senator KYL and Senator LIEBERMAN. They talked about how this process has been somewhat unique in the annals of recent Senate history and about how this process has worked now for the past month, a little over a month in a way that, as Senator LOTT said, should be done more often around here, which is sitting down and having good, bipartisan discussions to try to come up with a consensus piece of legislation.

While obviously there will be lots of amendments, at least the foundation of this bill is one that included a lot of bipartisan input and, in fact, has features from both sides of the aisle and is as much a bipartisan bill, at least on a major bill, as has been brought to the floor in a long time. I thank the chairman and ranking member of the committees, in particular Senator MCCAIN for his leadership on this issue, as well as others who participated in the bipartisan process, including Senator FEINGOLD, Senator PRYOR, Senator OBAMA, Senator SALAZAR, and others who have made contributions on the Democratic side; Senator VITTER, Senator ISAKSON on the Republican side, who have also been very involved in the process.

As a result of that process, we came up with a working document. I won't call it a consensus because there were

Members who had varying points of view on a variety of these issues, but let's say that at the conclusion of our discussions we had a working draft that had broad support as a whole. At the same time, as you will see in the discussions and in the amendments we are going to have today, some wish to ratchet it up a little bit, make it a little tougher; others thought it might be a little too tough. But in the areas of concern, there was broad agreement on what those areas of concern are, and suggestions of approaches on how to deal with it.

I wish to go through the areas that we agreed needed to be addressed and what the general idea was in how to proceed with a lot of the things that are up here, which were foundational in the sense that we started with the McCain-Lieberman bill that Senator MCCAIN and Senator LIEBERMAN introduced a couple of months ago, and there was some tinkering to that legislation. Overall, the disclosure requirements in that legislation were universally embraced and adopted for disclosure of lobbyist contributions to Member PACs, and lobbyist disclosure of executive and congressional employment. All of those things were included, as well as others we have heard talked about on the floor.

Several things were not included: disclosure of contracts with State sponsors of terrorism. That is something I happen to believe should be included in the legislation, but so far we have had objections to that being included. I am not too sure I understand why but, nevertheless, it has not been included.

We suggested 30 days, not 60 days, to comply with the rules. That has not been included.

Higher penalties. The penalties were increased from \$50,000 to \$100,000. Many of us believe that is not sufficient as a deterrent for some who make a lot more than \$50,000 or \$100,000 around here on transactions. So we think a higher penalty sends a stronger signal, and I will be offering an amendment on that to increase the penalties up to \$200,000. Again, it is up to \$200,000 for breaking these rules, lobbyists breaking these rules.

One of the important things we brought to the table that was not in the underlying bill was disclosure of rule enforcement by the Secretary of the Senate and the U.S. Attorney. In other words, one of the concerns Members have and that the public has is, What sort of oversight is being done? Are there any actions being taken? What this would require is that when there, in fact, is an action taken on the part of the committee, and it has been referred to a U.S. Attorney for prosecution—not that particular case, but at least the number of cases that have been referred is made public so we know the level of activity. Not the specific charge, because we don't know whether the U.S. Attorney will actually bring a charge, but we at least know the number.

There are several other things we did in our bipartisan discussions: ban registered lobbyists who are former Members from the Senate floor; no staff contact with lobbyists who are a member of the family, which is an amendment I successfully offered in committee, in the Rules Committee; and the earmark transparency, something Senator LOTT and Senator FEINSTEIN have worked with, and obviously Senator MCCAIN. There will be differences. We passed something out of the Rules Committee. There will be amendments to try to expand this provision, maybe contract this provision, modify it; but the idea was developed and supported by a bipartisan group.

Another thing Senator COLLINS and Senator LIEBERMAN put in their bill, which was very important that we brought to the table, was the idea of an SRO, a self-regulatory organization that many professional organizations use to police their own ranks. While we can pass laws and we can pass rules that try to govern the lobbyist profession, there are a lot of things within the profession that need to be upgraded, whether it is fees or whether it is professional ethics, and there is not a good body out there that does that. There certainly isn't any kind of self-regulatory body that does that. We think it is vitally important to send a message from the Congress to the folks who make a living petitioning their government to clean up their own house, and particularly in greater detail than what the Congress could or should do with respect to the practices, the internal practices of lobbying firms and lobbyists.

I think this is a very important suggestion, something I felt very strongly about, and I appreciate Senator LIEBERMAN and Senator COLLINS for including it in their legislation.

This is the final chart, which again shows the consensus. You can see the checkmarks here again, which are areas that are already included in the bill that were part of the bipartisan discussion, to extend the lobbying ban for Members and senior staff from 1 to 2 years for Members and included more senior staff of Members in a separate amendment. Both were discussed and supported broadly in our discussions.

This is something I also felt very strongly about: Members not being able to negotiate for private sector employment while they are a member of the Senate. Then we put in the date of the election of your successor as the date you can then freely discuss employment opportunities for after your life here in the Senate. We have an exception. There needs to be an exception. If something happens, a personal emergency in the family, or something comes up where you feel you have to leave the Senate for some reason, the opportunity to have those discussions simply must be disclosed within 3 days of having those discussions. Again, we think there needs to be an escape hatch for those kinds of contingencies.

Travel was a very big point of discussion and will be a point of discussion here on the floor of the Senate. Privately funded travel must be preapproved by Ethics, be of educational value, have little or no R and R—rest and recreational value, disclosure of the lobbyist's involvement in the trip, as well as all activities reported after the trip. In other words, you have to file a comprehensive report of what you did, not just what you planned to do.

The area that was not done and that I will be offering an amendment on with Senator MCCAIN and Senator FEINGOLD is having to do with the Members and Federal candidates paying a fair market value for the cost of corporate travel. I know this is very controversial, particularly for Members from larger States using a private aircraft in getting around. But as we will discuss later with Senator MCCAIN and Senator FEINGOLD on the floor, we believe this is an area that needs to be addressed. This is clearly a subsidy. I understand, and I think we all understand, this will probably require higher amounts of money in our accounts to be able to pay for these costs as we travel around our States that now are, in a sense, subsidized by the private sector. But I believe this is a very important transparency issue.

The final issue is the mandatory disclosure of travel on private charter flights by Members as well as Federal candidates, so this is something that we did.

The last thing that is on the agenda, and then I will turn it over to the Senator from Connecticut, Senator DODD, is the gift ban. Now we do have a gift ban in this bill having to do with lobbyists. Lobbyists are no longer allowed to give any gift of any value to Members. The one area that is excluded from that is meals. To be clear, what the Rules Committee did was make a change to current law which says, you are allowed to purchase a meal for a Member of Congress or his staff of up to almost \$50. The Rules Committee said you have to now report it if it is above \$10. That, I think, is worse than the current law, in my opinion, because it sets up a situation where Members—I can tell you if this is the law that would go into place, I would tell my staff, and certainly I would never have a meal with a Member, because it creates the impression first that you have to report it, and of course any activity that occurred with respect to that lobbyist and your office or legislation you voted on or campaign activities would be tied to this particular event which, of course, may or may not have had anything to do with that particular event, but it creates, I think, an untenable situation. I think the effect of Senator LOTT's suggestion would be, in fact, a ban on meals, so if that would be the effect of it, let's do it.

So I have offered an amendment. Senator DODD came to the floor with the same idea. We have spoken. We

have decided to jointly offer an amendment that would ban all meals from registered lobbyists to Members of Congress and their staff. That is the amendment Senator DODD will be teeing up here in a moment. Again, we filed virtually identical amendments.

I am happy to yield to the Senator from Connecticut because of the fine work he has done to be the lead sponsor on this amendment. We need to work together and get this done because the current situation in this bill, in my opinion, is simply untenable and is a potential trap for the unsuspecting, which I would not like to see be visited on any Member of the Senate.

With that, again, I want to congratulate all of those who were involved. I think you see that the bipartisan process we worked on for several weeks yielded the basis—the basis of the bill we have before us has yielded a situation where I think most of the amendments that are going to be offered are going to be offered in a bipartisan fashion because discussions were actively underway that did have sincere collaboration. As a result of that, I think you are going to see a lot of the effort being put forward today in a bipartisan fashion. I am pleased to be able to kick that off with the Senator from Connecticut on the issue of not allowing lobbyists to buy meals for either Members or their staffs here in the Senate.

Mr. President, I yield the floor for the Senator from Connecticut.

The PRESIDING OFFICER (Mr. GRAHAM). Who yields time?

AMENDMENT NO. 2942

Mr. DODD. Mr. President, my colleague from Delaware has asked to be recognized. Before he does that, I am going to send a modification—an amendment on behalf of myself, Senator SANTORUM, and Senator OBAMA to the desk and ask for a modification to be accepted of that amendment.

I ask unanimous consent to temporarily lay aside the Reid amendment for purposes of considering this amendment and then we will go right back to the Reid amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To strike the meals and refreshments exception for lobbyists)

On page 8, strike lines 8 through 16.

AMENDMENT NO. 2942, AS MODIFIED

The PRESIDING OFFICER. Without objection, the amendment is modified.

The amendment (No. 2942), as modified, is as follows:

(Purpose: To strike the meals and refreshments exception for lobbyists)

On page 8, strike lines 6 through 16 and insert the following:

“(B) This clause shall not apply to a gift from a registered lobbyist or an agent of a foreign principal.”

AMENDMENT NO. 2932

Mr. DODD. Mr. President, at conclusion of the vote on the Reid amendment, this would be the next item to be



considered. That is the purpose for offering it now. For the purposes of recognition, I am going back and forth, I believe.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. LOTT. Mr. President, to clarify, we will need to go back to the Reid amendment or was that automatic under the agreement, so we are back on the Reid amendment?

The PRESIDING OFFICER. The Reid amendment is once again pending.

Who yields time?

The Senator from Oklahoma.

Mr. INHOFE. Mr. President, it is my understanding there is a unanimous consent we are operating under, but my only request is if the Senator from Delaware goes next, I be recognized after the Senator from Delaware for my amendment.

Mr. LOTT. Mr. President, if I could respond to the parliamentary inquiry before the Chair comments on it, we did get an agreement that yours would be next in order. That was in the previous unanimous consent agreement.

Mr. INHOFE. So I will be following the Senator from Delaware. Thank you.

The PRESIDING OFFICER. Who yields time? The Senator from Delaware.

Mr. CARPER. Mr. President, my thanks to Senator DODD and Senator LOTT. My thanks to Senator LIEBERMAN and Senator COLLINS as well. By working together, they have speeded along reforms that I think most of us agree are badly needed. I am hopeful that the bipartisan approach that they have taken on this issue will rub off on the rest of us, not only with respect to this particular subject but with respect to others that are before us.

I am sure all of us have gone home and heard about how disappointed people are with what they see going on in parts of Washington these days. I think most Delawareans realize we are not all taking bribes and not all lobbyists are crooks. I certainly agree with them. I have met many more good people here during my time in the Senate than bad, and I am sure those sentiments are shared by my colleagues. But similar to those I have spoken to in recent months, news of the Abramoff scandal and of the bribing of Congressmen and their staffs have hit the papers and television news outside the beltway. I am gravely disappointed that our system can allow such excesses and disrespect for the people who sent us here.

The fact is, the American people have lost some of the trust they have placed in their leaders here in Washington. That is dangerous because, as we all know, a lot of the folks around our country did not have a whole lot of trust in us to begin with. That is why I am proud to support today the amendment offered by Senator REID. It would add several provisions from the Honest Leadership and Open Govern-

ment Act to the bill that is before us today.

Senator REID's amendment would make a good bill even better. It would do so by ending certain practices that at the very least create among our constituents a perception of impropriety.

Along those lines, the Reid amendment would prohibit Members and staff from receiving gifts from registered lobbyists. Many offices, mine included, are already implementing this kind of reform. We will no longer accept meals, entertainment or any other gifts from lobbyists, and will abide by that standard until the Congress decides what the new standard should be.

The Reid amendment would also ban congressional travel funded by companies and other special interests that have business before the Senate. Senator REID's proposals to end the practice of receiving gifts and privately funded travel from lobbyists are, in my opinion, reason enough to vote for this amendment. Unfortunately, we find ourselves at a time and place where even truly significant reforms will be met with skepticism by the American people. While none of us could be bought with a \$50 meal, the all too common assumption is that any reform, any new restriction, any new guideline or rule will be written in such a way that Members, staff, and lobbyists will still have loopholes through which to operate.

Bans close all loopholes. In this case, the bans proposed in the Reid amendment would go a long way toward disabusing people of the notion that nothing will change as a result of the reforms that we are debating today.

Let me add one quick comment before I close. However good our rules are in the Senate or House, however well intentioned our rules are, it is critical that the rules be enforced. When we look at what has gone on in the House of Representatives over the last several years, a major problem there was not so much the rules but the failure to enforce the rules that exist, the failure to enforce them with respect to lobbyists and apparently with respect to Members of the House and with members of their staffs.

I hope our work on lobbying reform sends the signal to the American people that we are serious about restoring their trust in us and in this institution. As we all know, that trust is absolutely essential to the good health of our democracy and of our country.

I will yield my time.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I call up amendment No. 2933. I ask the Senate to set aside the pending amendment.

Mr. DURBIN. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. INHOFE. Mr. President, it is my understanding it was agreed to by both sides, that I was to be recognized for the purpose of setting aside the amendment and calling up amendment No. 2933.

Mr. LOTT. Mr. President, that was not what was agreed to, as I understand the question, from the Senator from Oklahoma. We have the Reid amendment, and then the next in order was going to be the Santorum-Dodd amendment. Then we were going to go to Senator WYDEN, and then the consent was that the Senator from Oklahoma would be next in order, to offer his amendment and have debate at that point.

Mr. INHOFE. If that is what you recall—that is certainly not the intention of this Senator.

Mr. LOTT. Was that the way it was agreed to?

The PRESIDING OFFICER. That is not what the Chair recalls, but that is what I have been told was agreed to. I will defer to someone who was here before me.

Mr. INHOFE. I ask if our leader would defer for a question. I appreciate very much the Senator's attention. I have been down here since before the bill came up with the intention of being the first one. I yielded to Senator SANTORUM. We wanted to go back and forth. It was my understanding Senator CARPER was recognized and I would be right after him and that time has arrived.

What is the problem?

Mr. LOTT. Mr. President, the Senator is correct. He came here early on, ready to go. But there had already been discussion with Senator SANTORUM about being able to offer his amendment. We try to go back and forth from one side of the aisle to the other.

Mr. INHOFE. Last I saw, Senator CARPER was a Democrat.

Mr. LOTT. He was just speaking. He didn't have an amendment.

Mr. INHOFE. I ask the Chair what his understanding was of the unanimous consent request?

Mr. LOTT. Mr. President, No. 1, we have an order of how amendments will go. On a separate track, we were debating the Reid amendment, and we were alternating back and forth, having speakers speak on the Reid amendment. That is where there seems to be maybe a dichotomy. Senator CARPER was going to speak next. Then Senator INHOFE would be able to speak next. That was my understanding.

Mr. DODD. The two Senators from Illinois, I say to my colleague, want to be heard on the Reid amendment as well. We are losing some time. We might have some private conversations on other matters, but let's get through on the Reid amendment before the time expires.

Mr. LOTT. Was there a request pending?

Mr. DODD. It is an informal request.

Mr. LOTT. What is the Chair's impression?

The PRESIDING OFFICER. If the Chair can think for a minute, he will give it.

Mr. INHOFE. While the Chair is thinking—

The PRESIDING OFFICER. At 10:37 an agreement was reached to have a

vote on the Reid amendment at 11:30. At 11 o'clock, the following agreement was reached: Following the disposition the Reid amendment, which will be voted on at 11:30, the Senate will go to the Santorum-Dodd amendment; following that, the Wyden amendment, and following that, the Inhofe amendment. That was the agreement reached at 11 o'clock.

Mr. INHOFE. Will the leader yield for a request? If I do not take more than 2 minutes, may I go ahead and bring mine up, set the current amendment aside and bring it up so it will be in the mix?

Mr. DODD. I will have to object to that. We have to talk about this.

The PRESIDING OFFICER. Objection has been heard.

Mr. DODD. Let's sit down and talk about it.

The PRESIDING OFFICER. Who yields time?

Mr. DODD. I yield a couple of minutes to my friend, Senator OBAMA.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. OBAMA. Mr. President, I rise briefly to support the amendment offered by Senator REID. I also support the amendment that was introduced by Senator DODD and Senator SANTORUM, of which I am a cosponsor. But let me focus on the particular provision in Senator REID's bill, the honest leadership bill, that I think all of us should pay attention to, and that is the provision which closes a loophole that would still allow Members and staff to receive free meals from lobbyists up to \$50 in value.

On my way over to the floor, I passed a couple of security guards and Capitol police. I asked them how often lobbyists had bought them a meal. Surprisingly, they said none.

I talked to the young women who help us on the elevators on the way up. I asked them: Has a lobbyist ever bought you a meal? The answer was "no."

In cities and towns all across America, it turns out people pay for their own lunches and their own dinners, people who make far less than we do, people who cannot afford their medical bills or their mortgages or their kids' tuitions. If you ask them if they think that people they send to Congress should be able to rack up a \$50 meal on a lobbyist's time, what do you think they are going to say? You ask them if they think we should be able to feast on a free steak dinner at a fancy restaurant while they are working two jobs to put food on the table. I don't think we need a poll to find out the answer to that one.

I want to be clear. In no way do I think that any of my colleagues or staffers would exchange votes for a meal. But that is not the point. It is not just the meal that is the problem, it is the perception, the access that the meals get you. In current Washington culture, lobbyists are expected to pick up the tab when they meet with Mem-

bers or staff. It is understood by all sides that the best way to get face time with a Member is to buy them a meal. You don't see many Members eating \$50 meals with constituents who come into town to talk about issues on their minds, or with policy experts who are discussing the latest economic theories. Most of these meals that are taken are with lobbyists who are advocating on behalf of special interests. It diminishes perceptions, and it is something that I think has to stop.

Let me close by saying this. If people are interested in meeting with lobbyists or having dinner with lobbyists, they can still do so. It is very simple. You pull out your wallet and pay for it.

I strongly urge we support the Reid amendment. In addition, I strongly support the Dodd-Santorum amendment, of which I am a cosponsor.

I yield my time.

Mr. DODD. Mr. President, Senator DURBIN from Illinois asked to be heard for 2 minutes as well. Senator DURBIN has time during the day to comment on this.

This is a very comprehensive amendment Senator REID has offered. It strengthens what is, in my view, already a very strong bill of the Rules Committee. But it does close some gaps that I think are critically important. I hope we can develop some bipartisan support. It will take some issues we would have to debate later in the day off the table because they would be included in this amendment.

So, again, I urge my colleagues to take a look at this. You may not agree with every single dotted "i," as I said earlier, and crossed "t." But if you agree with the thrust of this, I think it deserves your support and it is one that would strengthen this bill on lobbying reform and the transparency and accountability issues, which are the hallmarks of this joint legislative effort.

Mr. President, I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. DODD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LOTT. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DODD. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second. The question is on agreeing to the Reid amendment.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD) is necessarily absent.

The PRESIDING OFFICER (Ms. MURKOWSKI). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 44, nays 55, as follows:

[Rollcall Vote No. 35 Leg.]

#### YEAS—44

Akaka	Feinstein	Mikulski
Baucus	Harkin	Murray
Bayh	Inouye	Nelson (FL)
Biden	Jeffords	Nelson (NE)
Bingaman	Johnson	Obama
Boxer	Kennedy	Pryor
Cantwell	Kerry	Reed
Carper	Kohl	Reid
Clinton	Landrieu	Rockefeller
Conrad	Lautenberg	Salazar
Dayton	Leahy	Sarbanes
Dodd	Levin	Schumer
Dorgan	Lieberman	Stabenow
Durbin	Lincoln	Wyden
Feingold	Menendez	

#### NAYS—55

Alexander	DeWine	McConnell
Allard	Dole	Murkowski
Allen	Domenici	Roberts
Bennett	Ensign	Santorum
Bond	Enzi	Sessions
Brownback	Frisk	Shelby
Bunning	Graham	Smith
Burns	Grassley	Snowe
Burr	Gregg	Specter
Chafee	Hagel	Stevens
Chambliss	Hatch	Sununu
Coburn	Hutchison	Talent
Cochran	Inhofe	Thomas
Coleman	Isakson	Thune
Collins	Kyl	Vitter
Cornyn	Lott	Voinovich
Craig	Lugar	Warner
Crapo	Martinez	
DeMint	McCain	

#### NOT VOTING—1

Byrd

The amendment (No. 2932) was rejected.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. LOTT. Madam President, I believe we are ready to go to the Dodd-Santorum amendment.

Mr. DODD. That is true. I believe the Senator from Oklahoma has a unanimous consent request. I am prepared to yield to him.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Yes. My request would be in conjunction with the Wyden amendment but also to bring up my amendment and set it aside so I would be in the mix, if that would be all right. So a couple minutes would do it.

Mr. DODD. And you have asked unanimous consent to be a cosponsor of the Wyden amendment?

Mr. INHOFE. Let me go ahead and propound that.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Madam President, there is an amendment I had submitted on holds, and we have been trying to do this for quite some time. My good friends, Senator WYDEN and Senator GRASSLEY, have been trying to do the same thing, and I think Senator LOTT from Mississippi. So what I will do is not offer my amendment No. 2933 in favor of the Wyden-Grassley now Inhofe amendment that will be considered. That is my unanimous consent request.

The PRESIDING OFFICER. Without objection, it is so ordered.



Mr. INHOFE. Madam President, I ask unanimous consent that my amendment No. 2934 be called up for its immediate consideration.

Mr. DODD. Reserving the right to object, that, as I understand it, is in the order after the Dodd-Santorum amendment and the Wyden-Grassley-Inhofe amendment.

Mr. INHOFE. OK. We would be able to get it up and get it in without taking any time. If you want to go back to that order, that is fine.

Mr. DODD. Yes. I would like to do that, if we could, just to maintain the order here.

I believe what the Senator would do, Madam President, after the consideration of the Wyden-Grassley-Inhofe amendment, is then be next in line for his amendment. Is that the Senator's request?

Mr. INHOFE. Well, my request is to go ahead and bring it up now, but that is fine.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. LOTT. Madam President, has the Chair ruled on the request?

The PRESIDING OFFICER. The request is withdrawn.

Mr. LOTT. Madam President, let me just say to the Senator, I do not believe we will be able to get a recorded vote before lunchtime on the Wyden-Grassley-Inhofe issue.

We might be able to set that aside and take up yours and get it disposed of before lunch, if that would be convenient to the Senator. I am not asking that yet, but I believe we will probably do that.

Mr. DODD. Madam President, if we could see the amendment our colleague would like to offer, it would be helpful to us. Why don't we do that while I am talking about this amendment, and then before we break from this, we can agree to what the Senator wants. I need to see what the amendment is.

Mr. INHOFE. I would only say that the amendment has been at the desk as of 8 this morning. I assume you have already gone over the amendments.

Mr. DODD. But I understand there are five amendments. I want to know which amendment.

Mr. INHOFE. This would be an amendment having to do with COLAS.

Mr. DODD. Cost-of-living increases. If we could see the amendment, I will be glad—let me start and then he may offer that.

I ask unanimous consent that our colleague from Arizona, Senator MCCAIN, and Senator LIEBERMAN be added as cosponsors to the Santorum-Dodd-Obama amendment. I believe that is what my colleague was interested in being heard on.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 2942, AS MODIFIED

Mr. DODD. Madam President, I call up amendment No. 2942, as modified, on behalf of myself, Senator SANTORUM, Senator OBAMA, Senator MCCAIN, and Senator LIEBERMAN. This is to extend

the ban on gifts from lobbyists to include meals from lobbyists as well.

The PRESIDING OFFICER. The amendment is pending.

Mr. DODD. Madam President, this amendment is simple and straightforward. It would ban meals from lobbyists in the same way that the current bill bans all other gifts. For purposes of the Senate gift rule, it would ban meals outright.

The Rules Committee has reported an amendment that bans all gifts. But in an effort to deal with the meal issue, the language of the underlying bill would allow for meals to be paid for by lobbyists but would require, within 15 days of receiving a meal from a lobbyist or a foreign agent, that the name of the person providing that meal and the value of the meal be disclosed on the Member's Web site. In effect, we are banning meals almost without language. The idea that every 15 days we would be reporting these meals probably would result in a ban outright anyway. But it is dangerous to leave language in there because Members could inadvertently forget to report, as well as staff members and the like. It seems to me the better course to follow is to ban these meals outright and to avoid any possible problems that may occur as a result of people having meals and failing to report these in an adequate way or to misreport the details. It unnecessarily creates a tripwire for staff who may attend meetings or events where food is served but where the value is difficult to determine. None of us want to do that.

What we are trying to do with this bill is not to play gotcha or to catch people but to set some very clear bright lines about what is permissible or impermissible behavior. Clearly, you can make a case—and Members have—that meals are very much a part of a culture where business is done. I know many Members and staff over the years have had meals where they discuss legislation or upcoming amendments. There is nothing inherently corrupt about it, but the meal is paid for. And the perception is that there is an undue advantage given to those who are able to take a Member or a senior staff member out for a meal, to then ask them to support a particular provision or oppose something. That creates the impression that Members are somehow being unduly influenced. I will not stand here and suggest that that is the case, but the perception could be that it is the case.

All of us who serve in public life understand that perceptions are more real than reality in many cases, and the average citizen doesn't have the opportunity to do that. Members of our constituency who would like to talk to us rarely get the opportunity that a lobbyist has to sit down. I happen to believe that lobbying is a right. I think it is included in the first amendment of the Constitution to be able to petition your Government. I don't want to be party to things that limit people's abil-

ity to come and petition their Government. That is what it is really about.

The word "lobbyist" has become a pejorative word associated with evil doing. The idea of petitioning your Government is a very important right, but I don't think it necessarily means that petitioning your Government gives you the right to then necessarily be able to give gifts or provide meals to the person whom you are petitioning. The average person can't do that. We don't think lobbyists should be able to do so as well.

Our language very simply takes it off the table. It is the cleanest way to do it. I know there are fact situations that our colleagues can identify that are probably going to be disadvantageous to them, but overall I think we are better off without this. It is cleaner. It is a bright line. Let there be no questions about it whatsoever; if you are a registered lobbyist, a foreign agent, then you cannot provide the meals or the gifts that you have in the past.

As a Member, it is simple. If you are having a meal with them, you pay for your own meal or set up a meeting where there is not a meal involved and listen to the petition that that lobbyist wants to bring to you, what cause he or she wants to make to you. But the idea that you are going to be able to sit down and break bread at their cost as a way of engaging in that first-amendment right is something we believe should be eliminated. We include it with the gifts, generally. The nexus between giving a gift, buying a meal, and petitioning your Government cannot be made, in my view, and, therefore, needs to be separated. Therefore, we have offered this amendment to create that bright line and to eliminate not only gifts but also clearly to eliminate the meals as well.

I urge my colleagues to support this amendment.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SANTORUM. Madam President, I echo the comments made by the Senator from Connecticut. He covered all the salient points. I did so earlier in a broader discussion on the bill. This really is a tripwire. The current language could cause all sorts of problems for Members and staff. The better policy is to simply ban this activity. That does not mean that you can't go out with people who aren't lobbyists, and if you have a constituent who has come into town and you can buy them dinner or lunch and they can buy you dinner or lunch, that is all well and good but subject to the gift limits that are in place right now. But when you are in the business of lobbying Members of Congress, as the Senator from Connecticut said, it does without question present the perception that there is some undue influence involved with the purchase of a meal.

I understand that we are talking about small meals as well as large. But the bottom line is, that perception is

not helpful to the image of this body. Perception and reality should be a concern of ours because public confidence in this institution and those of us in it is vitally important to the success of our democracy. This is an important measure. It is a small measure but it is important to get it accomplished. I hope we can do so by consent or by voice vote. I don't see anybody else on the floor. I don't know if the Senator from Mississippi wants to speak on this amendment, but I would like to suggest that we agree to this by voice vote and then have the Senator from Oklahoma, who has been incredibly patient in waiting to offer his amendment, be given the right to do so.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. I thank my colleague from Pennsylvania for working with me on this amendment, and I thank my colleagues, Senator McCain from Arizona and Senator Obama, who have been deeply interested in this subject matter as well as others. There is a colleague who is thinking about offering a second-degree amendment to our amendment, so we will unfortunately not be able to vote on this right now. We are going to be talking to him to work it out if we can. My hope would be that unless others want to speak against this, and there may be Members who would like to speak against it, in which case a recorded vote may be necessary, but if we no one is objecting to this amendment, my hope is we can deal with it on a voice vote and get to the next amendment.

I want to move this bill. I don't want to spend the next 2 or 3 weeks on it. We have major issues that have to be confronted by this body. This is an important one. I do not minimize it. But my hope is we can get this dealt with, done, and move on. We have issues that are very important to the people we represent. My hope is that we don't take too much time on that, and we can get to those questions.

Mr. LOTT. If I may inquire of the Senator from Connecticut, is he proposing that we go ahead and accept this on a voice vote?

Mr. DODD. We can't at this point. I have a colleague who wants to offer a second degree.

Mr. LOTT. Then while the Senator from Connecticut talks to his colleagues and determines how we can work on that issue, I will make a few brief remarks.

I want to say, again, to Senator Santorum how much I appreciate the work he has done. He didn't just try to find a way to give this issue a hit and miss; he got into great detail. I had a lot of questions as we went along on different aspects of his proposal. He was always able to give me thoughtful answers. I appreciate that very much. He worked in the Rules Committee, offered some amendments that were accepted. And in this case, he agreed to make it bipartisan, once again, by joining Senator Dodd on the meals ques-

tion. I emphasize how much I appreciate what he has done.

Frankly, I have no problem, personally, with banning lobbyists from paying for meals. Fine. Anybody around here who knows me at all knows that I probably do less of that than just about anybody. I have breakfast with my family; my kids, when they were still living at home before they went off to college, and my wife now. When the Sun goes down, I am ready to go home because I believe there is something called a life, family life. The Senate is not my only life. I think more of my wife than I do the Senate. I go home every night and eat with my wife. I recommend a lot of other people doing it instead of going to all these blame dinners.

I am a little offended at the whole concept that you can be bought by a meal. I don't get it. That is where I do get upset. I think there are some things we need to do, should do, can do to make the rules tighter, to have more clarity, disclosure, transparency with regard to lobbying reform. I am going to go along with this because, personally, it will give me a fine excuse just to say "no." But I think we are creating some unintended problems. The Rules Committee bill says that you must disclose the cost of such meals that you go to 15 days after you share the meal. To me, that is better. Are we going to stop eating? It might be a good idea for some of us, but I have been going to meals where you talk about issues since I was in elementary school.

Again, I believe in being honest about it, disclose what you are doing, you have had a meal, whom it was with, and then let your constituents decide. They don't expect me to come up here and not go to a luncheon or a meal with school teachers or labor union members or executives from Northrop Grumman or lobbyists, somebody who represents a group, cable television. First of all, they are a source of information. I benefit from it. But I don't just go to lunch to meet with lobbyists from cable television. I also talk to telephone people. You talk to everybody. That is what our republican form of Government is all about. People are here to try to find out the details of issues and then try to cast an intelligent vote. The very idea that if I sit down with them or go to lunch with them or go to a dinner, which I generally don't, that is somehow questionable—no Senators are running up tabs of hundreds of thousands of dollars at the expense of lobbyists.

By the way, the rules now say that the maximum value of a meal we can receive from a lobbyist is less than \$50. I don't know that that is a great meal, but you could have a pretty good meal. Being a guy who likes hamburgers and pizzas, I am very happy to get a meal of less than 50 bucks. But I do think if we call for a ban on all these meals, that we are going to have some unintended problems for ourselves and our staffs.

What happens if you go to a luncheon that is sponsored by a lobbyist organization, maybe it is under \$50, maybe you get a box lunch. Are we going to be scurrying around saying, what is my pro rata share of this lunch? Maybe we shouldn't go to these policy luncheons. That is what is going to happen. Or you go and you don't eat. It is totally ludicrous that we are doing this.

But my attitude is, fine, if that is what the Senators want to do for themselves, no skin off my back. But I do think we are going to regret this, and we are going to look small. Not this amendment or the Senators involved, who are well intentioned, but I think we demean ourselves by inferring that we could be had for the price of a lunch or a dinner. That is not the case.

Having said that, it is clear that in a bipartisan way the Senate wants to do this. So be it. I will be eating with my wife and so will a lot more Senators after we pass this one.

Madam President, could I inquire, are we ready to deal with this amendment? Do we want to set it aside and go to another amendment?

Mr. DODD. If my colleague would withhold, maybe we can temporarily set this aside if Senator Inhofe wanted to go forward with his amendment. He can explain his amendment. If the Senator would withhold a minute, Madam President, I suggest the absence of a quorum.

Mr. LOTT. Will the Senator withhold on that?

Mr. DODD. Yes.

Mr. LOTT. Madam President, I suggest to the Senator that if the Senator wants to offer a second-degree amendment, it sounds like it could be offered to just about every other amendment pending.

Mr. DODD. And he could offer it as a first degree, also.

Mr. INHOFE. If he should come on the floor—he or she—with a second-degree amendment, I would be glad to suspend.

Mr. DODD. My colleague is on his way over to offer the second-degree amendment.

Mr. LOTT. Madam President, Senator Inhofe has been so helpful and understanding. We have kind of, because of the effort to go back and forth, pushed him aside. I ask that in view of the fact that we are waiting for a Senator to arrive—I think the amendment Senator Inhofe wants to offer can probably be accepted. Would it be possible to ask unanimous consent to set aside the pending amendment and go to the Inhofe amendment and be prepared to come back to the pending amendment?

Mr. DODD. That is fine.

Mr. LOTT. Madam President, I make that unanimous consent request.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 2934

Mr. INHOFE. Madam President, first of all, I ask to bring up my amendment, No. 2934.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Oklahoma [Mr. INHOFE] proposes an amendment numbered 2934.

Mr. INHOFE. Madam President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To deny Members who oppose Congressional COLA's the increase)

At the appropriate place in the bill, insert the following:

**SEC. \_\_\_\_ AMOUNTS OF COLA ADJUSTMENTS NOT PAID TO CERTAIN MEMBERS OF CONGRESS.**

(a) IN GENERAL.—Any adjustment under section 601(a) of the Legislative Reorganization Act of 1946 (2 U.S.C. 31) (relating to the cost of living adjustments for Members of Congress) shall not be paid to any Member of Congress who voted for any amendment (or against the tabling of any amendment) that provided that such adjustment would not be made.

(b) DEPOSIT IN TREASURY.—Any amount not paid to a Member of Congress under subsection (a) shall be transmitted to the Treasury for deposit in the appropriations account under the subheading "MEDICAL SERVICES" under the heading "VETERANS HEALTH ADMINISTRATION".

(c) ADMINISTRATION.—The salary of any Member of Congress to whom subsection (a) applies shall be deemed to be the salary in effect after the application of that subsection, except that for purposes of determining any benefit (including any retirement or insurance benefit), the salary of that Member of Congress shall be deemed to be the salary that Member of Congress would have received, but for that subsection.

(d) EFFECTIVE DATE.—This section shall take effect on the first day of the first applicable pay period beginning on or after February 1, 2007.

Mr. INHOFE. Madam President, this amendment is very simple. I have always felt that the greatest single hypocrisy every year is when Members come up and vote to exempt Members of Congress from a cost-of-living increase. The hypocrisy comes in when all the press releases hit the home State and they talk about how great this is, saying they are great reformers and then, of course, it is defeated and they end up taking the increase anyway.

Basically, what this does is say if you vote in favor of an increase by voting against an exemption of Congress, then you are not entitled to the increase. It is as simple as that. I say this, too: I love the Kennedys and the Rockefellers, but I don't think you should have to be a Kennedy or a Rockefeller to serve in this body. I can think of many people, such as Senator Dan Coats—Democrats and Republicans alike would hold him up and say there is a guy who was an outstanding Member and he had to quit because of his kids getting up to college age, and he knew he would be able to make enough money to send them to school outside of serving in the Senate.

If there is ever any transparency in stopping hypocrisy, that is what this would be. I am glad to have this in the mix, and when the appropriate time comes, I will call for a vote. It doesn't necessarily have to be a rollcall vote. I will leave that up to the leadership.

With that, I yield the floor.

Mr. LOTT. Madam President, I thank Senator INHOFE for being cooperative and bearing with us. I am glad we were able to get this amendment on the record. I voted for this before. I think Senator Pat Moynihan one time rose up in indignation and suggested an amendment of this type, and I voted for it.

I think it is well intentioned, something that we will need to think about and work on the exact language. I would propose, if Senator DODD wants to be heard on it, OK; but if we can accept it after that, I recommend that we do that.

Mr. DODD. Madam President, I thank my colleague for his patience this morning. He has been here a long time. He had several amendments he wanted to offer. Again, having been here as many years as I have been, I have voted for and against cost-of-living increases, depending on whether I thought they were appropriate. Many times I voted for them and other colleagues voted against them. To their credit, some of our affluent Members have voted for pay increases when they clearly could have avoided it. I mention my colleague from Massachusetts. I know in my experience here, on every occasion—there may be some exception—he has voted for them when he believed pay increases were warranted. Even though he may not have needed it himself, he understands that not everybody is equal when it comes to financial situations. I have had those feelings myself. I voted against these pay increases and then having blinked when it comes to taking the pay increase.

If you feel that strongly about it and you think it is the wrong thing to do, nothing prohibits you from turning in your pay increase. You can write a check to the Department of Treasury and they will accept your check. People leave in their wills their hard-earned dollars to the Federal Government. On several occasions I have read that people have actually done that. Nothing prohibits Members from doing that. So I am very moved by what my colleague from Oklahoma is saying, and we may want to wait until we have disposed of the Reid amendment so you can talk to colleagues as to how they feel about it.

Mr. INHOFE. If the Senator will yield, I want to get a vote. If I had a chance to make my full remarks, I would go into more detail. I am one of the fortunate ones who have other sources of income. As most of you know, I also do things that go to charity. I am probably a logical one to introduce this. I have heard several Members on your side of the aisle say they

are supportive, and I anticipate they will be adding their names as cosponsors of this amendment before it comes up for a vote.

Mr. LOTT. Madam President, I believe there is objection to accepting it at this time. I hope we will be able to get that worked out. If not, the Senator can speak at length. I feel so strongly about it, I ask unanimous consent that my name be included as a cosponsor of this amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LOTT. Madam President, I will soon ask unanimous consent to set aside the Inhofe amendment and return to the pending amendment, the Santorum/Dodd or the Dodd/Santorum amendment.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LOTT. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LOTT. Madam President, we have checked on both sides of the aisle and we are, I believe, clear now to accept the Inhofe amendment. I urge that the Inhofe amendment be accepted by a voice vote.

Mr. DODD. Madam President, I support that.

The PRESIDING OFFICER. Is there further debate? If not, the question is on agreeing to the amendment of the Senator from Oklahoma.

The amendment (No. 2934) was agreed to.

Mr. DODD. Madam President, I move to reconsider the vote.

Mr. LOTT. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

**AMENDMENT NO. 2942, AS MODIFIED**

Mr. LOTT. Madam President, we are back to the Dodd-Santorum amendment.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. THUNE). Without objection, it is so ordered.

Mr. LOTT. Mr. President, once again, let me thank my colleagues on both sides of the aisle, Senator DODD for his efforts, and Senator FEINGOLD for his cooperation in getting an agreement to move forward with the pending amendment. The pending issue is the Dodd-Santorum amendment, and I believe we are clear now to act on that amendment.

Mr. DODD. Mr. President, we are prepared to vote. Again, I thank my colleagues. I think this is a good amendment. I appreciate my colleague from

Pennsylvania as well as my colleague from Illinois, and my home State colleague, Senator LIEBERMAN, and Senator McCain, who have joined as cosponsors. I think we have made a good case for it, the bright line to get rid of the tripwires. That is a word you will hear me use quite frequently during the course of this discussion. We need clear, bright lines. We are not trying to complicate or make life difficult for people, but we are trying to make sure we have some very clear understandings as to what is permissible or not permissible in the conduct of our official business. So I thank my colleagues for their support.

Mr. LOTT. Mr. President, I ask unanimous consent that before we move to the amendment at hand, Senator FEINGOLD have his amendment in order following the Santorum-McCain amendment, and we will put it in the queue at that point. If it turns out not to be, we will work with the Senator at a later time.

Mr. FEINGOLD. Mr. President, reserving the right to object, and I will not object, let me say I appreciate the work of the Senators on this. Clearly what Senator DODD did is an improvement. I, however, believe we need to do more. I don't see this as a question of tripwires. What I see this as is a question of whether certain often well-to-do individuals who work for companies, who are not themselves registered lobbyists, be able to take Members of Congress out to lunch without the Member paying his own way for dinner, and I want to offer an amendment on that. But I want to acknowledge that Senator DODD has achieved a significant step in the right direction.

I will offer my approach to this a bit later.

Mr. LOTT. Mr. President, if I could modify my request, since I understand we had not gotten an agreement formally locked in. But after we dispose of the Dodd-Santorum amendment and the Wyden-Grassley amendment, the next amendment to be in order is the Santorum-McCain amendment, to be followed by the Feingold amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 2942, AS MODIFIED

The PRESIDING OFFICER. The question is on agreeing to the Dodd amendment No. 2942, as modified.

The amendment (No. 2942), as modified, was agreed to.

Mr. DODD. Mr. President, I move to reconsider the vote.

Mr. LOTT. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

## RECESS

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate stand in recess until 2:15 p.m. today so that the parties can have their respective conference meetings.

There being no objection, the Senate, at 1:12 p.m., recessed until 2:15 p.m. and

reassembled when called to order by the Presiding Officer (Mr. SUNUNU).

## LEGISLATIVE TRANSPARENCY AND ACCOUNTABILITY ACT OF 2006—Continued

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. LOTT. Mr. President, I believe the Senate did clear the Dodd-Santorum amendment, so the pending issue is the Wyden-Grassley-Inhofe amendment.

The PRESIDING OFFICER. The amendment has not been submitted so it is not currently the pending question.

Mr. WYDEN addressed the Chair.

The PRESIDING OFFICER. The Senator from Mississippi has the floor.

Mr. LOTT. Mr. President, I believe, then, we would be ready to go with this amendment.

The PRESIDING OFFICER. The Senator from Oregon is recognized.

AMENDMENT NO. 2944

Mr. WYDEN. Mr. President, I propose the Wyden-Grassley-Inhofe amendment, No. 2944, which is at the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Oregon [Mr. WYDEN], for himself and Mr. GRASSLEY, proposes an amendment numbered 2944.

Mr. WYDEN. I ask unanimous consent the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To establish as a standing order of the Senate a requirement that a Senator publicly disclose a notice of intent to object to proceeding to any measure or matter)

At the end of title I, add the following:

### SEC. \_\_\_\_ REQUIREMENT OF NOTICE OF INTENT TO PROCEED.

(a) IN GENERAL.—The majority and minority leaders of the Senate or their designees shall recognize a notice of intent of a Senator who is a member of their caucus to object to proceeding to a measure or matter only if the Senator—

(1) submits the notice of intent in writing to the appropriate leader or their designee; and

(2) within 3 session days after the submission under paragraph (1), submits for inclusion in the Congressional Record and in the applicable calendar section described in subsection (b) the following notice:

“I, Senator \_\_\_\_, intend to object to proceeding to \_\_\_\_, dated \_\_\_\_.”

(b) CALENDAR.—The Secretary of the Senate shall establish for both the Senate Calendar of Business and the Senate Executive Calendar a separate section entitled “Notices of Intent to Object to Proceeding”. Each section shall include the name of each Senator filing a notice under subsection (a)(2), the measure or matter covered by the calendar that the Senator objects to, and the date the objection was filed.

(c) REMOVAL.—A Senator may have an item with respect to the Senator removed from a calendar to which it was added under subsection (b) by submitting for inclusion in

the Congressional Record the following notice:

“I, Senator \_\_\_\_, do not object to proceeding to \_\_\_\_, dated \_\_\_\_.”

Mr. WYDEN. Mr. President, if you walked down the Main Streets of this country and asked people what a hold was in the U.S. Senate, I think it is fair to say nobody would have any idea what it is you were talking about. In fact, they might hear the word “hold,” and they would think it was part of the wrestling championships that are going on across this country right now. But the reason I am on the floor of the Senate today with my distinguished colleague, Senator GRASSLEY, and Senator INHOFE, is that the hold in the Senate, which is the ability to object to a bill or nomination coming before the Senate, is an extraordinary power that a United States Senator has, and a power that can be exercised in secret.

At the end of a congressional session, legislation involving vast sums of money or the very freedoms on which our country relies can die just because of a secret hold in the Senate. At any point in the legislative process, an objection can delay or derail an issue to the point where it can't be effectively considered.

What is particularly unjust about all of this is that it prevents a Senator from being held accountable. I think Members would be incredulous to learn this afternoon that the Intelligence reauthorization bill, a piece of legislation which is vital to our national security, has now been held up for months as a result of a secret hold.

I am going to talk a little bit about the consequences of holding up an Intelligence authorization bill in a moment. But I want to first be clear on what the Wyden-Grassley-Inhofe amendment would do. It would force the Senate to do its business in public, and it would bring the secret holds out of the shadows of the Senate and into the sunshine. Our bipartisan amendment would make a permanent change to the procedures of the Senate to require openness and accountability. We want to emphasize that we are not going to bar Senators from exercising their power to put a hold on a bill or nomination. All we are saying is, a Senator who wants that right should also have a responsibility to the people he or she represents and to the country at large.

Now, to the hold on the Intelligence bill that has been in place for more than 3 months, I think every Member of the Senate would agree that authorizing the intelligence programs of this country is a critical priority for America. Striking the balance between fighting terrorism ferociously and protecting our civil liberties is one of the most important functions of this Senate. The bill that is now being held up as a result of a secret hold, the Intelligence reauthorization bill, has been