

him to the bill S. 2349, to provide greater transparency in the legislative process; which was ordered to lie on the table; as follows:

On page 24, after line 22, insert the following:

“(8) for each client, immediately after listing the client, an identification of whether the client is a public entity, including a State or local government or a department, agency, special purpose district, or other instrumentality of a State or local government, or a private entity.”.

SA 2962. Mr. FEINGOLD submitted an amendment intended to be proposed by him to the bill S. 2349, to provide greater transparency in the legislative process; which was ordered to lie on the table; as follows:

On page 8, after line 16, insert the following:

“(iii) For purposes of this subclause, the term ‘registered lobbyist’ means any person or entity required to register pursuant to section 4(a) of the Lobbying Disclosure Act, and any employee of such registrant as defined in section 3(5) of that Act.”.

SA 2963. Mr. FEINGOLD submitted an amendment intended to be proposed by him to the bill S. 2349, to provide greater transparency in the legislative process; which was ordered to lie on the table; as follows:

On page 9, after line 10, insert the following:

“(iii) the trip was not planned, organized, or arranged by or at the request of a registered lobbyist or foreign agent and

“(iv) registered lobbyists will not participate in or attend the trip.”.

SA 2964. Mr. FEINGOLD submitted an amendment intended to be proposed by him to the bill S. 2349, to provide greater transparency in the legislative process; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. . SENATE CANDIDATES REQUIRED TO FILE ELECTION REPORTS IN ELECTRONIC FORM.

(a) IN GENERAL.—Section 304(a)(11)(D) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(a)(11)(D)) is amended to read as follows:

“(D) As used in this paragraph, the terms ‘designation’, ‘statement’, or ‘report’ mean a designation, statement or report, respectively, which—

“(i) is required by this Act to be filed with the Commission, or

“(ii) is required under section 302(g) to be filed with the Secretary of the Senate and forwarded by the Secretary to the Commission.”.

(b) CONFORMING AMENDMENTS.—

(1) Section 302(g)(2) of such Act (2 U.S.C. 432(g)(2)) is amended by inserting “or 1 working day in the case of a designation, statement, or report filed electronically” after “2 working days”.

(2) Section 304(a)(11)(B) of such Act (2 U.S.C. 434(a)(11)(B)) is amended by inserting “or filed with the Secretary of the Senate under section 302(g)(1) and forwarded to the Commission” after “Act”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to any designation, statement, or report required to be filed after the date of enactment of this Act.

SA 2965. Mr. OBAMA (for himself and Mr. COBURN) submitted an amendment

intended to be proposed by him to the bill S. 2349, to provide greater transparency in the legislative process; which was ordered to lie on the table; as follows:

At the appropriate place insert the following:

SEC. . BAN ON IN OFFICE EMPLOYMENT NEGOTIATIONS.

(a) SENATE.—Rule XXXVII of the Standing Rules of the Senate is amended by adding at the end the following:

“(13. (a) A member of the Senate shall not negotiate or have any arrangement concerning prospective private employment if a conflict of interest or an appearance of a conflict of interest might exist.

“(b) An employee of the Senate earning in excess of 75 percent of the salary paid to a Senator shall refuse himself or herself from working on legislation if a conflict of interest or an appearance of a conflict of interest might exist as a result of negotiations for prospective private employment.

“(c) The Select Committee on Ethics shall develop guidelines concerning conduct which is covered by this paragraph.”.

(b) CRIMINAL PROVISION.—Section 208 of title 18, United States Code, is amended by adding at the end the following:

“(e) PROHIBITION ON EMPLOYMENT NEGOTIATIONS WHILE IN OFFICE.—

“(1) IN GENERAL.—No officer or employee of the executive branch of the United States Government, an independent agency of the United States, or the Federal Reserve, who is compensated at a rate of Executive Schedule Level I, II, or III, shall negotiate or have any arrangement concerning prospective private employment if a conflict of interest or an appearance of a conflict of interest might exist, as determined by the Office of Government Ethics.

“(2) PENALTY.—A violation of this subsection shall be punished as provided in section 216.”.

SA 2966. Mr. DAYTON submitted an amendment intended to be proposed to amendment SA 2938 submitted by Mr. SANTORUM (for himself, Mr. MCCAIN, Mr. FEINGOLD, and Mr. LIEBERMAN) and intended to be proposed to the bill S. 2349, to provide greater transparency in the legislative process; which was ordered to lie on the table; as follows:

Strike all after page 4, line 5, and insert the following:

“(9) in the case of a principal campaign committee of a candidate, any flight taken by the candidate during the reporting period on an aircraft that is not licensed by the Federal Aviation Administration to operate for compensation or hire, together with the following information:

“(A) The date of the flight.

“(B) The destination of the flight.

“(C) The owner or lessee of the aircraft.

“(D) The purpose of the flight.

“(E) The persons on the flight, except for any person flying the aircraft.”.

(B) EXCLUSION OF PAID FLIGHT FROM DEFINITION OF CONTRIBUTION.—Subparagraph (B) of section 301(8) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(8)(B)) is amended—

(i) in clause (xiii), by striking “and” at the end;

(ii) in clause (xiv), by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following new clause:

“(xv) any travel expense for a flight taken by the candidate or on behalf of the candidate on an aircraft that is not licensed by

the Federal Aviation Administration to operate for compensation or hire: *Provided*, That the candidate (or the authorized committee of the candidate) pays to the owner, lessee, or other individual who provides the airplane the pro rata share of the fair market value of such flight (as determined by dividing the fair market value of the normal and usual charter fare or rental charge for a comparable plane of appropriate size by the number candidates on the flight) by not later than 7 days after the date on which the flight is taken.”.

(3) REIMBURSEMENT OF TRANSPORTATION PROVIDED BY FEDERAL GOVERNMENT.—Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) is amended by adding at the end the following new section:

“SEC. 325. PROHIBITION ON UNREIMBURSED TRANSPORTATION PROVIDED BY THE FEDERAL GOVERNMENT.

“(a) IN GENERAL.—A candidate, any person performing services on behalf of a candidate or an authorized committee of a candidate, or any person performing services on behalf of a political committee established and maintained by a national political party, shall not use any property of the Federal government as a means of transportation for any purpose related (in whole or in part) to influencing the election of a candidate for Federal office unless such person reimburses the Federal government for the cost of such transportation.

“(b) COST OF TRANSPORTATION BY AIRPLANE.—For purposes of subsection (a), in the case of any transportation consisting of a flight on an aircraft, the cost of such transportation shall be the fair market value of such flight (as determined by dividing the normal and usual charter fare or rental charge for a comparable plane of appropriate size by the number of people on board, not including any person flying the aircraft).”.

SA 2967. Mr. DAYTON submitted an amendment intended to be proposed by him to the bill S. 2349, to provide greater transparency in the legislative process; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . RESTRICTIONS ON MEMBERS, OFFICERS, AND EMPLOYEES OF CONGRESS AND THE EXECUTIVE BRANCH TO GUARANTEE IMPARTIALITY IN PERFORMING OFFICIAL DUTIES.

(a) DISCLOSURE.—A Member of Congress and an elected officer and senior employee of either House of Congress shall disclose to the appropriate ethics committee of the House of Representatives or the Senate their private-sector employment for the 6-year period prior to public service and this information shall be made available to the public.

(b) CONFLICT OF INTEREST IN THE SENATE.—Paragraph 4 of rule XXXVII of the Standing Rules of the Senate is amended to read as follows:

“4. No Member, officer, or employee shall knowingly use his official position to introduce or aid the progress or passage of legislation, a principal purpose of which is to further—

“(1) only his pecuniary interest;

“(2) only the pecuniary interest of his immediate family;

“(3) only the pecuniary interest of a limited class of persons or enterprises, when he, or his immediate family, or enterprises controlled by them, are members of the affected class;

“(4) only the pecuniary interest of a person with whom the Member, officer, or senior employee personally has or seeks a business,

contractual, or other financial relationship that involves other than a routine consumer transaction; or

“(5) only the pecuniary interest of any person for whom the Member, officer, or senior employee has, within the last 2 years, served as a paid officer, director, trustee, general partner, lobbyist, agent attorney, consultant, or contractor.”

(c) SENSE OF THE SENATE.—It is the sense of the Senate that the House of Representatives should adopt rules relating to conflict of interest identical to the rule adopted in subsection (b).

(d) RESTRICTIONS ON OFFICERS AND SENIOR EMPLOYEES OF THE EXECUTIVE BRANCH TO GUARANTEE IMPARTIALITY IN PERFORMING OFFICIAL DUTIES.—

(1) CRIMINAL PROHIBITION.—

(A) IN GENERAL.—Chapter 11 of title 18, United States Code, is amended by adding after section 207 the following:

“§ 207a. Restrictions on officers and senior employees of the executive branch to guarantee impartiality in performing official duties

“(a) IMPARTIALITY IN PERFORMING OFFICIAL DUTIES.—No person who is officer or senior employee of the executive branch of the United States shall knowingly participate personally and substantially in an official capacity in any particular matter that directly and particularly benefits a person with whom the officer or senior employee has had a covered relationship.

“(b) PENALTY.—Violation of this section shall be subject to punishment as provided in section 216 of this title.

“(c) DEFINITIONS.—In this section:

“(1) ACTIVE PARTICIPANT.—The term ‘active participant’—

“(A) means devoting significant time to promoting specific programs of the organization, including—

“(i) coordination of fundraising efforts;

“(ii) service as an official of the organization or in a capacity similar to that of a chairman of a committee or subcommittee or a spokesman; and

“(iii) participation in directing the activities of the organization; and

“(B) does not include the payment of dues or the donation or solicitation of financial support, without other participation.

“(2) COVERED RELATIONS.—The term ‘covered relationship’—

“(A) means—

“(i) a person with whom the officer or senior employee personally has or seeks a business, contractual, or other financial relationship that involves other than a routine consumer transaction;

“(ii) a person who is a member of the household of the officer or senior employee, or who is a relative with whom the officer or senior employee has a close personal relationship;

“(iii) a person for whom the spouse, parent or dependent child of the officer or senior employee is, to the knowledge of the officer or senior employee, serving or seeking to serve as an officer, director, trustee, general partner, agent, attorney, consultant, contractor or employee;

“(iv) any person for whom the officer or senior employee has, within the last 2 years, served as a paid officer, director, trustee, general partner, lobbyist, agent, attorney, consultant, contractor, or employee; or

“(v) an organization, other than a political party described in section 527(e) of the Internal Revenue Code of 1986, in which the officer or senior employee is an active participant; and

“(3) SENIOR EMPLOYEE.—The term ‘senior employee’ means an employee paid at a rate of Executive Schedule V or higher.”

(B) CHAPTER ANALYSIS.—The chapter analysis for chapter 11 of title 18, United States Code, is amended by inserting after the item for section 207 the following:

“207a. Restrictions on officers and senior employees of the executive branch to guarantee impartiality in performing official duties.”

(2) PRIVATE-SECTOR EMPLOYMENT.—An officer and a senior employee of the executive branch of the United States shall disclose to the Office of Government Ethics, their private-sector employment for the 6-year period prior to public service and this information shall be made available to the public.

(3) REPORTING OF THE OFFICE OF GOVERNMENT ETHICS.—The Office of Government Ethics shall make available to the public, on the internet and in a public reading room, any waiver granted by an individual agency ethics officer designee under paragraph (c)(2) or (d) of section 2635.502 of title 5, Code of Federal Regulations (or any corresponding similar regulation or ruling).

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. LOTT. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on March 8, 2006, at 2:30 p.m., to receive testimony on the Department of Defense Quadrennial Defense Review.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. LOTT. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate, on Wednesday, March 8 at 10:00 a.m. to consider pending calendar business.

Agenda

Agenda Item 3: S. 476—To authorize the Boy Scouts of America to exchange certain land in the State of Utah acquired under the Recreation and Public Purposes Act.

Agenda Item 8: S. 1131—To authorize the exchange of certain Federal land within the State of Idaho, and for other purposes.

Agenda Item 9: S. 1288—To authorize the Secretary of the Interior to enter into cooperative agreements to protect natural resources of units of the National Park System through collaborative efforts on land inside and outside of units of the National Park System.

Agenda Item 10: S. 1346—To direct the Secretary of the Interior to conduct a study of maritime sites in the State of Michigan.

Agenda Item 11: S. 1378—To amend the National Historic Preservation Act to provide appropriation authorization and improve the operations of the Advisory Council on Historic Preservation.

Agenda Item 13: S. 1913—To authorize the Secretary of the Interior to lease a portion of the Dorothy Buell Memorial Visitor Center for use as a visitor cen-

ter for the Indiana Dunes National Lakeshore, and for other purposes.

Agenda Item 14: S. 1970—To amend the National Trails System Act to update the feasibility and suitability study originally prepared for the Trail of Tears National Historic Trail and provide for the inclusion of new trail segments, land components, and campgrounds associated with that trail, and for other purposes.

Agenda Item 15: S. 2197—To improve the global competitiveness of the United States in science and energy technology, to strengthen basic research programs at the Department of Energy, and to provide support for mathematics and science education at all levels through the resources available through the Department of Energy, including at the National Laboratories.

Agenda Item 16: S. 2253—To require the Secretary of the Interior to offer the 181 Area of the Gulf of Mexico for oil and gas leasing.

Agenda Item 17: S. Con. Res. 60—Designating the Negro Leagues Baseball Museum in Kansas City, MO, as America's National Negro Leagues Baseball Museum.

Agenda Item 18: S.J. Res. 28—Approving the location of the commemorative work in the District of Columbia honoring former President Dwight D. Eisenhower.

Agenda Item 19: H.R. 318—To authorize the Secretary of the Interior to study the suitability and feasibility of designating Castle Nugent Farms located on St. Croix, Virgin Islands, as a unit of the National Park System, and for other purposes.

Agenda Item 20: H.R. 326 (S. 505)—To amend the Yuma Crossing National Heritage Area Act of 2000 to adjust the boundary of the Yuma Crossing National Heritage Area.

Agenda Item 21: H.R. 409 (S. 179)—To provide for the exchange of land within the Sierra National Forest, CA, and for other purposes.

Agenda Item 23: H.R. 1129 (S. 100)—To authorize the exchange of certain land in the State of Colorado.

Agenda Item 24: H.R. 1728 (S. 323)—To authorize the Secretary of the Interior to study the suitability and feasibility of designating the French Colonial Heritage Area in the State of Missouri as a unit of the National Park System, and for other purposes.

Agenda Item 25: H.R. 2107—To amend Public Law 104-329 to modify authorities for the use of the National Law Enforcement Officers Memorial Maintenance Fund, and for other purposes.

Agenda Item 26: H.R. 3443 (S. 1498)—To direct the Secretary of the Interior to convey certain water distribution facilities to the Northern Colorado Water Conservancy District.

In addition, the Committee may turn to any other measures that are ready for consideration.

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

COMMITTEE ON FINANCE

Mr. LOTT. Mr. President, I ask unanimous consent that the Committee on