

Whereas the United States and Taiwan have already signed more than 140 bilateral agreements: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring),* That it is the sense of the Congress that the United States should increase trade opportunities with Taiwan by launching negotiations to enter into a free trade agreement with Taiwan.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 3175. Mr. COBURN (for himself and Mr. OBAMA) 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.

SA 3176. Ms. COLLINS (for herself, Mr. MCCAIN, Mr. LIEBERMAN, and Mr. OBAMA) proposed an amendment to amendment SA 2944 submitted by Mr. WYDEN (for himself, Mr. GRASSLEY, and Mr. INHOFE) to the bill S. 2349, *supra*.

SA 3177. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 2349, *supra*; which was ordered to lie on the table.

SA 3178. Mr. OBAMA (for himself, Mr. COBURN, and Mr. FEINGOLD) submitted an amendment intended to be proposed by him to the bill S. 2349, *supra*; which was ordered to lie on the table.

SA 3179. Mr. LIEBERMAN (for himself, Ms. COLLINS, Mr. OBAMA, and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 2349, *supra*; which was ordered to lie on the table.

SA 3180. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 2349, *supra*; which was ordered to lie on the table.

SA 3181. Mr. REID (for Mr. BYRD) submitted an amendment intended to be proposed by Mr. REID to the bill S. 2349, *supra*; which was ordered to lie on the table.

SA 3182. Mr. REID (for Mr. BYRD) submitted an amendment intended to be proposed by Mr. REID to the bill S. 2349, *supra*; which was ordered to lie on the table.

SA 3183. Mr. COBURN (for himself and Mr. OBAMA) submitted an amendment intended to be proposed by him to the bill S. 2349, *supra*; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS—MARCH 9, 2006

**SA 2981.** Mr. ENSIGN (for himself and Mr. MCCAIN) 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 3, strike line 9 and all that follows through page 4, line 20, and insert the following:

(a) IN GENERAL.—A point of order may be made by any Senator against consideration of a conference report that includes any new or general legislation, any unauthorized appropriation, or new matter or nongermane matter not committed to the conferees by either House. The point of order shall be made and voted on separately for each item in violation of this section.

(b) DISPOSITION.—If the point of order against a conference report under subsection (a) is sustained, then—

(1) the matter in such conference report shall be deemed to have been struck;

(2) when all other points of order under this section have been disposed of—

(A) the Senate shall proceed to consider the question of whether the Senate should recede from its amendment to the House bill, or its disagreement to the amendment of the House, and concur with a further amendment, which further amendment shall consist of only that portion of the conference report not deemed to have been struck;

(B) the question shall be debatable; and

(C) no further amendment shall be in order; and

(3) if the Senate agrees to the amendment, then the bill and the Senate amendment thereto shall be returned to the House for its concurrence in the amendment of the Senate.

(c) SUPERMAJORITY WAIVER AND APPEAL.—This section may be waived or suspended in the Senate only by an affirmative vote of  $\frac{2}{3}$  of the Members, duly chosen and sworn. An affirmative vote of  $\frac{2}{3}$  of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

(d) DEFINITIONS.—In this section:

(1)(A) The term “unauthorized appropriation” means an appropriation—

(i) not specifically authorized by law or Treaty stipulation (unless the appropriation has been specifically authorized by an Act or resolution previously passed by the Senate during the same session or proposed in pursuance of an estimate submitted in accordance with law); or

(ii) the amount of which exceeds the amount specifically authorized by law or Treaty stipulation (or specifically authorized by an Act or resolution previously passed by the Senate during the same session or proposed in pursuance of an estimate submitted in accordance with law) to be appropriated.

(B) An appropriation is not specifically authorized if it is restricted or directed to, or authorized to be obligated or expended for the benefit of, an identifiable person, program, project, entity, or jurisdiction by earmarking or other specification, whether by name or description, in a manner that is so restricted, directed, or authorized that it applies only to a single identifiable person, program, project, entity, or jurisdiction, unless the identifiable person, program, project, entity, or jurisdiction to which the restriction, direction, or authorization applies is described or otherwise clearly identified in a law or Treaty stipulation (or an Act or resolution previously passed by the Senate during the same session or in the estimate submitted in accordance with law) that specifically provides for the restriction, direction, or authorization of appropriation for such person, program, project, entity, or jurisdiction.

(2) The term “new or general legislation” has the meaning given that term when it is used in paragraph 2 of Rule XVI of the Standing Rules of the Senate.

(3) The term “new matter” means any matter not committed to conferees by either House.

(4) The term “nongermane matter” has the meaning given that term when it is used in Rule XXII of the Standing Rules of the Senate.

#### TEXT OF AMENDMENTS

**SA 3175.** Mr. COBURN (for himself and Mr. OBAMA) 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. \_\_\_\_ FULL DISCLOSURE OF ENTITIES RECEIVING FEDERAL FUNDING.

(a) IN GENERAL.—Effective beginning January 1, 2007, the Office of Management and Budget shall ensure the existence and operation of a single updated searchable database website accessible by the public at no cost that includes for each entity receiving Federal funding—

(1) the name of the entity;

(2) the amount of any Federal funds that the entity has received in each of the last 10 fiscal years;

(3) an itemized breakdown of each transaction, including funding agency, program source, and a description of the purpose of each funding action;

(4) the location of the entity and primary location of performance, including the city, State congressional district, and country;

(5) a unique identifier for each such entity and parent entity, should the entity be owned by another entity; and

(6) any other relevant information.

(b) DEFINITIONS.—In this section:

(1) ENTITY.—The term “entity”—

(A) includes—

(i) a corporation;

(ii) an association;

(iii) a partnership;

(iv) a limited liability company;

(v) a limited liability partnership;

(vi) any other legal business entity;

(vii) grantees, contractors, and, on and after October 1, 2007, subgrantees and sub-contractors; and

(viii) any State or locality; and

(B) does not include—

(i) an individual recipient of Federal assistance;

(ii) a Federal employee; or

(iii) a grant or contract of a nature that could be reasonably expected to cause damage to national security.

(2) FEDERAL FUNDING.—The term “federal funding”—

(A) means Federal financial assistance and expenditures that include grants, contracts, subgrants, subcontracts, loans, awards and other forms of financial assistance; and

(B) does not include credit card transactions or minor purchases.

(3) SEARCHABLE DATABASE WEBSITE.—The term “searchable database website” means a website that allows the public to—

(A) search Federal funding by name of entity, parent entity, or type of industry, geography, including location of the entity and the primary location of the performance, amounts and types of federal funding, program sources, type of activity being performed, time factors such as fiscal years or multiple fiscal years, and other relevant information; and

(B) download data included in subparagraph (A) including outcomes from searches.

(c) WEBSITE.—The database website established by this section—

(1) shall not be considered in compliance if it links to FPDS, Grants.gov or other existing websites and databases, unless each of those sites has information from all agencies and each category of information required to be itemized can be searched electronically by field in a single search;

(2) shall provide an opportunity for the public to provide input about the utility and of the site and recommendations for improvements; and

(3) shall be updated at least quarterly every fiscal year.

(d) AGENCY RESPONSIBILITIES.—The Director of OMB shall provide guidance to agency heads to ensure compliance with this section.

(e) REPORT.—The Director of OMB shall annually report to the Senate Committee on Homeland Security and Government Affairs and the House Committee on Government Reform on implementation of the website that shall include data about the usage and public feedback on the utility of the site, including recommendations for improvements. The annual report shall be made publicly available on the website.

**SA 3176.** Ms. COLLINS (for herself, Mr. MCCAIN, Mr. LIEBERMAN, and Mr. OBAMA) proposed an amendment to amendment SA 2944 submitted by Mr. WYDEN (for himself, Mr. GRASSLEY, and Mr. INHOFE) to the bill S. 2349, to provide greater transparency in the legislative process; as follows:

#### **TITLE—SENATE OFFICE OF PUBLIC INTEGRITY**

##### **SEC. 11. ESTABLISHMENT OF SENATE OFFICE OF PUBLIC INTEGRITY.**

There is established, as an office within the Senate, the Senate Office of Public Integrity (referred to in this title as the “Office”).

##### **SEC. 12. DIRECTOR.**

(a) APPOINTMENT OF DIRECTOR.—

(1) IN GENERAL.—The Office shall be headed by a Director who shall be appointed by the President Pro Tempore of the Senate upon the joint recommendation of the majority leader of the Senate and the minority leader of the Senate. The selection and appointment of the Director shall be without regard to political affiliation and solely on the basis of fitness to perform the duties of the Office.

(2) QUALIFICATIONS.—The Director shall possess demonstrated integrity, independence, and public credibility and shall have training or experience in law enforcement, the judiciary, civil or criminal litigation, or as a member of a Federal, State, or local ethics enforcement agency.

(b) VACANCY.—A vacancy in the directorship shall be filled in the manner in which the original appointment was made.

(c) TERM OF OFFICE.—The Director shall serve for a term of 5 years and may be reappointed.

(d) REMOVAL.—

(1) AUTHORITY.—The Director may be removed by the President Pro Tempore of the Senate upon the joint recommendation of the Senate majority and minority leaders for—

(A) disability that substantially prevents the Director from carrying out the duties of the Director;

(B) inefficiency;

(C) neglect of duty; or

(D) malfeasance, including a felony or conduct involving moral turpitude.

(2) STATEMENT OF REASONS.—In removing the Director, a statement of the reasons for removal shall be provided in writing to the Director.

(e) COMPENSATION.—The Director shall be compensated at the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of title 5, United States Code.

##### **SEC. 13. DUTIES AND POWERS OF THE OFFICE.**

(a) DUTIES.—The Office is authorized—

(1) to investigate any alleged violation by a Member, officer, or employee of the Senate, of any rule or other standard of conduct applicable to the conduct of such Member, officer, or employee under applicable Senate rules in the performance of his duties or the discharge of his responsibilities;

(2) to present a case of probable ethics violations to the Select Committee on Ethics of the Senate;

(3) to make recommendations to the Select Committee on Ethics of the Senate that it

report to the appropriate Federal or State authorities any substantial evidence of a violation by a Member, officer, or employee of the Senate of any law applicable to the performance of his duties or the discharge of his responsibilities, which may have been disclosed in an investigation by the Office; and

(4) subject to review by the Select Committee on Ethics to approve, or deny approval, of trips as provided for in paragraph 2(f) of rule XXXV of the Standing Rules of the Senate.

(b) POWERS.—

(1) OBTAINING INFORMATION.—Upon request of the Office, the head of any agency or instrumentality of the Government shall furnish information deemed necessary by the Director to enable the Office to carry out its duties.

(2) REFERRALS TO THE DEPARTMENT OF JUSTICE.—Whenever the Director has reason to believe that a violation of law may have occurred, he shall refer that matter to the Select Committee on Ethics with a recommendation as to whether the matter should be referred to the Department of Justice or other appropriate authority for investigation or other action.

##### **SEC. 14. INVESTIGATIONS AND INTERACTION WITH THE SENATE SELECT COMMITTEE ON ETHICS.**

(a) INITIATION OF ENFORCEMENT MATTERS.—

(1) IN GENERAL.—An investigation may be initiated by the filing of a complaint with the Office by a Member of Congress or an outside complainant, or by the Office on its own initiative, based on any information in its possession. The Director shall not accept a complaint concerning a Member of Congress within 60 days of an election involving such Member.

(2) FILED COMPLAINT.—

(A) TIMING.—In the case of a complaint that is filed, the Director shall within 30 days make an initial determination as to whether the complaint should be dismissed or whether there are sufficient grounds to conduct an investigation. The subject of the complaint shall be provided by the Director with an opportunity during the 30-day period to challenge the complaint.

(B) DISMISSAL.—The Director may dismiss a complaint if the Director determines—

(i) the complaint fails to state a violation;

(ii) there is a lack of credible evidence of a violation; or

(iii) the violation is inadvertent, technical, or otherwise of a de minimis nature.

(C) REFERRAL.—In any case where the Director decides to dismiss a complaint, the Director may refer the case to the Select Committee on Ethics of the Senate under paragraph (3) to determine if the complaint is frivolous.

(3) FRIVOLOUS COMPLAINTS.—If the Select Committee on Ethics of the Senate determines that a complaint is frivolous, the committee may notify the Director not to accept any future complaint filed by that same person and the complainant may be required to pay for the costs of the Office resulting from such complaint. The Director may refer the matter to the Department of Justice to collect such costs.

(4) PRELIMINARY DETERMINATION.—For any investigation conducted by the Office at its own initiative, the Director shall make a preliminary determination of whether there are sufficient grounds to conduct an investigation. Before making that determination, the subject of the investigation shall be provided by the Director with an opportunity to submit information to the Director that there are not sufficient grounds to conduct an investigation.

(5) NOTICE TO COMMITTEE.—Whenever the Director determines that there are sufficient grounds to conduct an investigation—

(A) the Director shall notify the Select Committee on Ethics of the Senate of this determination; and

(B) the committee may overrule the determination of the Director if, within 10 legislative days—

(i) the committee by an affirmative, roll-call vote of two-thirds of the full committee votes to overrule the determination of the Director;

(ii) the committee issues a public report on the matter; and

(iii) the vote of each member of the committee on such roll-call vote is included in the report.

(b) CONDUCTING INVESTIGATIONS.—

(1) IN GENERAL.—If the Director determines that there are sufficient grounds to conduct an investigation and his determination is not overruled under subsection (a)(5), the Director shall conduct an investigation to determine if probable cause exists that a violation occurred.

(2) AUTHORITY.—As part of an investigation, the Director may—

(A) administer oaths;

(B) issue subpoenas;

(C) compel the attendance of witnesses and the production of papers, books, accounts, documents, and testimony; and

(D) himself, or by delegation to Office staff, take the deposition of witnesses.

(3) REFUSAL TO OBEY.—If a person disobeys or refuses to comply with a subpoena, or if a witness refuses to testify to a matter, he may be held in contempt of Congress.

(4) ENFORCEMENT.—If the Director determines that the Director is limited in the Director's ability to obtain documents, testimony, and other information needed as part of an investigation because of potential constitutional, statutory, or rules restrictions, or due to lack of compliance, the Director may refer the matter to the Select Committee on Ethics of the Senate for consideration and appropriate action by the committee. The committee shall promptly act on a request under this paragraph.

(c) PRESENTATION OF CASE TO SENATE SELECT COMMITTEE ON ETHICS.—

(1) NOTICE TO COMMITTEES.—If the Director determines, upon conclusion of an investigation, that probable cause exists that an ethics violation has occurred, the Director shall notify the Select Committee on Ethics of the Senate of this determination.

(2) COMMITTEE DECISION.—The Select Committee on Ethics may overrule the determination of the Director if, within 30 legislative days—

(A) the committee by an affirmative, roll-call vote of two-thirds of the full committee votes to overrule the determination of the Director;

(B) the committee issues a public report on the matter; and

(C) the vote of each member of the committee on such roll-call vote is included in the report.

(3) DETERMINATION AND RULING.—

(A) REFERRAL.—If the Director determines there is probable cause that an ethics violation has occurred and the Director's determination is not overruled, the Director shall present the case and evidence to the Select Committee on Ethics of the Senate to hear and make a determination pursuant to its rules.

(B) FINAL DECISION.—The Select Committee on Ethics shall vote upon whether the individual who is the subject of the investigation has violated any rules or other standards of conduct applicable to that individual in his official capacity. Such votes shall be a roll-call vote of the full committee, a quorum being present. The committee shall issue a public report which shall include the vote of

each member of the committee on such roll-call vote.

(d) **SANCTIONS.**—Whenever the Select Committee on Ethics of the Senate finds that an ethics violation has occurred, the Director shall recommend appropriate sanctions to the committee and whether a matter should be referred to the Department of Justice for investigation.

#### SEC. 15. PROCEDURAL RULES.

(a) **PROHIBITION OF CERTAIN INVESTIGATIONS.**—No investigation shall be undertaken by the Office of any alleged violation of a law, rule, regulation, or standard of conduct not in effect at the time of the alleged violation.

(b) **DISCLOSURE.**—Information or testimony received, or the contents of a complaint or the fact of its filing, or recommendations made by the Director to the committee, may be publicly disclosed by the Director or by the staff of the Office only if authorized by the Select Committee on Ethics of the Senate.

#### SEC. 16. SOPI EMPLOYEES UNDER THE CONGRESSIONAL ACCOUNTABILITY ACT.

Section 101 of the Congressional Accountability Act of 1995 (2 U.S.C. 3) is amended—

- (1) in paragraph (3)—
- (A) in subparagraph (H), by striking “or”;
- (B) in subparagraph (I), by striking the period and inserting “; or”; and
- (C) by adding at the end the following:
 

“(J) the Office of Public Integrity.”; and
- (2) in paragraph (9), by striking “and the Office of Technology Assessment” and inserting “the Office of Technology Assessment, and the Senate Office of Public Integrity”.

#### SEC. 17. EFFECTIVE DATE.

(a) **IN GENERAL.**—Except as provided by subsection (b), this title shall take effect on January 1, 2007.

(b) **EXCEPTION.**—Section 312 shall take effect upon the date of enactment of this Act.

**SA 3177.** 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. \_\_\_\_ . LOBBYING DISCLOSURE AND PUBLIC AVAILABILITY OF FORMS FILED BY RECIPIENTS OF FEDERAL FUNDS AND CONTRACTS.

(a) **LOBBYING DISCLOSURE.**—Section 1352(b)(2) of title 31, United States Code, is amended—

- (1) in subparagraph (A), by striking “and” after the semicolon;
- (2) in subparagraph (B), by striking the period and inserting “; and”; and
- (3) by adding at the end the following:
 

“(C) an itemization of any funds spent by the person for lobbying on a calendar year basis.”.

(b) **PUBLIC AVAILABILITY.**—Section 1352(b) of title 31, United States Code, is amended by adding at the end the following:

“(7) Declarations required to be filed by paragraph (1) shall be made available by the Office of Management and Budget on a public, fully searchable website that shall be updated quarterly.”.

(c) **EFFECTIVE DATE.**—The amendments made by this section shall take effect 6 months after the date of enactment of this Act.

**SA 3178.** Mr. OBAMA (for himself, Mr. COBURN, and 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 appropriate place insert the following:

#### SEC. \_\_\_\_ . BAN ON IN OFFICE EMPLOYMENT NEGOTIATIONS.

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 recuse 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.”.

**SA 3179.** Mr. LIEBERMAN (for himself, Ms. COLLINS, Mr. OBAMA, and Mr. MCCAIN) submitted an amendment intended to be processed 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 the bill, add the following:

#### TITLE III—OFFICE OF LOBBYING DISCLOSURE

#### SEC. 301. ESTABLISHMENT OF OFFICE OF LOBBYING DISCLOSURE.

There is established, as an independent office within the legislative branch of the Government, the Office of Lobbying Disclosure (referred to in this title as the “Office”).

#### SEC. 302. DIRECTOR.

(a) **APPOINTMENT OF DIRECTOR.**—The Office shall be headed by a Director who shall be appointed by agreement of the Speaker of the House of Representatives, the majority leader of the Senate, and the minority leaders of the House of Representatives and the Senate. The selection and appointment of the Director shall be without regard to political affiliation and solely on the basis of fitness to perform the duties of the Office.

(b) **VACANCY.**—A vacancy in the directorship shall be filled in the manner in which the original appointment was made.

(c) **TERM OF OFFICE.**—The Director shall serve for a term of 5 years and may be reappointed.

(d) **REMOVAL.**—

(1) **AUTHORITY.**—The Director may be removed by a majority of the appointing authority for—

(A) disability that substantially prevents the Director from carrying out the duties of the Director;

(B) inefficiency;

(C) neglect of duty; or

(D) malfeasance, including a felony or conduct involving moral turpitude.

(2) **STATEMENT OF REASONS.**—In removing the Director, a statement of the reasons for removal shall be provided in writing to the Director.

(e) **COMPENSATION.**—The Director shall be compensated at the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of title 5, United States Code.

#### SEC. 303. DUTIES AND POWERS OF THE OFFICE.

(a) **DUTIES.**—The Office is authorized—

(1) to receive, monitor, and oversee reports filed by registered lobbyists under the Lobbying Disclosure Act of 1995;

(2) to assume all other responsibilities and authorities of the Secretary of the Senate and the Clerk of the House of Representatives under the Lobbying Disclosure Act of 1995;

(3) to refer to the Select Committee on Ethics of the Senate and Committee on Standard of Official Conduct of the House of Representatives, as appropriate, any information it comes across that relates to a possible violation of ethics rules or standards of the relevant body;

(4) to conduct periodic and random reviews and audits of reports filed with it to ensure compliance with all applicable laws and rules; and

(5) to provide informal guidance to registrants under the Lobbying Disclosure Act of 1995 of their responsibilities under such Act.

(b) **POWERS.**—

(1) **OBTAINING INFORMATION.**—

(A) **IN GENERAL.**—Upon request of the Office, the head of any agency or instrumentality of the Government shall furnish information deemed necessary by the Director to enable the Office to carry out its duties.

(B) **INVESTIGATION BY DOJ.**—In the event that the Office, due to failure of a person to comply with a request for information, is unable to determine whether a violation of the Lobbying Disclosure Act of 1995 has occurred, the Office may refer the matter to the Department of Justice for it to investigate whether a violation of the Act may have occurred.

(2) **REFERRALS TO DOJ.**—Whenever the Director has reason to believe that a violation of the Lobbying Disclosure Act of 1995 may have occurred, he shall refer that matter to the Department of Justice for it to investigate.

(3) **GENERAL AUDITS.**—The Director shall have the authority to conduct general audits of filings under the Lobbying Disclosure Act of 1995.

#### SEC. 304. ADMINISTRATION AND STAFF.

(a) **STAFF AND SUPPORT SERVICES.**—The Director may appoint and fix the compensation of such staff as the Director considers necessary.

(b) **APPLICABILITY OF CIVIL SERVICE LAWS.**—The Director and other members of the staff of the Office shall be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service.

(c) **EXPERTS AND CONSULTANTS.**—The Director may procure temporary and intermittent services under section 3109(b) of title 5, United States Code.

(d) **PHYSICAL FACILITIES.**—The Architect of the Capitol, in consultation with the appropriate entities in the legislative branch, shall locate and provide suitable office space for the operation of the Office on a non-reimbursable basis. The facilities shall serve as the headquarters of the Office and shall include all necessary equipment and incidentals required for the proper functioning of the Office.

(e) **ADMINISTRATIVE SUPPORT SERVICES AND OTHER ASSISTANCE.**—

(1) **IN GENERAL.**—Upon the request of the Director, the Architect of the Capitol and the Administrator of General Services shall provide to the Director on a nonreimbursable basis such administrative support services as the Commission may request.

(2) **ADDITIONAL SUPPORT.**—In addition to the assistance set forth in paragraph (1), departments and agencies of the United States may provide the Director such services, funds, facilities, staff, and other support services as the Director may deem advisable and as may be authorized by law.

(f) **USE OF MAILS.**—The Office may use the United States mails in the same manner and

under the same conditions as Federal agencies and shall, for purposes of the frank, be considered a commission of Congress as described in section 3215 of title 39, United States Code.

(g) **PRINTING.**—For purposes of costs relating to printing and binding, including the cost of personnel detailed from the Government Printing Office, the Office shall be deemed to be a committee of the Congress.

#### SEC. 305. EXPENSES.

(a) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated such sums as may be necessary to carry out this title.

(b) **FINANCIAL AND ADMINISTRATIVE SERVICES.**—The Director may place orders and enter into agreements for goods and services with the head of any agency, or major organizational unit within an agency, in the legislative or executive branch of the Government in the same manner and to the same extent as agencies are authorized to do so under sections 1535 and 1536 of title 31, United States Code.

#### SEC. 306. TRANSFER OF RECORDS.

Not later than 90 days after the effective date of this Act, the Office of Public Records in the Senate and the Office of Clerk of the House of Representatives shall transfer all records to the Office with respect to their former duties under the Lobbying Disclosure Act of 1995.

#### SEC. 307. TRANSFER OF JURISDICTION TO OFFICE OF LOBBYING DISCLOSURE.

(a) **FILING OF REGISTRATIONS.**—Section 4 of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1603) is amended—

(1) in subsection (a)(1), by striking “Secretary of the Senate and the Clerk of the House of Representatives” and inserting “Office of Lobbying Disclosure”; and

(2) in subsection (d), by striking “Secretary of the Senate and the Clerk of the House of Representatives” and inserting “Office of Lobbying Disclosure”.

(b) **REPORTS BY REGISTERED LOBBYISTS.**—Section 5(a) of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1604(a)) is amended by striking “Secretary of the Senate and the Clerk of the House of Representatives” and inserting “Office of Lobbying Disclosure”.

(c) **DISCLOSURE AND ENFORCEMENT.**—Section 6(a) of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1605) is amended by striking “Secretary of the Senate and the Clerk of the House of Representatives” and inserting “Office of Lobbying Disclosure”.

(d) **PENALTIES.**—Section 7 of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1606) is amended by striking “Secretary of the Senate or the Clerk of the House of Representatives” and inserting “Office of Lobbying Disclosure”.

(e) **RULES OF CONSTRUCTION.**—Section 8(c) of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1607(c)) is amended by striking “Secretary of the Senate or the Clerk of the House of Representatives” and inserting “Office of Lobbying Disclosure”.

(f) **ESTIMATES BASED ON TAX REPORTING SYSTEM.**—Section 15(c)(1) of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1610(c)(1)) is amended by striking “Secretary of the Senate and the Clerk of the House of Representatives” and inserting “Office of Lobbying Disclosure”.

#### SEC. 308. OFFICE EMPLOYEES UNDER THE CONGRESSIONAL ACCOUNTABILITY ACT.

Section 101 of the Congressional Accountability Act of 1995 (2 U.S.C. 3) is amended—

(1) in paragraph (3)—

(A) in subparagraph (H), by striking “or”;

(B) in subparagraph (I), by striking the period and inserting “; or”;

(C) by adding at the end the following:

“(J) the Office of Lobbying Disclosure.”;

and

(2) in paragraph (9), by striking “and the Office of Technology Assessment” and inserting “the Office of Technology Assessment, and the Office of Lobbying Disclosure”.

#### SEC. 309. PROHIBITION ON FILING AND OTHER ASSOCIATED FEES.

The Office shall not—

(1) charge any registrant a fee for filings with the Office required under the Lobbying Disclosure Act of 1995; or

(2) charge such a registrant a fee for obtaining an electronic signature for such a filing.

#### SEC. 310. EFFECTIVE DATE.

(a) **IN GENERAL.**—Except as provided by subsection (b), this title shall take effect on January 1, 2007.

(b) **EXCEPTION.**—Sections 302, 304, and 305 shall take effect upon the date of enactment of this Act.

**SA 3180.** Mrs. FEINSTEIN submitted an amendment intended to be proposed by her 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 5, strike lines 4 through 17 and insert the following:

“(2) the term ‘out-of-scope earmark’ means an earmark that includes any matter not committed to the conferees by either House; and

“(3) the term ‘assistance’ means budget authority, contract authority, loan authority, and other expenditures, and tax expenditures or other revenue items.

“2. It shall not be in order to consider any Senate bill or Senate amendment or conference report on any bill, including an appropriations bill, a revenue bill, and an authorizing bill, unless a list of—

“(1) all earmarks in such measure;

“(2) an explanation of the essential governmental purpose for each earmark; and

“(3) an identification of the Member or Members who proposed each out-of-scope earmark, if any;

**SA 3181.** Mr. REID (for Mr. BYRD) submitted an amendment intended to be proposed by Mr. REID 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 50, strike lines 8 through 13 and insert the following:

(1) **FINAL REPORT.**—Two years after the date of enactment of this Act, the Commission shall submit to Congress a final report containing information described in subsection (a).

**SA 3182.** Mr. REID (for Mr. BYRD) submitted an amendment intended to be proposed by Mr. REID 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 46, after line 7, insert the following:

(d) **LIMIT ON COMMISSION AUTHORITY.**—The Commission shall not conduct any law enforcement investigation, function as a court of law, or otherwise usurp the duties and responsibilities of the ethics committee of the House of Representatives or the Senate.

Strike Sec. 266(a)(2) and (b).

**SA 3183.** Mr. COBURN (for himself and Mr. OBAMA) 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 5, strike line 21 through page 6, line 19, and insert the following:

72 hours before its consideration.

#### SEC. 104. AVAILABILITY OF LEGISLATION ON THE INTERNET.

(a) **IN GENERAL.**—

(1) **AMENDMENT.**—Rule XIV of the Standing Rules of the Senate is amended by adding at the end the following:

“11. (a) It shall not be in order to consider a bill or resolution, or conference report thereon, unless such measure is available to all Members and made available through a searchable electronic format to the general public by means of the Internet for at least 72 hours before its consideration.

“(b) This paragraph may be waived or suspended in the Senate only by an affirmative vote of 3/5 of the Members, duly chosen and sworn. An affirmative vote of 3/5 of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this paragraph.”

(2) **EFFECTIVE DATE.**—This subsection shall take effect 60 days after the date of enactment of this title.

(b) **IMPLEMENTATION.**—Not later than 60 days after the date of enactment of this title, the Secretary of the Senate, in consultation with the Clerk of the House of Representatives, the Government Printing Office, and the Committee on Rules and Administration, shall develop and establish a website capable of complying with the requirements of paragraph 11 of rule XIV of the Standing Rules of the Senate, as added by subsection (a).

#### NOTICES OF HEARINGS/MEETINGS

##### COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. INHOFE. Mr. President, I wish to announce that the Committee on Environment and Public Works will hold an oversight hearing on Wednesday, March 29, at 9:30 a.m., on the impact of the elimination of MTBE.

##### SUBCOMMITTEE ON NATIONAL PARKS

Mr. THOMAS. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on National Parks of the Committee on Energy and Natural Resources.

The hearing will be held on Thursday, April 6, 2006, at 2:30 p.m. in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of the hearing is to receive testimony on the following bills: S. 1510, a bill to designate as wilderness certain lands within the Rocky Mountain National Park in the State of Colorado; S. 1719 and H.R. 1492, bills to provide for the preservation of the historic confinement sites where Japanese Americans were detained during World War II, and for other purposes; S. 1957, a bill to authorize the Secretary of Interior to convey to The Missouri River Basin Lewis and Clark Interpretive Trail and Visitor Center Foundation, Inc. certain Federal land associated with the Lewis and Clark National Historic Trail in Nebraska, to be used as