ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised 2 minutes remain in this vote.

□ 1323

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF HOUSE RESOLUTION 417

Mr. SCHIFF. Mr. Speaker, I ask unanimous consent that Representative XAVIER BECERRA be removed as a cosponsor of H. Res. 417. Mr. BECERRA was listed as a cosponsor due to a clerical error.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

ELECTION OF MEMBER TO COMMITTEE ON HOUSE ADMINISTRATION

Mr. EMANUEL. Madam Speaker, by direction of the Democratic Caucus, I offer a privileged resolution (H. Res. 441) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 441

Resolved, That the following named Member be and is hereby elected to the following standing committee of the House of Representatives:

(1) COMMITTEE ON HOUSE ADMINISTRATION.—Mr. Brady of Pennsylvania, Chairman.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. CONYERS. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 2317, the Lobbying Transparency Act of 2007.

The SPEAKER pro tempore (Mrs. TAUSCHER). Is there objection to the request of the gentleman from Michigan?

There was no objection.

LOBBYING TRANSPARENCY ACT OF 2007

Mr. CONYERS. Madam Speaker, pursuant to House Resolution 437, I call up the bill (H.R. 2317) to amend the Lobbying Disclosure Act of 1995 to require registered lobbyists to file quarterly reports on contributions bundled for certain recipients, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2317

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Lobbying Transparency Act of 2007''.

SEC. 2. QUARTERLY REPORTS BY REGISTERED LOBBYISTS ON CONTRIBUTIONS BUNDLED FOR CERTAIN RECIPIENTS.

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

''(d) QUARTERLY REPORTS ON CONTRIBUTIONS BUNDLED FOR CERTAIN RECIPIENTS.—

''(1) IN GENERAL.—Not later than 45 days after the end of the quarterly period beginning on the first day of January, April, July, and October of each year, each registered lobbyist who bundles 2 or more contributions made to a covered recipient in an aggregate amount exceeding $5,000 for such covered recipient during such quarterly period shall file a report with the Secretary of the Senate and the Clerk of the House of Representatives containing—

''(A) the name of the registered lobbyist;

''(B) in the case of an employee, his or her employer; and

''(C) the name of the covered recipient to whom the contribution is made, and to the extent known the aggregate amount of such contributions (or a good faith estimate thereof) within the quarter for the covered recipient.

''(2) EXCLUSION OF CERTAIN INFORMATION.—In filing a report under paragraph (1), a registered lobbyist shall exclude from the report any information described in paragraph (1)(C) which is included in any other report filed by the registered lobbyist with the Secretary of the Senate and the Clerk of the House of Representatives under this Act.

''(3) REQUIRING SUBMISSION OF INFORMATION PRIOR TO FILING REPORTS.—Not later than 25 days after the end of a period for which a registered lobbyist is required to file a report under paragraph (1) which includes any information described in such section with respect to a covered recipient, the registered lobbyist shall transmit by certified mail to the covered recipient involved a statement containing—

''(A) the information that will be included in the report with respect to the covered recipient; and

''(B) the source of each contribution included in the aggregate amount referred to in paragraph (1)(C) which the registered lobbyist bundled for the covered recipient during the period covered by the report and the amount of the contribution attributable to each such source.

''(4) DEFINITION OF REGISTERED LOBBYIST.—For purposes of this subsection, the term 'registered lobbyist' means a person who is registered or is required to register under paragraph (1) or (2) of section 4(a), or an individual who is required to be listed under section 4(b)(6) or subsection (b).

''(5) DEFINITION OF BUNDLED CONTRIBUTION.—For purposes of this subsection, a registered lobbyist 'bundles' a contribution if—

''(A) the contribution is received by a registered lobbyist for, and forwarded by a registered lobbyist to, the covered recipient to whom the contribution is made; or

''(B) the contribution will be or has been credited or attributed to the registered lobbyist through records, designations, recognitions or other means of tracking by the covered recipient to whom the contribution is made.

''(6) OTHER DEFINITIONS.—In this subsection—

''(A) the term 'contribution' has the meaning given such term in the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.), except that such term does not include a contribution in an amount which is less than $200;

''(B) the terms 'candidate', 'political committee', and 'political party committee' have the meaning given such terms in the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.);

''(C) the term 'covered recipient' means a Federal candidate, an individual holding Federal office, a leadership PAC, or a political party committee; and

''(D) the term 'leadership PAC' means, with respect to an individual holding Federal office, an unauthorized political committee which is associated with such individual, except that such term shall not apply in the case of a political committee of a political party.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to the second quarterly period described in section 5(d)(1) of the Lobbying Disclosure Act of 1995 (as added by subsection (a)) which begins after the date of the enactment of this Act and each succeeding quarterly period.

The SPEAKER pro tempore. Pursuant to House Resolution 437, the amendment in the nature of a substitute printed in the bill, modified by the amendment printed in part A of House Report 110–167, is adopted and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 2317

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Lobbying Transparency Act of 2007''.

SEC. 2. QUARTERLY REPORTS BY REGISTERED LOBBYISTS ON CONTRIBUTIONS BUNDLED FOR CERTAIN RECIPIENTS.

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

''(d) QUARTERLY REPORTS ON CONTRIBUTIONS BUNDLED FOR CERTAIN RECIPIENTS.—

''(1) IN GENERAL.—Not later than 45 days after the end of the quarterly period beginning on the first day of January, April, July, and October of each year, each registered lobbyist who bundles 2 or more contributions made to a covered recipient in an aggregate amount exceeding $5,000 for such covered recipient during such quarterly period shall file a report with the Secretary of the Senate and the Clerk of the House of Representatives containing—

''(A) the name of the registered lobbyist;

''(B) in the case of an employee, his or her employer; and

''(C) the name of the covered recipient to whom the contribution is made, and to the extent known the aggregate amount of such contributions (or a good faith estimate thereof) within the quarter for the covered recipient.

''(2) EXCLUSION OF CERTAIN INFORMATION.—In filing a report under paragraph (1), a registered lobbyist shall exclude from the report any information described in paragraph (1)(C) which is included in any other report filed by the registered lobbyist with the Secretary of the Senate and the Clerk of the House of Representatives under this Act.

''(3) REQUIRING SUBMISSION OF INFORMATION PRIOR TO FILING REPORTS.—Not later than 25 days after the end of a period for which a registered lobbyist is required to file a report under paragraph (1) which includes any information described in such section with respect to a covered recipient, the registered lobbyist shall

transmit by certified mail to the covered recipient involved a statement containing—

''(A) the information that will be included in the report with respect to the covered recipient;

''(B) the source of each contribution included in the aggregate amount referred to in paragraph (1)(C) which the registered lobbyist bundled for the covered recipient during the period covered by the report and the amount of the contribution attributable to each such source; and

''(C) a notification that the covered recipient has the right to respond to the statement to challenge and correct any information included before the registered lobbyist files the report under paragraph (1).''.

''(4) DEFINITION OF REGISTERED LOBBYIST.—For purposes of this subsection, the term 'registered lobbyist' means a person who is registered or is required to register under paragraph (1) or (2) of section 4(a), or an individual who is required to be listed under section 4(b)(6) or subsection (b).

''(5) DEFINITION OF BUNDLED CONTRIBUTION.—For purposes of this subsection, a registered lobbyist 'bundles' a contribution if—

''(A) the contribution is received by a registered lobbyist for, and forwarded by a registered lobbyist to, the covered recipient to whom the contribution is made; or

''(B) the contribution will be or has been credited or attributed to the registered lobbyist through records, designations, recognitions or other means of tracking by the covered recipient to whom the contribution is made.

''(6) OTHER DEFINITIONS.—In this subsection—

''(A) the term 'contribution' has the meaning given such term in the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.), except that such term does not include a contribution in an amount which is less than $200;

''(B) the terms 'candidate', 'political committee', and 'political party committee' have the meaning given such terms in the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.);

''(C) the term 'covered recipient' means a Federal candidate, an individual holding Federal office, a leadership PAC, or a political party committee; and

''(D) the term 'leadership PAC' means, with respect to an individual holding Federal office, an unauthorized political committee which is associated with such individual, except that such term shall not apply in the case of a political committee of a political party.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to the second quarterly period described in section 5(d)(1) of the Lobbying Disclosure Act of 1995 (as added by subsection (a)) which begins after the date of the enactment of this Act and each succeeding quarterly period.

The SPEAKER pro tempore. The gentleman from Michigan (Mr. CONYERS) and the gentleman from Texas (Mr. SMITH) each will control 30 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. CONYERS. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, the moment has come in this very important session of Congress that we examine the lobbying and bundling provisions that have been of such interest and debate for the past several months.

This measure, the Lobbying Transparency Act, will more effectively regulate, but does not ban, the practice of registered lobbyists bundling together the large numbers of campaign contributions to candidates for Federal office. This is a practice that has already taken root in Presidential campaigns.

In essence, the bill requires a registered lobbyist who bundles two or more contributions made to a candidate to file quarterly reports with the House Clerk and Secretary of the Senate.

I want to begin by paying tribute to the gentleman from Maryland, Mr. CHRIS VAN HOLLEN, for the enormous amount of work not only in this Congress but in the previous Congress that he has put forward on behalf of this measure.

Under the bill, the bundled contribution is limited to contributions which the lobbyist physically receives and forwards to the candidate, or which are credited to the lobbyist through a specific tracking system put in place by the candidate. In order to better ensure that a registered lobbyist does not inaccurately report contributions involving a candidate, the measure further requires the lobbyist to send the candidate a proposed statement first. This allows the candidate or the political action committee to correct any errors.

This legislation reflects considerable input on Members of the House of Representatives both on the Judiciary Committee and off the Judiciary Committee.

□ 1330

It reflects the considered judgment of many Members not even on the Judiciary Committee. We've worked with the public interest groups around the clock to craft a workable piece of legislation that provides for the disclosure of large-scale bundling in a way that provides clear and enforceable legal requirements.

The American people have been waiting for this. We've talked about this for a considerable period of time, and many people now have realized that the House of Representatives has taken a very important step in moving this measure forward.

Most significantly, the measure does not include the provision that would have counted as bundled any contribution arranged by a lobbyist. After careful consideration, we've concluded that as the Senate provision is written, it was too vague to be effectively enforced.

And so I rise today to let you know of my firm conviction that we ultimately need to move to assist the public financing of campaigns, and I don't mean somewhere in the nebulous future; I'm talking about as soon as we can. But until we do, I remain persuaded that the legislation today represents an extremely important step forward toward that reform when coupled with the other lobbying reform measure that is before us.

This is not the perfect bill. I'm still looking for a Member that has ever passed the perfect piece of legislation. But I draw to my colleagues' attention this measure and ask that they examine it carefully and recognize the importance and significance of this measure.

Madam Speaker, I reserve the balance of my time.

Mr. SMITH of Texas. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, this bill addresses the issue of the disclosure of campaign contributions bundled together by lobbyists. The Judiciary Committee addressed this issue in the last Congress when we adopted an amendment by the gentleman from Maryland (Mr. VAN HOLLEN) by a vote of 28–4.

As a principal supporter of these provisions, Mr. VAN HOLLEN signed the following statement in last year's committee report: ''At the markup, we were able to develop a bipartisan provision concerning the areas of Judiciary Committee jurisdiction, principally the Lobbying Disclosure Act.''

So I'm glad to see a provision brought to the floor today that is so similar to what we did last year. However, I do find it ironic that we are bringing this bill to the floor with little advance notice.

Yesterday we received notice that this bill would come up less than an hour before the Rules Committee was to start. That hardly gave us a fair opportunity to offer amendments to the bill.

Madam Speaker, this bill and the other bill that we consider today on lobbying reform are supposed to be about open government, but the process by which this bill has been rushed to the floor shows how this House sometimes lacks a fair and open process.

Madam Speaker, I reserve the balance of my time.

Mr. CONYERS. Madam Speaker, I yield myself 15 seconds.

When we went to the Rules Committee, my dear friend LAMAR SMITH and myself, there were 48 amendments already filed when we got there. I don't know how many were ultimately considered.

Madam Speaker, I am very pleased to yield as much time as he may consume to the gentleman from Maryland (Mr. VAN HOLLEN), the one Member who has worked longer and harder than anyone else on this matter, a former member of the Judiciary Committee.

Mr. VAN HOLLEN. Madam Speaker, let me begin by congratulating the chairman of the Judiciary Committee Mr. CONYERS, and the ranking member Mr. SMITH, on all their work on this particular issue, and I want to thank them and the other members of the Judiciary Committee for reporting this bill out by unanimous vote, a unanimous bipartisan vote. And I also want to thank the other cosponsors of this legislation, including Mr. MEEHAN and others.

Madam Speaker, in the last election I think the American people sent Congress a very strong and unambiguous message, that it's time to change the way Washington does business. They said loud and clear that the status quo on Capitol Hill is unacceptable. The

American people want this Congress to hold the Bush administration accountable, and they want Congress to hold itself accountable.

They grew weary of a Congress that used the power of the majority to benefit narrow special interests at the expense of the public interest, and that's why on the very opening day of this new Congress, under the leadership of Speaker PELOSI, we immediately enacted a series of important reforms, gift bans, travel limitation, and greater transparency of the earmark process.

The lobbying reform bills that are before us today are the next important steps along the path to greater openness and transparency, and I think we would all agree that with greater openness to the public comes greater accountability for this institution.

Let's be clear. Lobbyists come before this body to advocate issues on behalf of their clients, and they serve a valid and important service of providing information and expertise on complex issues that we face. However, we know a number of recent scandals have demonstrated that lobbyists, some of them like Jack Abramoff, have been able to exercise undue influence in shaping the legislative agenda and the policies that come out of the Congress.

This bill, the Lobbying Transparency Act, deals with the role of lobbyists in the campaign fund-raising process. It requires registered lobbyists to disclose certain contributions that they bundle on behalf of candidates and political committees.

This bill involves simply the disclosure of information that the public has a right to know, and a vote against this bill is a vote to deny that public important information that they can use to judge the legislative process.

I think we all agree that Members of Congress are sent here to represent the public interest. We're not here to represent narrow special interests, and we should have a very simple test, a very simple standard in considering whether we're going to vote for or against legislation, and that test is, does that legislation advance the public interest. And the answer on this bill is unequivocally yes.

Let's fulfill our promise to restore the public trust by serving the public interest. I urge adoption of this legislation.

Mr. SMITH of Texas. Madam Speaker, at this time I have no other speakers on this particular bill. So I reserve the balance of my time.

Mr. CONYERS. Madam Speaker, I yield 5 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE), a distinguished member of the Committee on the Judiciary.

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Madam Speaker, I will take my time now to applaud and thank both the chairman of the full committee Mr. CONYERS, and the ranking member of the full committee, my colleague from Texas, Mr. SMITH, and our former colleague Mr. VAN HOLLEN for having a partnership between H.R. 2317 and H.R. 2316.

I think the first point I'd like to make is that as I have spent a lot of time in this first session, first couple of months, with a lot of visitors who have come to this Capitol, I've watched them look in awe, visit with their Member of Congress, and appreciate this most powerful law-making body that cherishes democracy and values integrity.

□ 1340

I know that visitors have a great sense of respect for their individual Members of Congress. I want you to know that that respect is well deserved. Your Member is hard-working. They cherish not only the democratic values of this Nation, but they pride themselves in promoting integrity and promoting your interests over their interests.

But sometimes we need a little cleanup. It does not mean that the whole body has disregarded the question of integrity and the question of ensuring your interests be put forth. But we have had some bumps in the road.

So we have projected two legislative initiatives that will separate out the interests at work of lobbyists. That is part of the Democratic process, but it will also provide an opportunity for voices to be heard, the right of the protections of the first amendment.

As it relates to the concept of bundling, which sounds like a very interesting and difficult word, that is the course of putting a number of financial contributions together. We will have a system that will work, that everyone who is here to put forward the interests of the American people, will, in fact, know that that is the first priority.

But we have a system that does not promote public finance. I would like to see us have a complete system of public financing. That means the taxpayers will contribute toward the presidential candidates, and they would not be able to opt out Federal congressional candidates, Senate and House. That will be a system dominated by the people.

But we don't have that system. So we have good-thinking people who want to contribute, and we have good people, good-thinking people who would receive. Let us not taint all of them.

But I rise to support these two initiatives, because they provide the open-door transparency that we need. I want to thank Chairman CONYERS, first of all, for accepting my amendment that clearly stated that those advocacy groups that wanted to be heard, the right of the protections of the First Amendment.

Nothing in this bill denies any first amendment protection for expression or association. I know the leadership of Chairman CONYERS on the issue of civil liberties, in complete, but I wanted to reaffirm this fact so that we know for sure, any Member coming to the floor to vote for this, they know their university or they know their place of faith, or they know the Boy Scouts or the Girl Scouts, or they know their various civil rights organizations will still have the opportunity to convey their voice with the assurance of first amendment protection.

I also want to thank Mr. VAN HOLLEN for working with me to include language that I hope all Members will appreciate, and that is, as I stated earlier, that Members come here with the greatest sense of integrity and respect for their duty to the American people. So we provided a provision that instructs lobbyists to give notice to the Member of the list of items that they are going to file. That Member cannot, if you will, stop the list from being filed, but the Member will have the opportunity, the Member of Congress, to be able to read the list and make sure that it is accurate as it is being filed.

We will not stop the time from ticking, if you will, for the filing process, but we will make the system work better and provide for the participation by all of the impacted parties. The congressional Member will be allowed to receive the notice of this filing and have the opportunity to correct it, to make sure it is consistent with his or her files.

These are difficult times, because we all realize our ultimate responsibility is to the American people. We must put them over self. But my amendment in this bill, I believe, will help the open-door transparency proceed, family and I ask my colleagues to support it.

Madam Speaker, I rise in support of H.R. 2317, the "Lobbying Transparency Act of 2007." I rise in support of legislation that will help bring about the most open government and the most honest leadership in the history of the Congress. Most of the credit for this achievement goes to my very good friend, the gentleman from Maryland, Mr. VAN HOLLEN, for his tenacity in shepherding this legislation through the gamut that is the House legislative process.

In particular, Madam Speaker, I wish to commend Mr. VAN HOLLEN and the Rules Committee for agreeing to incorporate my friendly amendment to H.R. 2316. Let me describe the bill and explain why I believe the incorporation of the Jackson-Lee amendment improves the bill to the point where it warrants the support of the members of this body.

H.R. 2316 requires registered lobbyists to provide quarterly reports to the House clerk and secretary of the Senate regarding the "bundled" contributions totaling more than $5,000 in a quarter that they provide to a covered recipient.

"Bundled contributions" are contributions that are received by a registered lobbyist and forwarded to a covered recipient, or contributions that are otherwise credited or attributed to a lobbyist through records, designations or other means of tracking, such as placing the lobbyist's name on a check's memo line or using another symbol. The bill's definition of "covered recipients" applies to federal candidates, federal officeholders, leadership political action committees or political party committees.

The required reports would disclose the name of the lobbyist, the name of his or her employer, and the name of the covered recipient to whom the contributions were given, as well as the amount of the contributions made or a good-faith estimate thereof. The report would be due within 45 days of the end of the quarterly period. These reports would not include certain information that is included in other required disclosure reports. Within 25 days of the end of a quarterly reporting period, the registered lobbyist is to send a notification by certified mail to a covered recipient outlining the information that will be included in the lobbyists' report, and the source of each contribution.

For all its good intentions, for many members these provisions are problematic. There is a legitimate concern that the information the lobbyist might report to the Clerk or Secretary of the Senate may be inaccurate or incomplete which may later be disclosed to the public causing untold problems or embarrassment to the covered recipient. The amendment that I offered, and which has been incorporated into the bill, assuages that concern.

The Jackson-Lee amendment requires that the statement which a covered registered lobbyist must provide to the recipient also shall include a notification that the recipient has the right to respond to the statement to challenge and correct any information included before the registered lobbyist files the report with the Clerk of the House or Secretary of the Senate.

The inclusion of this provision will reduce the likelihood that the recipient will be unduly prejudiced by the disclosure of inaccurate information by giving the recipient notice and opportunity to identify, and the lobbyist the opportunity to correct, inaccurate information regarding bundled contributions.

In sum, H.R. 2317 now will help ensure that the salutary objectives of the legislation are achieved without reaping the unintended consequence of prejudicing a recipient—whether he or she be an office holder or candidate for federal office—by the disclosure of inaccurate or incomplete information.

Madam Speaker, all of us favor open government. All of us favor honest leadership. And all of us are in favor of transparency of process. But we also believe in fundamental fairness. And that includes fairness to those who seek to exercise their First Amendment rights to freedom of speech and of association, and to petition their government for a redress of grievances.

That is why I offered, and the Judiciary Committee, approved my amendment during markup that provides a rule of construction that nothing in H.R. 2316 is intended or is to be construed to prohibit any expressive conduct protected from legal prohibition by, or any activities protected by the free speech, free exercise, or free association clauses of, the First Amendment to the Constitution.

The Jackson-Lee amendment incorporated in H.R. 2317 is intended to ensure fair treatment to elected office holders and candidates for federal office.

Again, let me thank Mr. VAN HOLLEN for his fine work in crafting this legislation. Let me also thank the members of the Rules Committee incorporating my amendment into H.R. 2317. I urge all members to support this legislation. It will be another step in the right direction toward fulfilling our promise to the American people to drain the swamp and return open government, honest leadership, and transparency to the legislative process.

Madam Speaker, I rise in strong support of H.R. 2316, the "Honest Leadership and Open Government Act of 2007." With the adoption of this legislation, we begin to make good on our pledge to "drain the swamp" and end the "culture of corruption" that pervaded the 109th Congress.

It is critically important that we adopt the reforms contained in H.R. 2316 because Americans are paying for the cost of corruption in Washington with skyrocketing prices at the pump, spiraling drug costs, and the waste, fraud and no-bid contracts in the Gulf Coast and Iraq for administration cronies.

The cozy relationship between Congress and special interests we saw during the 109th resulted in serious lobbying scandals, such as those involving Republican super lobbyist Jack Abramoff. In this scandal, a former congressman pleaded guilty to conspiring to commit fraud—accepting all-expense-paid trips to play golf in Scotland and accepting meals, sports and concert tickets, while providing legislative favors for Abramoff's clients.

But that is not all. Under the previous Republican leadership of the House, lobbyists were permitted to write legislation, 15-minute votes were held open for hours, and entirely new legislation was sneaked into signed conference reports in the dead of night.

The American people registered their disgust at this sordid way of running the Congress last November and voted for reform. Democrats picked up 30 seats held by Republicans and exit polls indicated that 74 percent of voters cited corruption as an extremely important or a very important issue in their choice at the polls.

Ending the culture of corruption and delivering ethics reform is one of the top priorities of the new majority of House Democrats. That is why as our first responsibility in fulfilling the mandate given the new majority by the voters, Democrats are offering an aggressive ethics reform package. We seek to end the excesses we witnessed under the Republican leadership and to restore the public's trust in the Congress of the United States.

Madam Speaker, federal lobbying is a multibillion dollar industry, and spending to influence members of Congress and executive branch officials has increased greatly in the last decade. While the Lobbying Disclosure Act of 1995 (LDA) is one of the main laws to promote transparency and accountability in the federal lobbying industry and represents the most comprehensive overhaul of the laws regulating lobbying practices in 50 years prior to 1995, it falls far short of a complete solution, as even recognized by its staunchest supporters, during congressional hearings on the issue.

The need for further reform was highlighted by a major study of the federal lobbying industry published in April 2006 by the Center for Public Integrity, which found that since 1998, lobbyists have spent nearly $13 billion to influence members of Congress and other federal officials on legislation and regulations. The same study found that in 2003 alone, lobbyists spent $2.4 billion, with expenditures for 2004 estimated to grow to at least $3 billion. This is roughly twice as much as the already vast amount that was spent on federal political campaigns in the same time period.

The LDA contains a number of measures to help prevent inappropriate influence in the lobbying arena and promote sunshine on lobbying activities. However, according to the Center's study, compliance with these requirements has been less than exemplary. For example, the report found: during the last 6 years, 49 out of the top 50 lobbying firms have failed to file one or more of the required forms; nearly 14,000 documents that should have been filed are missing; almost 300 individuals, companies, or associates have lobbied without ng registered; more than 2,000 initial registrations were filed after the legal deadline; and in more than 2,000 instances, lobbyists never filed the required termination documents at all.

Under the LDA, the Secretary of the Senate and the Clerk of the House must notify in writing any lobbyist or lobbying firm of noncompliance with registration and reporting requirements, and they must also notify the U.S. Attorney for the District of Columbia of the noncompliance if the lobbyist or lobbying firm fails to respond within 60 days of its notification. It appears that until very recently, however, these cases of noncompliance were not being referred to the Department of Justice for enforcement. It is also clear that the infractions that are actually being investigated by the Secretary or the Clerk do not coincide with the extent of noncompliance, and it is entirely unknown whether enforcement actions are being effectively pursued by the Department of Justice. Clearly, further reform is needed.

Madam Speaker, I commend Chairman CONYERS and the members of the Judiciary Committee for their excellent work in preparing this lobbying reform package. The reforms contained in the package are tough but not nearly too tough for persons elected to represent the interests of the 600,000 constituents in their congressional districts. Indeed, similar bipartisan lobbying and government reform proposals were debated and passed by the House and Senate in 2006 but the Congress failed to reconcile the two versions.

Madam Speaker, I support H.R. 2316 because it closes the "Revolving Door," requires full public disclosure of lobbying activities, provides tougher enforcement of lobbying restrictions, and requires increased disclosure.

H.R. 2316 closes the "Revolving Door" by retaining the current 1-year ban on lobbying by former members and senior staff and requires them to notify the Committee on Standards of Official Conduct within 3 days of engaging in any negotiations or reaching any agreements regarding future employment or salary. The members' notification will be publicly disclosed.

The bill also requires members and senior staff to recuse themselves during negotiations regarding future employment from any matter in which there is a conflict of interest or an appearance of a conflict.

Madam Speaker, this legislation also ends the "K Street Project," made notorious during the 12 years of Republican control of Congress. Members and senior staff are prohibited from influencing employment decisions or practices of private entities for partisan political gain. Violators of this provision will be fined or imprisoned for a term of up to 15 years.

Second, H.R. 2316 requires full public disclosure of lobbying activities by strengthening lobbying disclosure requirements. It does this by mandating quarterly, rather than semiannual, disclosure of lobbying reports. It covers more lobbyists by reducing the contribution thresholds from $5,000 to $2,500 in income from lobbying activities and from $20,000 to $10,000 in total lobbying expenses. It also reduces the contribution threshold of any organization other than client that contributes to lobbying activities to $5,000 ($10,000 under current law).

Third, the legislation increases disclosure of lobbyists' contributions to lawmakers and entities controlled by lawmakers, including contributions to members' charities, to pay the cost of events or entities honoring members, contributions intended to pay the cost of a meeting or a retreat, and contributions disclosed under FECA relating to reports by conduits.

Fourth, the bill requires the House Clerk to provide public Internet access to lobbying reports within 48 hours of electronic filing and requires that the lobbyist/employing firm provide a certification or disclosure report attesting that it did not violate House/Senate gift ban rules. And it makes it a violation of the LDA for a lobbyist to provide a gift or travel to a member/officer or employee of Congress with knowledge that the gift or travel is in violation of House/Senate rules.

Transparency is increased by the requirements in the bill that lobbyists disclose past Executive and Congressional employment and that lobbying reports be filed electronically and maintained in a searchable, downloadable database. For good reason, the bill also requires disclosure of lobbying activities by certain coalitions but expressly exempts 501(c) and 527 organizations.

Finally, Madam Speaker, H.R. 2316 increases civil penalties for violation of the Lobby Disclosure Act from $50,000 to $100,000 and adds a criminal penalty of up to 5 years for knowing and corrupt failure to comply. Finally, the bill requires members to prohibit their staff from having any official contact with the member's spouse who is a registered lobbyist or is employed or retained by such an individual and establishes a public database of member Travel and Personal Financial Disclosure Forms.

Madam Speaker, it is wholly fitting and proper that at the beginning of this new 110th Congress, the Members of this House, along with all of the American people, paid fitting tribute to the late President Gerald R. "Jerry" Ford, a former leader in this House, who did so much to heal our Nation in the aftermath of Watergate. Upon assuming the presidency, President Ford assured the Nation: "My fellow Americans, our long national nightmare is over." By his words and deeds, President Ford helped turn the country back on the right track. He will be forever remembered for his integrity, good character, and commitment to the national interest.

This House today faces a similar challenge. To restore public confidence in this institution we must commit ourselves to being the most honest, most ethical, most responsive, most transparent Congress in history. We can end the nightmare of the last 6 years by putting the needs of the American people before those of the lobbyists and special interests. To do that, we can start by adopting H.R. 2316.

Mr. SMITH of Texas. Madam Speaker, I reserve the balance of my time.

Mr. CONYERS. Madam Speaker, I yield myself the remainder of the time.

I urge my colleagues to step up to the plate this afternoon, the day before we go out into recess, to join with your Committee on the Judiciary in their bipartisan support for this bundling bill. It's necessary that we continue to bring sunlight on the workings of the lobbying organizations and the fundraising as it affects the congressional product.

It's important, as a part of the promise that we have made to the American people, that we work to restore their confidence in us, and this will be accomplished, in part, by what we do here on the floor of the House of Representatives on this day. I hope we will keep that commitment by passing this very important measure before us, H.R. 2317, the Lobbying Transparency Act of 2007.

Mr. MEEHAN. Madam Speaker, I rise in strong support of this bill.

I am a proud cosponsor of this legislation, and I am glad to see that this House is following in the footsteps of the Senate in crafting some of the most important lobbying reforms in a generation.

Madam Speaker, there is an often cited quote from Supreme Court Justice Louie Brandeis. He said: "Sunlight is the best disinfectant."

In the spirit of that principle, the law already requires that lobbyists disclose their direct contributions to Members of Congress.

But that is hardly the full picture of the relationship between lobbyists, Members and campaign contributions.

In a practice known as bundling, lobbyists call up their clients and fellow colleagues and pool checks to hand over to Members.

Sometimes this will happen at fundraisers, where a lobbyist comes in with an envelope full of bundled checks.

Sometimes lobbyists will pledge to raise a certain amount for a campaign, and their progress is tracked through a coding system—for example, getting donors to write a name or number on the memo line of a check.

In either scenario, lobbyists are likely bundling contributions that far exceed their individual contribution.

I believe that it is more important to know how much a lobbyist is bundling for a Member of Congress than how much he is contributing directly.

Lobbyists, like every other citizen, are limited in their individual giving, but are unlimited in how much they can collect and forward to a campaign.

Without passing this bill, and requiring lobbyists to report their bundled contributions, this Congress and the American public will remain in the dark.

The Van Hollen bill shines sunlight on the practice of bundling.

In their lobbying bill, the Senate addressed bundling, setting a high bar for the House.

This proposal meets that high bar.

Mr. BLUMENAUER. Madam Speaker, I support H.R. 2316 and 2317—bills that significantly reform the lobbyist-lawmaker relationship for the better. By opening the lobbying process to greater oversight, we will reaffirm our commitment to accountability and transparency in Congress. Although I am deeply frustrated that stronger reform measures were abandoned, I believe this pair of bills represents an essential step toward a more honest and open government.

Earlier this year, my colleague GREG WALDEN and I reintroduced H.R. 1136, the "Ethics Reform Act of 2007," with provisions that tighten lobbyist disclosure and reporting. I am pleased to see similar provisions—such as quarterly disclosure requirements, electronic filing, and a public database of disclosure data—in H.R. 2316.

I am also pleased to see increased gift restrictions, tightened reporting requirements, and stiffened noncompliance penalties included in these bills. These are critical components of effective lobbying reform whose adoption will help to clearly delineate an appropriate boundary between lobbyists and lawmakers.

However, I must also voice a deep concern: these bills do not go far enough. The Senate easily passed—by 96–2—a more stringent bill which included stricter penalties and tighter lobbying restrictions on Members of Congress and their families. The House, in contrast, weakened the lobbyist, "cool-off" period in H.R. 2316. We can, and must, do better. With the leadership of Speaker PELOSI, I look forward to improving these bills in conference.

Mr. CONYERS. Madam Speaker, I yield back the balance of my time.

Mr. SMITH of Texas. Madam Speaker, I, too, urge my colleagues to support this legislation and yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to House Resolution 437, the previous question is ordered on the bill, as amended.

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

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

MOTION TO RECOMMIT OFFERED BY MR. SMITH OF TEXAS

Mr. SMITH of Texas. Madam Speaker, I offer a motion to recommit.

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

Mr. SMITH of Texas. I am in its current form.

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

The Clerk read as follows:

Mr. Smith of Texas moves to recommit the bill H.R. 2317 to the Committee on the Judiciary with instructions to report the same back to the House forthwith with the following amendment:

In section 5(d)(6)(C) of the Lobbying Disclosure Act of 1995, as proposed to be added by section 2(a) of the bill, insert after "leadership PAC," the following: "a multicandidate political committee described in section 315(a)(4) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(4)),".

The SPEAKER pro tempore (during the reading). Is there objection to dispensing with the reading?

Mr. CONYERS. Madam Speaker, reserving the right to object, and I believe I may have to object, because we are just seeing the motion for the first time.

The SPEAKER pro tempore. Objection is heard.

The Clerk will continue to read.

The Clerk continued to read.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas is recognized for 5 minutes in support of his motion.

Mr. SMITH of Texas. Madam Speaker, the base bill addresses the same bundling issue that the Judiciary Committee dealt with in a bipartisan fashion last year. Mr. VAN HOLLEN, the principal supporter of these provisions, signed on to that compromise.

I offer this motion to recommit because there is a difference between what was covered by the Van Hollen amendment that was adopted in committee last Congress and what is contained in this legislation authored by Mr. VAN HOLLEN in this Congress, a very big difference.

This legislation does not require that bundled contributions to political action committees, often referred to as PACs, be disclosed. Why are PACs omitted from the disclosure requirements in this legislation?

As has been recently reported in the BNA Money & Politics Report, ''Democrats' new-found majority status has made them the biggest recipients of campaign money from lobbyists and others, a fact that could increase their wariness about passing strict new rules.''

''For example, a new analysis posted on the politicalmoneyline.com Web site, and based on Federal Election Commission reports, found that in the first quarter of 2007, Federal political action committees, that is the PACs this legislation exempts, reported giving all Federal candidates $27 million, of which almost $17 million, or 62 percent, went to Democrats, and only 38 percent went to Republicans. The Democrats' newfound fundraising prowess could cause them to have second thoughts about such proposals as increased disclosure of bundled contributions arranged by lobbyists, some observers said.''

□ 1350

It appears these observers were correct. The majority has let the color of money dampen their desire for more openness and reform. The loophole in this bill that exempts bundled contributions to PACs is big enough to ride a Democratic donkey through.

If we are requiring the disclosure of bundled contributions to political party committees, those same disclosure rules should also apply to contributions to PACs. Party committees represent all members of that party affiliation. PACs, on the other hand, represent more narrow, special interests. Why should the former be exposed to more sunshine, but not the latter?

The fact that PACs give more money to Democrats is not a serious answer. Time and again the majority party finds itself presenting legislation that picks favorites, when what the American people want is more honesty and more accountability. This motion to recommit would achieve that by including bundled contributions to PACs under the same provisions that cover Federal candidates, other PACs, and political party committees.

I urge my colleagues to support this motion to recommit so that we can have a more open and honest government. To put it another way, what was good for the Democrats last year should be good for the Democrats this year.

Madam Speaker, the American people want and deserve a government that operates in the sunlight and not in the shadows.

Mr. CONYERS. Madam Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. CONYERS. Members of the House, recommit motions too frequently here have become procedural tactics that are not based on the work that we have done in the committee up until now. And I rise to oppose the provision because it raises conveniently a new issue not discussed in our hearings and not even raised in the markup. I don't think that it is really going to be helpful to the bundling law at all.

As I understand this motion to recommit, this is a broad new provision that would make the bill even more complex and difficult to administer. We have had that problem with this measure in the other body, and we certainly don't want to bring that kind of strategy into the measure before us now. It would seem to sweep into its reach entities that are not public or official.

This would include political action committees created by the following organization. It would include the National Rifle Association, the Right to Life Organization, even the Congressional Black Caucus. It would include Emily's List. It would seem to me that this would really confuse the bill, and I urge my Members, at this late date, under this strategy, to oppose the amendment.

Madam Speaker, I yield to the gentleman from Maryland (Mr. VAN HOLLEN).

Mr. VAN HOLLEN. Madam Speaker, I thank my colleague. I also urge my colleagues to vote against the motion to recommit.

During the earlier discussion, Mr. SMITH talked about how the bill that we passed last year out of the Judiciary Committee was a bipartisan bill. In fact, it was a bipartisan vote in the Judiciary Committee. But what he failed to mention, and in the spirit of bipartisanship earlier I thought I wouldn't raise, was when that amendment that was attached in the Judiciary Committee got to the Rules Committee, the Rules Committee took it out. So the lobbying reform bill that the Republicans brought to the floor of the House stripped out the amendment that Mr. SMITH, number one, claims bipartisanship on right now.

Number two, the measure that we have brought before us today is, in fact, broader than the amendment that the Judiciary Committee voted on last year and, in fact, captures more bundling activity. It doesn't just capture very narrow bundling activities, it is broader, and, in fact, would capture a lot more of the bundling and disclose a lot more than the bill that Mr. SMITH referred to. So, in fact, it is a very important step forward in terms of the public's right to know.

Finally, the purpose of dealing with the registered lobbyists is registered lobbyists register for a reason. They are paid to try and influence legislation before Congress. They are paid to try and influence Members of Congress with respect to legislation. So the whole purpose of this is to go get at that nexus. Registered lobbyists don't register to go lobby a PAC. They don't go register to lobby the NRA PAC or to go lobby an environmental PAC or go lobby a right-to-life PAC.

So this is drawn to get at the issue that we are trying to get out in this Congress, which is to change the way we do business here and to make sure that we address the nexus between registered lobbyists and the legislative process. That is the focus. This takes us out of that focus, so I urge that we oppose this particular motion to recommit.

Mr. CONYERS. Madam Speaker, the fact of the matter is that these organizations aren't the objects of a bundling activity, the National Rifle Association, the right-to-life, and others. This is a poison pill amendment.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. SMITH of Texas. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—yeas 228, nays 192, not voting 12, as follows:

[Roll No. 419]

YEAS—228

Aderholt	Bilirakis	Buchanan
Akin	Bishop (UT)	Burgess
Alexander	Blackburn	Burton (IN)
Altmire	Blunt	Buyer
Bachmann	Boehner	Calvert
Bachus	Bonner	Camp (MI)
Baker	Bono	Cannon
Barrett (SC)	Boozman	Cantor
Barrow	Boustany	Capito
Bartlett (MD)	Boyda (KS)	Carney
Barton (TX)	Brady (TX)	Carter
Bean	Brown (SC)	Castle
Biggert	Brown-Waite, Ginny	Chabot
Bilbray		Chandler

Coble
Cohen
Cole (OK)
Conaway
Crenshaw
Cubin
Cuellar
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
DeFazio
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Donnelly
Doolittle
Drake
Dreier
Duncan
Ehlers
Ellsworth
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (NY)
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Inglis (SC)
Israel
Issa
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Kaptur
Keller
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Loebsack
Lucas
Lungren, Daniel E.
Mack
Mahoney (FL)
Manzullo
Marchant
Marshall
Matheson
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mitchell
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Sestak
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Souder
Space
Stearns
Sullivan
Sutton
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Udall (CO)
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Yarmuth
Young (AK)
Young (FL)

NAYS—192

Abercrombie
Ackerman
Allen
Andrews
Arcuri
Baca
Baird
Baldwin
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Carnahan
Carson
Castor
Clarke
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Emanuel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kennedy
Kildee
Kilpatrick
Kind
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney (NY)
Markey
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Murtha
Nadler
Napolitano
Neal (MA)
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Snyder
Solis
Spratt
Stark
Stupak
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn

NOT VOTING—12

Campbell (CA)
Cardoza
Davis, Jo Ann
DeGette
Emerson
Engel
Hunter
Jones (OH)
Lewis (GA)
McMorris Rodgers
Oberstar
Radanovich

□ 1426

Messrs. MURTHA, HOYER, WELCH of Vermont, TIERNEY, ELLISON, BERRY, ROSS, DINGELL, McNERNEY, SNYDER, BOUCHER, TAYLOR, Mrs. McCARTHY of New York, and Ms. SLAUGHTER changed their vote from ''yea'' to ''nay.''

Messrs. BONNER, SESTAK, ROHRABACHER, McKEON, TIAHRT, FRANKS of Arizona, TERRY, CANNON, MURPHY of Connecticut, ISRAEL, SHUSTER, SMITH of Washington, HALL of New York, KUCINICH, CUELLAR, MARSHALL, DEFAZIO, MORAN of Virginia, GOHMERT, COHEN, KLEIN of Florida, BARROW, MITCHELL, ELLSWORTH, Mrs. BLACKBURN, and Mrs. CUBIN changed their vote from ''nay'' to ''yea.''

So the motion to recommit was agreed to.

The result of the vote was announced as above recorded.

N O T I C E

Incomplete record of House proceedings.
Today's House proceedings will be continued in the next issue of the Record.