The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. CONYERS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks on H.R. 2316, the Honest Leadership and Open Government Act of 2007.

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

There was no objection.

HONEST LEADERSHIP AND OPEN GOVERNMENT ACT OF 2007

The SPEAKER pro tempore. Pursuant to House Resolution 437 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 2316.

□ 1440

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2316) to provide more rigorous requirements with respect to disclosure and enforcement of lobbying laws and regulations, and for other purposes, with Mrs. TAUSCHER in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered read the first time.

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.

□ 1440

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

Madam Chairman, the Honest Leadership and Open Government Act reported out of the Committee on the Judiciary on a bipartisan basis builds on the work of the last Congress to make long-needed reforms to the Lobby Disclosure Act and related rules and law.

The legislation before us today, right now, reflects the give and take of the legislative process incorporating proposals of Members on both sides of the aisle, both on and off the Judiciary Committee. At the end of the day, I believe that we have a measure that represents a very significant improvement over current law.

By emphasizing increased disclosure and enforcement, the bill is defined to effect practical change in the way that lobbying efforts are reported and monitored. It accomplishes this without infringing upon our first amendment rights as citizens to petition our government for redress of grievances.

The measure before us effects important changes in three areas: Prohibition of unethical conduct, increased disclosure, and enhanced penalties.

First, it ends the practice of Members attempting to use their power to influence private lobbyist hiring decisions. It does it by prohibiting Members and senior staff from influencing hiring decisions or practices of private entities for partisan political gain. Violations can result in not only fines, but imprisonment for up to 15 years.

Second, this measure now under consideration provides for greater disclosure. It requires the disclosure of lobbying activities by many coalitions, as well as the past executive branch and congressional employment of registered lobbyists. It also requires lobbyists to file more detailed reports disclosing their contacts with Congress, as well as certifications that the lobbyist did not give a gift or pay for travel in violation of the rules. These reports are to be filed electronically and more frequently, quarterly rather than semiannually, and they will be made available to the public for free over the Internet in a timely fashion.

Finally, the legislation provides for stronger enforcement. This measure significantly increases the penalties for noncompliance with Lobbying Disclosure Act requirements. Civil penalties are increased from the current $50,000 per violation to $100,000, and there are new criminal penalties for knowing, willful and corrupt violations, with potential sentences of imprisonment up to 5 years.

The recent round of lobbying scandals demonstrates that fundamental change is needed. The legislation before us today helps to reform the lobbying process and provides us with an opportunity to begin to rebuild confidence in Congress.

I believe that this legislation represents a realistic approach that strengthens current law to restore accountability in the Congress. This bill is not about any one Member or any one political party. It is about restoring the American people's trust in all of us.

Madam Chairman, it is now time for us to act. We are a few months late in getting around to this measure, but I am sure with the cooperation of Members on both sides of the aisle, we will succeed in our endeavor to raise the integrity of the Congress and restore the American people's trust in all of us.

Madam Chairman, I reserve the balance of my time.

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

Madam Chairman, we all deplore unethical conduct by Members of Congress and their staff. Each party has their share of examples. The public wants and deserves clean government, and today we finally bring before the House a bill that seems very familiar. That is because the increased disclosures required in the bill we are addressing today are largely those that were contained in H.R. 4975, which was introduced by Congressman DAVID DREIER in the last Congress and passed the House then.

Last year's H.R. 4975 contained all of the following provisions: a requirement to disclose postemployment negotiations with private entities; a prohibition on partisan influences on an outside entity's employment decisions; and increased quarterly electronic filing in a public database of lobbyist campaign contributions linked to Federal Elections Commission filings.

The legislation also increased civil and criminal penalties for failure to comply, required disclosure by lobbyists of all past executive branch and congressional employment, and contained a prohibition on lobbyists' violation of House gift ban rules. Similar provisions, of course, are included in the legislation before us today.

At the Judiciary Committee's markup, I was glad to see that several Republican amendments that would strengthen this bill were adopted by voice vote. One was an amendment offered by Representative CHRIS CANNON that provides for a 1-year revolving-door ban that would prohibit private lawyers and law firms who enter into contracts with congressional committees from lobbying Congress while under contract to such committee and for 1 year thereafter.

Republicans passed nearly identical reform provisions over a year ago. I am pleased to finally see legislation come before the House this Congress that substantially mirrors Republican efforts from the last Congress.

The concepts of greater transparency and more accountability are not the property of any one political party, but it just so happens that Republicans led the way in the last Congress by writing a reform package very similar to the one we are considering today. A simple comparison of the provisions in this bill with those in H.R. 4975 from the last Congress will show that what we see on the House floor today is a clear reflection of what we saw on the House floor last year.

I had hoped a vote on these measures would have occurred much earlier in this Congress, but I am happy to cast my vote again today for these reforms.

Madam Chairman, I reserve the balance of my time.

Mr. CONYERS. Madam Chairman, I am pleased to yield 1½ minutes to the distinguished gentleman from Ohio (Mr. SPACE).

Mr. SPACE. Madam Chairman, I rise today in support of the Honest Leadership and Open Government Act of 2007. For me, reform isn't a political talking point. As the successor of Bob Ney and, to a certain degree, to the illegal actions of Jack Abramoff, it is an absolute necessity.

I campaigned on the promise that I would do everything in my power to clean up Washington. This Congress has begun to do that. Earlier this year

we enacted a sweeping set of reforms banning gifts, travel and meals from lobbyists. By passing this ban, we made serious inroads into breaking that link that exists between lobbyists and legislators.

Now, today, we broaden our campaign to let the sun shine in on a broad scope of lobbyist activities. It is what the American people have demanded, and it is what they deserve.

□ 1450

If nothing unethical is taking place, then these requirements will reassure the American public, which is itself a worthy endeavor. But if inappropriate actions are happening, then we have a responsibility, no, an obligation, to crack down on those activities.

This bill is not perfect. We have a long way to go in our efforts to restore credibility in this body, but it reflects our serious effort to create transparency, honesty and leadership on this issue.

My constituents have been betrayed before, and I will not let that happen again.

Mr. SMITH of Texas. Madam Chairman, I yield such time as he may consume to the gentleman from Iowa (Mr. KING), a valued and active member of the Judiciary Committee.

Mr. KING of Iowa. Madam Chairman, I thank Ranking Member LAMAR SMITH for yielding to me and also for his leadership on this bill and also for his overall leadership within the Judiciary Committee.

I want to also express my gratitude to Chairman CONYERS, a gracious gentleman, who has worked most of these issues out in a generally bipartisan fashion, sometimes I would go so far as to say a nonpartisan fashion.

Occasionally when I come up with an idea, it is considered a good one by my side of the aisle. And it is quite rare for me to come up with an idea that is considered a good one on both sides of the aisle. And yet, in this case, I am pleased that both sides have agreed that the portion that I introduced which provides for reporting to be on the Internet in a searchable, sortable, downloadable fashion. I mean, this is the 21st century. We are in the BlackBerry and iPod age, and Congress ought to get up to speed and be able to transfer that information out to the public.

One of the things advocated by the chairman and ranking member and other members of the Judiciary Committee was that we shine sunlight on this lobbying process and the funding process. That is the anecdote to whatever we are doing here. Whenever we have tightened-up regulations, and we are trying to correct for generally one individual human failure, sometimes it is an anecdote. Occasionally it is a small group. Seldom does it go across a broad universe of people. If you look through the legislation that has passed on the floor of Congress throughout generations, I think you will find that often that legislation is specific to an incident. So those incidents reflect human failures, and human nature itself, I believe that foundation is generally good.

Well, what sunlight does, it activates that human nature and it turns loose and activates the bloggers across the country where they are sitting with now real-time access within a reporting period of time to the lobbying activities, the funding activities that take place, and they will be able to track those activities on the Internet. There will be new blogs that will open up. There will be others that will be activated and animated, and when they can search and sort and download, that means that their scrutiny of the lobbying activities that surround this Congress will be real, and it will be effective, and it will be sortable.

Mr. CONYERS. Madam Chairman, will the gentleman yield?

Mr. KING of Iowa. I yield to the gentleman from Michigan.

Mr. CONYERS. I want to say to the gentleman from Iowa (Mr. KING) that his work on this measure in the Judiciary Committee was very important to us, and on both sides of the aisle, I think we acknowledge and thank you for your contributions.

Mr. KING of Iowa. I thank the chairman, as I reclaim my time. And I appreciate the tone and the tenor of this debate, as well as the work that has gone on on this policy.

I would advocate there are a few things that we can do yet to move us further into the technological age. I look up on the wall of the House and see, I can be watching on television, to walk over here, and in the 5 minutes it takes to get here from the Longworth building, the subject can change. Actually, the bill can change or the amendment can change, and a Member, a seasoned Member, can walk in here and not know what the debate is about. And yet, many of the State legislatures post, they project on the wall inside their chambers, the bill, the subject matter that is being debated. It is one of the other things that we can do in the context of shining some sunlight on. In fact, we can shine sunlight on the activities of Members in the fashion as we have lobbyists. That is not the subject of this debate here on the floor, so much as it is, I like to raise the expectations and the hopes that we can use this same philosophy and expand sunlight on reporting process of our travel activities, for example, and our financial recordings, both personal and the FEC documents, so they are in a searchable, sortable, downloadable database and give the bloggers that opportunity to scrutinize us the same way they will the lobbyist.

I think if we keep moving down the path and having this kind of debate and dialogue, we will get to where the public confidence in us raises.

The chairman also recognizes that I am concerned about some of the allegations about the electoral process. If we are able to add integrity in the electoral process, then the American people have more confidence in the whole process.

This is one component of what needs to be done. If we can add to it the same levels of reporting for ourselves as Members, if we can add more integrity in voter registration and the actual electoral process, all of those things strengthen us as a Nation.

I want to make it clear, and I don't think there is any doubt that I would rather lose an election than lose the confidence of the American people in this system. If they lose their confidence in our democratic process, then the whole system melts down. This is an important step along the way. There are other steps to take along the way. I think they are consistent with the philosophy of the bill before us. I thank all parties involved.

Mr. CONYERS. Madam Chair, I am honored to recognize now the distinguished majority leader, STENY HOYER of Maryland, for 1 minute.

Mr. HOYER. Madam Chair, I thank my friend, one of the Deans of this House, who has for so very long ensured that this country has a democracy of which our people can be proud and which is accessible to all of our people, as our Constitution promises. I am so pleased to join him, and I thank the ranking member as well for his leadership on so many issues.

Madam Chair, I intend to support this important bill before us, the Honest Leadership and Open Government Act, which addresses the relationship between Members of Congress and those who seek to influence legislation. I urge all of my colleagues to support this legislation as well.

This bill, like the one we just considered, is not perfect. Few bills are. However, these measures call for a greater transparency, and provide specific guidance to Members and lobbyists on the propriety of certain actions.

Without question, the recent scandals involving former lobbyist Jack Abramoff and the guilty pleas of former Representatives Randy ''Duke'' Cunningham and Bob Ney have raised serious questions in the public's mind about the integrity of our process and the Members who serve here. That is unfortunate, but nevertheless true.

The legislation introduced by Chairman CONYERS is an important step in addressing such concerns and thereby will help ensure public confidence in our legislative process and in this institution, the people's House.

Among other things, this legislation will outlaw the so-called K Street Project in which Members influenced employment decisions of private entities for partisan gain. In fact, violators of this proposition will be fined or imprisoned for up to 15 years, an appropriate penalty.

This legislation expands and strengthens lobbying disclosure requirements, mandating quarterly disclosure of lobbying reports and increasing penalties for violation of the Lobbying Disclosure Act.

This legislation requires Members to disclose job negotiations for post-congressional employment. The public wants to know that their representatives are acting on their behalf, not on the behalf of the special interest.

And this legislation retains the 1-year ban on lobbying imposed on Members and senior staff. But in addition to that, it importantly requires Members and such staff to recuse themselves from working on legislation in which a prospective employer has a vested interest, a substantial step forward.

This bill alone, of course, cannot guarantee honest, ethical conduct any more than the law against burglary will necessarily deter every burglar.

□ 1500

However, when coupled with the most sweeping ethics changes since Watergate, which the Democratic majority enacted on the very first day of this Congress, the legislation will help reassure the public that we appreciate the legitimate concerns raised by the Abramoff case and others and are committed to taking action to address them.

I understand that some believe that this bill and the one we just considered do not go far enough. I know that some sincerely believe that our current system in which lobbyists or any other American legally contribute to a political campaign is inevitably questionable. The public financing obviously would be the alternative. The public does not support that. We know that.

Let me say, however, without equivocation, I strongly disagree with the view that because there are private contributions that our system is broken.

The implication of this position is not only inaccurate but also an unwarranted smear on the integrity of the overwhelming majority of the Members of both sides of the aisle who diligently abide by ethical rules and our campaign finance laws and who otherwise conduct themselves with high integrity.

Do not misunderstand me. Our system can and should and must be continually improved to ensure public confidence in the integrity of our legislative process. However, as long as there is private financing of political campaigns, and as long as men and women exercise their right to petition their government, the relationship between private giving and public action will be recurring issues that require close examination by us and by the public.

That is precisely what this bill before us today represents: important reform that ensures greater transparency and specifically addresses some of the most egregious recent transgressions.

Finally, as important as this legislation and the ethics changes made in January are, they alone will not ensure the integrity of our process and this institution. Rather, the Members of this House will ensure the integrity of this House when we conduct ourselves openly and honestly and hold accountable those who fail to abide by the rules and the highest ethical standards.

Thus, we have an obligation to ensure that the Ethics Committee does the job that it was constituted to perform. The implementation of rules, while critical, must be followed by effective, real enforcement and accountability.

I urge my colleagues, Madam Chairman, to vote for this legislation and let us provide greater transparency of our legislative process and ensure public confidence in this institution in which all of us are so proud to serve.

Mr. SMITH of Texas. Madam Chair, I yield such time as he may consume to the gentleman from Kentucky (Mr. WHITFIELD) who, among the other things, I believe wants to engage the chairman of the Judiciary Committee in a colloquy.

Mr. WHITFIELD. Madam Chairman, as we debate the Honest Leadership and Open Government Act of 2007, I want to commend the members of the Judiciary Committee for the tremendous job that they have done, but I did want to ask a couple of questions regarding this legislation because I've not had an opportunity to look at it in its entirety.

But title I is referred to as closing the revolving door, and we all understand that that relates to former Members of Congress who leave Congress and become registered lobbyists and represent private interests before the House of Representatives.

And then title II is talking about full public disclosure of those people engaged in lobbying.

And the question that I would like to ask Chairman CONYERS, and maybe Mr. SMITH knows as well, but we have a lot of Members of Congress, and last year the Congress passed legislation on the floor, an ethics package that prohibited former Members of Congress who became registered lobbyists from going to the House gym.

And so my question is, in this bill, does this bill prohibit a former Member of Congress who is a registered lobbyist from parking in House parking spaces, reserved for Members of Congress and staff? And then if it does not, in title II, do we require a former Member of Congress who is now a registered lobbyist to report that as a benefit that he receives from the taxpayers of the United States?

And those would be the two questions that I would appreciate the gentleman answering.

Mr. CONYERS. Madam Chairman, will the gentleman yield?

Mr. WHITFIELD. I yield to the gentleman from Michigan.

Mr. CONYERS. Madam Chairman, as you know, the first part of our three-prong attempt in increasing disclosure and enforcement is, of course, trying to influence private lobbyists' hiring decisions.

And in terms of parking issues, that is not involved in this measure because the subject matter does not come to the Judiciary Committee, but it does come to the House Administration Committee, where I think there is important discussion going on about this issue that you raise about parking, even as we speak. But it was not considered in the Judiciary Committee.

Mr. WHITFIELD. So this bill would not prevent former Members of Congress who are now registered lobbyists from continuing to park for free in government parking spaces, nor would it require them to file disclosure of that benefit that the taxpayers provide them? But it is your understanding that the House Administration is looking at that issue?

Mr. CONYERS. Yes, that is absolutely correct, and it's an important point, though. We can't extend these benefits to even former Members who have become lobbyists. They have to be carefully considered by Members. As a matter of fact, prerogatives of Members, as the gentleman knows, is being limited and is getting harder and harder to become available even to active Members of the House of Representatives.

Mr. WHITFIELD. Well, I really appreciate the gentleman responding to the question. And what raised it, I was pulling into the garage this morning, and two former Members who are registered lobbyists were parking there, and it reminded me again that it is an issue that is still outstanding.

And I thank the chairman, and I thank the ranking member for yielding time.

Mr. CONYERS. Madam Chairman, we are happy to have Mr. RAHM EMANUEL, the gentleman from Illinois, who is recognized for as much time as he may consume, not to exceed 3 minutes.

Mr. EMANUEL. I'd like to thank the chairman, and I use that with my kids at the breakfast table. You can talk not to exceed 3 minutes. But thank you very much for that time.

When the new Congress came in session, this Congress, the 110th, we banned gifts by lobbyists. We banned meals paid for by lobbyists. We changed the rules of the reports on earmarks where Members were doing things that benefited themselves at taxpayers' expense.

Today we're considering the most comprehensive legislation on lobbying disclosure since the Watergate era, the most comprehensive legislation, because over the last 12 years, people saw a buildup in this people's House that gave them no confidence that their business was being done, but, in fact, the work of the special interests were done.

When that gavel on the Speaker's table comes down, it's intended to open the people's House, not the auction

house, and the American people lost confidence in this institution. The playing field was tilted to the special interests.

This legislation, time and again, alters fundamentally the law as it relates to the abuses that we saw over the last 12 years.

Now, I compliment my colleagues because in 1994 when they ran for Congress, they came to change Washington. They passed a lobbying bill, but after 12 years in power, rather than change Washington, Washington changed them. They became comfortable with power. They became comfortable and cozy with the special interests, and the American people said, enough.

It beared on us and the responsibility of Democrats to change the culture here, to break that link between lobbyists and legislation.

□ 1510

What happened at the end of the last 12 years was the special interest voices were heard at the expense of the American people.

So whether it's in banning the K Street Project that rewarded companies and institutions that hired the majority party's friends, whether it became gifts, trips and the reporting of those trips, whether it became when Members were negotiating their future employment and doing the work here on the floor of their future employer even before they left, every element of that reform needed to be changed. This bill, under this chairman, does it.

That will set the laws. Now it's the conduct of the Member to also understand there is a new day, there is change in the way you do things here in Washington.

About 6 years ago, the Congress altered, through passing campaign finance reform, the relationship between a contributor and a candidate. This alters the relationship between a lobbyist and the legislation.

Going forward, it would require a constant vigil, the attempt now is to ensure that at no point did those who represent the special interests have a capacity and an interest and an access that far outweighs the American people. That is the attempt of this legislation.

Whether it's the provision that relates to Jack Abramoff, the provisions that relate to the K Street Project, the provisions that relate to rangers or pioneers, that they don't have an ability to do things for Members or individuals that far exceed what the people who vote on election day for that Member and that their interests are heard.

We have to always come back and make sure that it is rules of the road to Washington don't tilt in favor of the special interests. This is a beginning, and it builds on what we did by banning on day one the gifts and meals by lobbyists, brings transparency to earmarks, and it brings transparency to the entire process as it relates to lobbyists' influence on legislators.

I commend our colleague and our chairman for his leadership on this legislation.

Mr. SMITH of Texas. Madam Chairman, I yield such time as he may consume to the distinguished gentleman from California (Mr. DREIER).

Mr. DREIER. I thank my very good friend from San Antonio for yielding.

Madam Chairman, I have to say, I was just downstairs listening to the remarks of my very good friend from Chicago (Mr. EMANUEL). It really saddens me to hear the politicization of this issue.

The gentleman from Detroit, the distinguished chairman of the Committee on the Judiciary, has done a phenomenal job, from my perspective, in recognizing the challenges that we face, the fact that we're working to address this issue in a bipartisan way now, he has worked with Mr. SMITH on this issue. We went beyond our debate on the rule issue, and I said that I believe that the legislation that we had that is before us is not nearly as strong as the legislation that we were proud to have worked on in the 109th Congress, but we are what we are today.

As I listened to my friend from Chicago (Mr. EMANUEL) talk about this legislation as being the most sweeping reform since the Watergate era, I would encourage my friend to simply take a look at H.R. 4975, the legislation that we passed in the last Congress. It was dramatically stronger on the area of transparency, disclosure and accountability than the legislation that's before us.

I wasn't going to make these remarks, but it saddens me, as I listened to the speeches that have been given. Mr. SMITH has spoken very eloquently about the need to address a wide range of these issues, as has the distinguished chairman of the Committee on the Judiciary.

If one were to listen to this debate, one could only conclude that the issue of ethics and the challenges of ethics in this institution are one-sided, that only the Republican Party has faced any ethical challenges.

Now, I am not going to get into enumerating and throwing out the names. We keep hearing the name Jack Abramoff talked about time and time again. And it's very easy, and the chairman of the committee knows very well, it's very easy for us to now stand here and begin pointing fingers and talking about blame on the other side of the aisle. But I think it's unfortunate. It's an unfortunate thing to see this gross politicization.

The 1994 class came here with a goal of changing the Congress, and, you know, they changed these individuals. All of that stuff is sad and tired political rhetoric and nothing more than that. We are in the midst of the legislative process at this moment. I think it's been widely recognized that the bill that is before us is not nearly as strong as the measure that we passed with bipartisan support, even though it was described as a sham in the last Congress.

I have been joking back and forth with the distinguished chairman of the Committee on the Judiciary, I see this bill as being sub-sham. I am going to vote for this bill at the end of the day. It basically doesn't have the teeth in it on transparency, disclosure and accountability that we passed in the last Congress. That bill was described by the Chair of the Committee on Rules, Ms. SLAUGHTER, seven times in the debate that we had last year as a sham, and there were others in the Democratic leadership who described it as a sham.

I am not going to characterize this legislation in a disparaging manner, other than to say that it has not come up to that level.

I am happy to yield to my friend, if he would like me to yield.

Mr. EMANUEL. I would. I do appreciate it.

As you heard what I said from my friend from California, I said you came to change Washington and to pass lobbying reform. Over 12 years you came to change Washington; Washington changed the Republican Congress.

Now, to that effect, since you decided not to politicize it, but did decide to describe it, as a sham.

Mr. DREIER. Madam Chairman, if I could reclaim my time. The time was yielded me by the gentleman from Texas. Let me reclaim my time by saying, I did not, in fact, describe the measure that is before us as a sham.

What I said was the legislation that I authored in the 109th Congress was characterized by the Democratic leadership, including the now Chair of the Committee on Rules, as a sham bill.

What I have said is that this measure that is before us does not meet the standard that we passed in the last Congress on transparency, disclosure and accountability. To argue that this is somehow the most sweeping reform legislation since Watergate is absolutely preposterous, because the legislation that was passed through the House in the last Congress went much, much further than this.

So all I am saying is, I want to work with Mr. CONYERS. I want to work with Mr. SMITH. I think that rather than pointing fingers and characterizing one political party as having ethical challenges or lacking ethics or having changed and transformed in that 12-year period, I believe that that's a mischaracterization.

While he may not say it, I have a sneaking suspicion that the very distinguished chairman of the Committee on the Judiciary may be inclined to agree with what I have said.

Mr. CONYERS. Madam Chairman, I cautiously yield 3 minutes to the gentleman from Illinois.

Mr. EMANUEL. I don't think I will use that time.

Madam Chairman, as Ronald Reagan once said, facts are a stubborn thing. Let's take the section on required

recusal for Members and staff in negotiation for jobs. This bill has a closure on that, and it brings disclosure on that. The bill brought up before the Republican Congress last time just sits by on that.

Bans the K Street Project: This legislation only, in the last time, it said nothing on that. It was silent, except it was against the House rules.

Disclosure of lobbyist contributions to charities, conferences, or similar events Members have interests in: This bill has it. Last year, it did not.

The Harry and Louise disclosures, so interest groups could hide behind phony names and advertise against Members: This bill has it. Last year's did not.

Public database of Members' travel and financial disclosures: This bill has it. Last year's didn't.

Increased penalties: This bill has it. Didn't last.

Spousal lobbying, restrictions on their spouses: This bill has it; did not before.

Disclosure of lobbyist bundling will be considered in separate legislation. The goal is on comparison of the legislation. This is an improvement.

Second, to my good friend from California, I am glad you passed legislation last time. The Senate has now passed this. We're going to go to conference on this bill and actually get it done.

Number two, and, most importantly, I don't want to go forward looking back. My goal is to get this done, because as I said before, this is an institutional problem that requires an institutional solution, and that's what we have provided here.

□ 1520

Mr. SMITH of Texas. Madam Chair, I yield such time as he may consume to the gentleman from California (Mr. DREIER).

Mr. DREIER. Madam Chair, I thank my friend, the ranking member of the committee, the gentleman from San Antonio, for yielding.

I would simply say that when we look at what was passed in the 109th Congress and put that up against this measure, we can go through the litany. This notion of the K Street Project, the 1-year ban is present law. And, in fact, I offered amendments to enhance the transparency and disclosure. I hope very much, when we get to the amendment process, the amendment that I am going to be offering will be accepted by the majority. I suspect that it may be. I think it is a thoughtful amendment.

So we are working to enhance and strengthen this measure to the level that was passed by the House last year. And I just hope very much that, again, we can work in a bipartisan way, because I am proud to be an institutionalist. I believe in this institution. I am privileged to have spent now nearly a majority of my life as a Member of this institution. I revere it. And I hope very much that we can make it more accountable to the American people by putting into place very proper reforms that will enjoy bipartisan support.

Mr. SMITH of Texas. Madam Chair, I yield back the balance of my time.

Mr. CONYERS. Madam Chair, I close the general debate by merely observing that this has been healthy. We are working under time constraints. I appreciate both gentlemen from Illinois and California in their exchanges and reflecting back on how we got to where we are. But we are moving forward now, and we are all concerned that this 110th Congress do everything in its power to make up for the lack of transparency and enforcement that may have taken place in an earlier period of time.

In the last few months, we have worked to address these concerns and begin to restore the trust in the Congress, as we promised our voters that we would last November. So this is an important bipartisan start. It is not the end of reform in this area. As everyone knows, it really doesn't have an end.

Madam Chair, it is in that spirit of expediting this process that I yield back the balance of my time.

Mr. CANNON. Madam Chairman, the language included in Section 103 of HR 2316 entitled Additional Restrictions on Contractors is language I offered at the Judiciary Committee that closed a loophole in the revolving door provisions of the law.

This language was accepted by voice vote in the Judiciary Committee with the support of Committee Chairman JOHN CONYERS. My amendment would impose the same post employment restrictions currently in law to those attorneys and firms that are employed through a contract with the Congress.

Currently, the House Judiciary Committee Majority has agreed to a contract with a partner in a law firm at the same time that law firm is registered to lobby the Congress and in particular is registered to lobby for clients with particular legislative interest before the committee. It is a glaring loophole that a law firm would be able to send an individual to work on the hill at the same time the firm is lobbying the contract employee's colleagues on the committee and the contract employee can potentially lobby the committee where they worked because they are technically not an employee of the committee.

The contract the Judiciary Committee signed was with Irv Nathan of Arnold and Porter for $25,000 per month for up to $250,000 for a 10 month contract. An astonishing amount of money to be paid to a staffer, an amount any full time staffer or member would appreciate to be making.

It is my opinion the only way to comply with clause 14(b) of House Rule XXI, which states contract employees shall not be able to use one's official position for private gain and to conduct oneself at all times in a manner that reflects creditably on the House, is to include contract employees in the revolving door provisions. In an article from the Washington Post on January 16, 2007, Jeff Birnbaum writes:

The most jaw-dropping hire from K Street, though, is Matt Gelman. Gelman is senior adviser to House Democratic Whip JAMES E. CLYBURN (S.C.) and is, in effect, on loan from Microsoft, where he is director of federal government affairs. He's on unpaid leave for a few months from the software giant and will return after he helps build Clyburn's vote-counting operation.

Furthermore, in a January 27, 2007 story in McClatchy Newspapers Matt Stearns writes:

Clyburn spokeswoman Kristie Greco defended the hire, saying that Gelman is a veteran Capitol Hill aide with specialized knowledge . . . and that Microsoft is banned from lobbying Clyburn's personal and leadership offices while Gelman works there.

In essence, the language would codify the Clyburn precedent and extend the post-employment restrictions to contract employees and their firms. This language closes a loophole which is ripe for abuse.

I appreciate that the language was accepted and remains in the legislation that is being considered today.

Mr. MEEHAN. Madam Chairman, I rise in strong support of this bill. The minority has said that this bill is just a watered down version of the lobbying bill that they brought last year. Nothing could be farther from the truth. The Republican Lobbying and Ethics Reform bill was, in fact, a sham reform bill. The Democratic Majority made this clear on day one. The Republican bill said that members could still take trips from lobbyists with pre-certification. The Democrats banned lobbyist-sponsored travel. The Republican bill tried to ''curb'' gifts from lobbyists. The Democrats banned lobbyist gifts and meals.

During the last election, Democrats made a promise to the American people: we vowed to institute new ethical standards for members and to break the link between lobbying and legislating. We made good on that promise on day one, and today, we make good on the second part of that promise by passing a strong lobbying reform bill.

This bill will require lobbyists to file more frequently—quarterly instead of semiannually. For the first time ever, these reports will be easily available, through a free, searchable and sortable database. These filings will not just be more frequent, but also more detailed: lobbyists will now be required to disclose the various ways they make money available to assist members of Congress, including contributions to members, but also their contributions to Political Action Committees, 527 groups, and contributions to foundations named for members of Congress.

Lobbyists will also have to certify that they have complied with the House ban on gifts and travel. Unlike the Republican bill, this bill puts teeth into that requirement, with increased penalties for lying on their filings.

This bill will also require stealth coalitions to disclose their activities—something the Republicans ignored in their bill last Congress. In short, this is a strong lobbying reform bill, and one that the House should pass on a bipartisan vote.

With the acceptance of Congressman VAN HOLLEN's bundling bill, the House will pass a bill that gives unprecedented transparency into the practice of lobbying. That is something that I think everyone agrees is a good thing.

When combined with the reforms made in the first 100 Hours of this Congress, Democrats will have passed the most important lobbying and ethics reforms in a generation.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute printed in the bill shall be considered as an original bill for the purpose of amendment under the 5-minute rule and shall be considered read.

The text of the committee amendment is as follows:

H.R. 2316

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

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Honest Leadership and Open Government Act of 2007''.

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

TITLE I—CLOSING THE REVOLVING DOOR

SEC. 101. DISCLOSURE BY MEMBERS AND STAFF OF EMPLOYMENT NEGOTIATIONS.

The Rules of the House of Representatives are amended by redesignating rules XXVII and XXVIII as rules XXVIII and XXIX, respectively, and by inserting after rule XXVI the following new rule:

''RULE XXVII

''DISCLOSURE BY MEMBERS AND STAFF OF EMPLOYMENT NEGOTIATIONS

''1. A Member, Delegate, or Resident Commissioner shall not directly negotiate or have any agreement of future employment or compensation until after his or her successor has been elected, unless such Member, Delegate, or Resident Commissioner, within 3 business days after the commencement of such negotiation or agreement of future employment or compensation, files with the Committee on Standards of Official Conduct a statement, which must be signed by the Member, Delegate, or Resident Commissioner, regarding such negotiations or agreement, including the name of the private entity or entities involved in such negotiations or agreement, and the date such negotiations or agreement commenced.

''2. An officer or an employee of the House earning in excess of 75 percent of the salary paid to a Member shall notify the Committee on Standards of Official Conduct that he or she is negotiating or has any agreement of future employment or compensation.

''3. The disclosure and notification under this rule shall be made within 3 business days after the commencement of such negotiation or agreement of future employment or compensation.

''4. A Member, Delegate, or Resident Commissioner, and an officer or employee to whom this clause applies, shall recuse himself or herself from any matter in which there is a conflict of interest or an appearance of a conflict for that Member, Delegate, Resident Commissioner, officer, or employee under this rule and shall notify the Committee on Standards of Official Conduct of such recusal. A Member, Delegate, or Resident Commissioner making such recusal shall, upon such recusal, submit to the Clerk for public disclosure the statement of disclosure under clause 1 with respect to which the recusal was made.''.

SEC. 102. WRONGFULLY INFLUENCING A PRIVATE ENTITY'S EMPLOYMENT DECISIONS OR PRACTICES.

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

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

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

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

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

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

(b) NO INFERENCE.—Nothing in section 227 of title 18, United States Code, as added by this section, shall be construed to create any inference with respect to whether the activity described in section 227 of title 18, United States Code, was a criminal or civil offense before the enactment of this Act, including under section 201(b), 201(c), or any of sections 203 through 209, of title 18, United States Code.

(c) CONFORMING AMENDMENT.—The table of sections for chapter 11 of title 18, United States Code, is amended by adding at the end the following:

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

SEC. 103. ADDITIONAL RESTRICTIONS ON CONTRACTORS.

(a) PROHIBITION.—Chapter 11 of title 18, United States Code, is amended by inserting after section 219 the following new section:

''§ 220. Restrictions on contractors with Congress

''(a) RESTRICTIONS.—

''(1) IN GENERAL.—If a person who is an attorney or a law firm, including a professional legal corporation or partnership, or an attorney employed by such a law firm, enters into a contract to provide services to—

''(A) a committee of Congress, or a subcommittee of any such committee,

''(B) a Member of the leadership of the House of Representatives or a Member of the leadership of the Senate,

''(C) a covered legislative branch official, or

''(D) a working group or caucus organized to provide legislative services or other assistance to Members of Congress,

the attorney or law firm entering into the contract, and the law firm by which the attorney entering into the contract is employed, may not, during the period prescribed in paragraph (2), knowingly make, with the intent to influence, any communication or appearance before any person described in paragraph (3), on behalf of any other person (except the United States), in connection with any matter on which such attorney or law firm seeks official action by a Member, officer, or employee of either House of Congress, in his or her official capacity.

''(2) PERIOD DESCRIBED.—The period referred to in paragraph (1) is the period during which the contract described in paragraph (1) is in effect, and a period of 1 year after the attorney or law firm, as the case may be, is no longer subject to the contract.

''(3) PERSONS DESCRIBED.—The persons referred to in paragraph (1) with respect to appearances or communications by an attorney or law firm are any Member, officer, or employee of either House of Congress.

''(b) PENALTY.—Any person who violates paragraph (1) shall be punished as provided in section 216.

''(c) DEFINITIONS.—For purposes of this section—

''(1) the term 'committee of Congress' includes any standing committee, joint committee, and select committee;

''(2) the term 'covered legislative branch official' has the meaning given that term in section 3 of the Lobbying Disclosure Act of 1995;

''(3)(A) a person is an employee of a House of Congress if that person is an employee of the House of Representatives or an employee of the Senate;

''(B) the terms 'employee of the House of Representatives' and 'employee of the Senate' have the meanings given those terms in section 207(e)(7);

''(4) an attorney is 'employed' by a law firm if the attorney is an employee of, or a partner or other member of, the law firm;

''(5) the terms 'Member of the leadership of the House of Representatives' and 'Member of the leadership of the Senate' have the meanings given those terms in section 207(e)(7); and

''(6) the term 'Member of Congress' means a Senator or Representative in, or Delegate or Resident Commissioner to, the Congress.''.

(b) CONFORMING AMENDMENTS.—

(1) The table of sections for chapter 11 of title 18, United States Code, is amended by inserting after the item relating to section 219 the following new item:

''220. Restrictions on contractors with Congress.''.

(2) Section 216 of title 18, United States Code, is amended by striking ''or 209'' each place it appears and inserting '', 209, or 220''.

SEC. 104. EFFECTIVE DATE.

(a) SECTION 101.—The amendment made by section 101 shall take effect on the date of the enactment of this Act, and shall apply to negotiations commenced, and agreements entered into, on or after that date.

(b) SECTION 102.—The amendments made by section 102 shall take effect on the date of the enactment of this Act.

(c) SECTION 103.—The amendments made by section 103 shall take effect on May 23, 2007, and shall apply with respect to any contract entered into before, on, or after that date.

TITLE II—FULL PUBLIC DISCLOSURE OF LOBBYING

SEC. 201. QUARTERLY FILING OF LOBBYING DISCLOSURE REPORTS.

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

(1) in subsection (a)—

(A) by striking ''SEMIANNUAL'' and inserting ''QUARTERLY'';

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

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

(2) in subsection (b)—

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

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

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

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

(b) CONFORMING AMENDMENTS.—

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

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

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

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

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

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

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

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

(5) DOLLAR AMOUNTS.—Section 4 of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1603) is further amended—

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

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

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

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

SEC. 202. ELECTRONIC FILING OF LOBBYING DISCLOSURE REPORTS.

(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:

''(d) ELECTRONIC FILING REQUIRED.—A report required to be filed under this section shall be filed in electronic form, in addition to any other form that may be required by the Secretary of the Senate or the Clerk of the House of Representatives.''.

(b) EFFECTIVE DATE.—The requirement in section 5(d) of the Lobbying Disclosure Act of 1995, as added by subsection (a) of this section, that reports be filed electronically shall take effect on the day after the end of the first calendar quarter that begins after the date of the enactment of this Act.

SEC. 203. ADDITIONAL LOBBYING DISCLOSURE REQUIREMENTS.

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

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

(2) in paragraph (4) by striking the period and inserting ''; and''; and

(3) by adding at the end the following:

''(5) a certification that the lobbying firm, or registrant, and each employee listed as a lobbyist under section 4(b)(6) or paragraph (2)(C) of this subsection for that lobbying firm or registrant, has not provided, requested, or directed a gift, including travel, to a Member of Congress or an officer or employee of either House of Congress in violation rule XXXV of the Standing Rules of the Senate or rule XXV of the Rules of the House of Representatives.''.

SEC. 204. QUARTERLY REPORTS ON OTHER CONTRIBUTIONS.

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

''(e) QUARTERLY REPORTS ON OTHER CONTRIBUTIONS.—

''(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, or on the first business day after the first day of such month if that day is not a business day, each person who is registered or is required to register under paragraph (1) or (2) of section 4(a), and each employee who is or is required to be listed as a lobbyist under section 4(b)(6) or subsection (b) of this section, shall file a report with the Secretary of the Senate and the Clerk of the House of Representatives containing—

''(A) the name of the person;

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

''(C) the names of all political committees established or administered by the person;

''(D) the name of each Federal candidate or officeholder, leadership PAC, or political party committee, to whom aggregate contributions equal to or exceeding $200 were made by the person or a political committee established or administered by the person within the calendar year, and the date and amount of each contribution made within the quarterly period;

''(E) the date, recipient, and amount of funds contributed, disbursed, or arranged (or a good faith estimate thereof) by the person or a political committee established or administered by the person during the quarterly period—

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

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

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

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

''(F) any information reported to the Federal Election Commission under the second sentence of section 315(a)(8) of the Federal Election Campaign Act of 1971 (relating to reports by intermediaries and conduits of the original source and the intended recipient of contributions under such Act) during the quarterly period by the person or a political committee established or administered by the person; and

''(G) the amount and recipient of any funds provided to an organization described in section 527 of the Internal Revenue Code of 1986 that is not treated as a political committee under section 301(4) under the Federal Election Campaign Act of 1971.

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

SEC. 205. PROHIBITION ON PROVISION OF GIFTS OR TRAVEL BY REGISTERED LOBBYISTS TO MEMBERS OF CONGRESS AND TO CONGRESSIONAL EMPLOYEES.

(a) PROHIBITION.—The Lobbying Disclosure Act of 1995 (2 U.S.C. 1601 et seq.) is amended by adding at the end the following:

''SEC. 25. PROHIBITION ON PROVISION OF GIFTS OR TRAVEL BY REGISTERED LOBBYISTS TO MEMBERS OF CONGRESS AND TO CONGRESSIONAL EMPLOYEES.

''(a) PROHIBITION.—Any person described in subsection (b) may not make a gift or provide travel to a Member, officer, or employee of Congress, if the person has knowledge that the gift or travel may not be accepted under the rules of the House of Representatives or the Senate.

''(b) PERSONS SUBJECT TO PROHIBITION.—The persons subject to the prohibition under subsection (a) are any lobbyist that is registered or is required to register under section 4(a)(1), any organization that employs 1 or more lobbyists and is registered or is required to register under section 4(a)(2), and any employee listed or required to be listed as a lobbyist by a registrant under section 4(b)(6).''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on the date of the enactment of this Act.

SEC. 206. DISCLOSURE OF LOBBYING ACTIVITIES BY CERTAIN COALITIONS AND ASSOCIATION.

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

''(2) CLIENT.—

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

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

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

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

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

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

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

''(iii) EXCEPTION FOR CERTAIN MEMBERS.—Information on a member of a coalition or association need not be included in any registration under section 4 if the amount reasonably expected to be contributed by such member toward the activities of the coalition or association of influencing legislation is less than $500 during the quarterly period during which the registration would be made.

''(iv) NO DONOR OR MEMBERSHIP LIST DISCLOSURE.—No disclosure is required under this Act, by reason of this subparagraph, with respect to lobbying activities if it is publicly available

knowledge that the organization that would be identified under this subparagraph is affiliated with the client concerned or has been publicly disclosed to have provided funding to the client, unless the organization in whole or in major part plans, supervises, or controls such lobbying activities. Nothing in this subparagraph shall be construed to require the disclosure of any information about individuals who are members of, or donors to, an entity treated as a client by this Act or an organization identified under this subparagraph.''.

SEC. 207. DISCLOSURE BY REGISTERED LOBBYISTS OF PAST EXECUTIVE BRANCH AND CONGRESSIONAL EMPLOYMENT.

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

SEC. 208. PUBLIC DATABASE OF LOBBYING DISCLOSURE INFORMATION; MAINTENANCE OF INFORMATION.

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

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

(2) in paragraph (8), by striking the period at the end and inserting a semicolon; and

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

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

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

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

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

''(10) retain the information contained in a registration or report filed under this Act for a period of at least 6 years after the registration or report (as the case may be) is filed.''.

(b) AVAILABILITY OF REPORTS.—

(1) IN GENERAL.—Section 6(4) of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1605) is amended by inserting before the semicolon at the end the following: ''and, in the case of a report filed in electronic form pursuant to section 5(d), make such report available for public inspection over the Internet not more than 48 hours after the report is so filed''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on the day after the end of the first calendar quarter that begins after the date of the enactment of this Act.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out paragraph (9) of section 6 of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1605), as added by subsection (a) of this section.

SEC. 209. INAPPLICABILITY TO CERTAIN POLITICAL COMMITTEES.

The amendments made by this title shall not apply to the activities of any political committee described in section 301(4) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(4)).

SEC. 210. EFFECTIVE DATE.

Except as otherwise provided, the amendments made by this title shall apply with respect to any quarterly filing period under the Lobbying Disclosure Act of 1995 that begins on or after January 1, 2008.

TITLE III—ENFORCEMENT OF LOBBYING RESTRICTIONS

SEC. 301. INCREASED CIVIL AND CRIMINAL PENALTIES FOR FAILURE TO COMPLY WITH LOBBYING DISCLOSURE REQUIREMENTS.

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

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

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

(3) by adding at the end the following:

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

TITLE IV—INCREASED DISCLOSURE

SEC. 401. PROHIBITION ON OFFICIAL CONTACT WITH SPOUSE OF MEMBER WHO IS A REGISTERED LOBBYIST.

Rule XXV of the Rules of the House of Representatives is amended by adding at the end the following new clause:

''7. A Member, Delegate, or Resident Commissioner shall prohibit all staff employed by that Member, Delegate, or Resident Commissioner (including staff in personal, committee, and leadership offices) from having any official contact with that individual's spouse if that spouse is a lobbyist under the Lobbying Disclosure Act of 1995 or is employed or retained by such a lobbyist for the purpose of influencing legislation.''.

SEC. 402. POSTING OF TRAVEL AND FINANCIAL DISCLOSURE REPORTS ON PUBLIC WEBSITE OF CLERK OF THE HOUSE OF REPRESENTATIVES.

(a) REQUIRING POSTING ON INTERNET.—The Clerk of the House of Representatives shall post on the public Internet site of the Office of the Clerk, in a format that is searchable, sortable, and downloadable, each of the following:

(1) The advance authorizations, certifications, and disclosures filed with respect to transportation, lodging, and related expenses for travel under clause 5(b) of rule XXV of the Rules of the House of Representatives by Members (including Delegates and Resident Commissioners to the Congress), officers, and employees of the House.

(2) The reports filed under section 103(h)(1) of the Ethics in Government Act of 1978 by Members of the House of Representatives (including Delegates and Resident Commissioners to the Congress).

(b) APPLICABILITY AND TIMING.—

(1) APPLICABILITY.—Subject to paragraph (2), subsection (a) shall apply with respect to information received by the Clerk of the House of Representatives on or after the date of the enactment of this Act.

(2) TIMING.—The Clerk of the House of Representatives shall—

(A) not later than August 1, 2008, post the information required by subsection (a) that the Clerk receives by June 1, 2008; and

(B) not later than the end of each 45-day period occurring after information is required to be posted under subparagraph (A), post the information required by subsection (a) that the Clerk has received since the last posting under this subsection.

(c) RETENTION.—The Clerk shall maintain the information posted on the public Internet site of the Office of the Clerk under this section for a period of at least 6 years after receiving the information.

TITLE V—GENERAL PROVISIONS

SEC. 501. RULE OF CONSTRUCTION.

Nothing in this Act or the amendments made by this Act shall 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 CHAIRMAN. No amendment to the committee amendment is in order except the amendments printed in part B of House Report 110–167. Each amendment may be offered only in the order printed in the report; by a Member designated in the report; shall be considered read; shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent of the amendment; shall not be subject to amendment; and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. CONYERS

The CHAIRMAN. It is now in order to consider amendment No. 1 printed in part B of House Report 110–167.

Mr. CONYERS. Madam Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. CONYERS:

Page 2, in the item relating to section 206 in the table of contents, strike ''**ASSOCIATION**'' and insert ''**ASSOCIATIONS**''.

Page 17, line 21, strike ''association'' and insert ''associations''.

Page 4, line 11, strike ''this clause'' and insert ''this rule''.

Page 5, line 24, strike ''or any'' and insert ''any''.

Page 5, line 24, insert ''or section 872,'' after ''209,''.

Page 13, line 21, strike ''the Act'' and insert ''the Lobbying Disclosure Act of 1995''.

Page 26, insert after line 2 the following:

(3) OMISSION OF PERSONALLY IDENTIFIABLE INFORMATION.—Members of the House of Representatives (including Delegates and Resident Commissioners to the Congress) shall be permitted to omit personally identifiable information not required to be disclosed on the reports posted on the public Internet site under this section (such as home address, Social Security numbers, personal bank account numbers, home telephone, and names of children) prior to the posting of such reports on such public Internet site.

(4) ASSISTANCE IN PROTECTING PERSONAL INFORMATION.—The Clerk of the House of Representatives, in consultation with the Committee on Standards of Official Conduct, shall include in any informational materials concerning any disclosure that will be posted on the public Internet site under this section an explanation of the procedures for protecting personally identifiable information as described in this section.

The CHAIRMAN. Pursuant to House Resolution 437, the gentleman from Michigan (Mr. CONYERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. CONYERS. I thank the Chair.

Members of the House, this is merely a truly technical revision to H.R. 2316. Sometimes technical amendments aren't really only technical. This one is, because all it does is clarify the application of the bill's provisions regarding the posting of financial disclosure forms on the Internet.

The amendment makes clear that Members may omit personally identifiable information not required to be disclosed from travel and personal financial disclosure forms before these

forms are submitted to the House Clerk for posting on the Internet. It ensures that the bill's heightened disclosure requirements do not become potential fodder for identity theft or any other inappropriate processes or purposes. It also directs the Clerk to detail the procedures for protecting personally identifiable information to Members.

I am indebted to one of our committee members in particular, the gentleman from Texas, Mr. LOUIE GOHMERT, for working with us to ensure that Members receive proper guidance regarding the information that they are required to provide, as well as the information they are not required to provide.

Madam Chair, I reserve the balance of my time.

Mr. SMITH of Texas. Madam Chair, I rise to claim the time in opposition, although I am not opposed to the amendment.

The CHAIRMAN. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. SMITH of Texas. I support this manager's amendment. It contains provisions authored by Representative GOHMERT of Texas that would allow Members to omit personally identifiable information from the electronic reports of their travel and financial disclosure statements if such information is not required to be disclosed under House rules. This is a reasonable bipartisan provision, and I urge my colleagues to support it.

Madam Chair, I yield back the balance of my time.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan (Mr. CONYERS).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. DREIER

The CHAIRMAN. It is now in order to consider amendment No. 2 printed in House Report 110–167.

Mr. DREIER. Madam Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. DREIER:

Immediately prior to section 104, add the following new section, redesignate section 104 as section 105, and conform the table of contents accordingly:

SEC. 104. NOTIFICATION OF POST-EMPLOYMENT RESTRICTIONS.

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

''(8) NOTIFICATION OF POST-EMPLOYMENT RESTRICTIONS.—After a Member of the House of Representatives or an elected officer of the House of Representatives leaves office, or after the termination of employment with the House of Representatives of an employee of the House of Representatives covered under paragraph (2), (3), or (4), the Clerk of the House of Representatives, after consultation with the Committee on Standards of Official Conduct, shall notify the Member, officer, or employee of the beginning and ending date of the prohibitions that apply to the Member, officer, or employee under this subsection, and also notify each office of the House of Representatives with respect to which such prohibitions apply of those dates. The Clerk shall also post the information contained in such notification on the public Internet site of the Office of the Clerk in a format that is searchable, sortable, and downloadable.''.

Section 105 (as so redesignated) as amended by adding at the end the following new subsection:

(d) SECTION 104.—The amendments made by section 104 shall take effect on the date of enactment of this Act.

The CHAIRMAN. Pursuant to House Resolution 437, the gentleman from California (Mr. DREIER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. DREIER. Madam Chairman, I express my appreciation to the Committee on Rules for making my amendment in order. And I would like to say that this is an amendment which is designed, again, to simply strive in our quest to bring the level of this lobbying reform measure up to the standard that we had in last year's past bill, H.R. 4975.

The provision that was included in last year's bill allows for greater transparency and disclosure. It adds language, Madam Chairman, which simply creates a requirement that full disclosure of the starting and ending times for a person who is leaving the employment of the Capitol, what their lobbying constraints are.

Now, this bill originally had a 2-year ban on lobbying once someone leaves the Capitol. Chairman CONYERS decided that, as the challenge we faced last year, making sure we have first-rate staff here is a challenge, so they pared back from the 2 years that was in the Senate bill and was initially in this bill back to the 1-year level.

I understand that, again, this is something that we did last year, but the thing that we did is we felt strongly about the need for disclosure as to exactly what those dates are; and so we called for a letter to be written which has the start times and the end times for the lobbying ban. That letter goes to the individual, and it goes to the office from which that person has left. And it goes actually a step further than we did in the past, and it calls for disclosure of that information on the Internet so that everyone knows, in fact, that there is a ban on that person from engaging in lobbying their former colleagues. I hope very much that my colleagues can support that.

Madam Chair, I yield 1 minute to the distinguished ranking member of the Committee on Judiciary, the gentleman from San Antonio (Mr. SMITH).

□ 1530

Mr. SMITH of Texas. Madam Chair, I support this amendment. The base bill under consideration today is largely a reflection of the Republican reform bill the House passed in the last Congress, and that was largely authored by the Representative from California (Mr. DREIER). But it does not include all of the Republican authored reform provisions. One of those authored by Representative DREIER is contained in this amendment. It would require that when Members and House employees end their service in the House, they be given notice of the exact dates in which their post-employment restrictions apply. The amendment also would require that that information be made available on the Internet, which would provide more accountability and transparency. I urge my colleagues to support this amendment.

And Madam Chair, I once again want to thank Mr. DREIER for his continuous efforts to try to achieve open and honest government. Those efforts have begun years ago, and they continue today and will effectuate the passage of this amendment and this bill.

Mr. DREIER. Madam Chairman, I'm inclined to reserve the balance of my time, but if the gentleman from San Antonio wants to continue with the line of argument he was making, I'd yield him the whole rest of my time if he wanted to continue to be as gracious as he was.

Madam Chairman, I reserve the balance of my time.

Mr. CONYERS. Madam Speaker, I ask unanimous consent to speak on the amendment, even though I am not opposed to it.

The CHAIRMAN. Without objection, the gentleman from Michigan is recognized for 5 minutes.

There was no objection.

Mr. CONYERS. Ladies and gentlemen of the House, the former chairman of the Rules Committee has put forward a good, commonsense amendment. It was one that I recognized to have been in his previous legislation. As a matter of fact, it's improved. And there is absolutely no reason for us to have any reservations about it. I commend the gentleman. It's a good addition to H.R. 2316. And as Justice Brandeis said famously, ''Sunlight is said to be the best disinfectant.'' And this is a sunlight amendment if I've ever seen one.

What we want to do is make this more understandable to the American people and to the Members of Congress as well, and so I'm very pleased to accept the amendment.

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

Mr. DREIER. Madam Chair, I thank the distinguished chair of the Committee on the Judiciary and the gentleman from Texas for their very kind remarks and support of this effort that we're making to improve the level of this legislation. And I'm not going to buy it back from the chairman since he's been so gracious.

So, with that, I'll yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. DREIER).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. CONYERS

The CHAIRMAN. It is now in order to consider amendment No. 3 printed in part B of House Report 110–167.

Mr. CONYERS. Madam Chairwoman, as the designee of the gentleman from Hawaii (Mr. ABERCROMBIE), I offer the amendment that is now at the desk.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mr. CONYERS:

Insert the following after section 103 and redesignate the succeeding section accordingly:

SEC. 104. RESTRICTIONS ON CERTAIN UNIFORMED OFFICERS.

Section 207 of title 18, United States Code, is amended by adding at the end the following new subsection:

''(m) ADDITIONAL RESTRICTIONS ON CERTAIN OFFICERS OF THE ARMED FORCES.—Any person who is a general or flag officer of the Armed Forces and who, within 1 year after the person's retirement or separation from the Armed Forces, receives compensation from any entity under contract with the Department of Defense if the contract or contracts in effect at the time of the receipt of the compensation are in amounts, in the aggregate, greater than $50,000,000 shall be punished as provided in section 216 of this title.''.

In section 105, as redesignated, add the following at the end:

(d) SECTION 104.—The amendment made by section 104 shall apply to any individual who retires or is separated from the Armed Forces more than 120 days after the date of the enactment of this Act.

The CHAIRMAN. Pursuant to House Resolution 437, the gentleman from Michigan (Mr. CONYERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. CONYERS. Madam Chairman, Members of the House, this is an amendment originally proposed by the gentleman from Hawaii, and it is designed to ensure that the decisions made by government officials aren't tainted by the prospect of private gain after they leave public office. That was one of the very first of our goals in this entire bill, to end the practice of Members attempting to use their power to influence private lobbyists' hiring decisions.

This amendment furthers that objective by extending the conflict of interest standards to generals and flag officers of the Armed Forces who serve as top decision-makers in their respective services. It only applies to contracts greater than $50 million in size, and it mandates a cooling-off period for 1 year.

Now, we have a huge military budget, a growing one, and unfortunately, many questions have arisen in recent years about the manner in which some of these contracts have been negotiated. Some have even received prison sentences as a result of serious conflicts of interest that occurred during the conduct of these negotiations.

Each of these contracts involving military people affect the security of our Nation, the welfare of our men and women in uniform, and the public trust of the taxpayers. The provision of the gentleman from Hawaii will ensure that there is not even the appearance of a conflict. It will provide an assurance that the public's defense dollars are spent on the security of our Nation and the welfare of our troops rather than from private gain from our top military officials. It's a measure that the gentleman from Hawaii has discussed with me in great detail. And I urge its favorable consideration.

Madam Chairman, I reserve the balance of my time.

Mr. SMITH of Texas. Madam Chair, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. SMITH of Texas. Madam Chair, I would like to yield 2 minutes to the gentleman from Pennsylvania (Mr. SESTAK) who, prior to his current public service to our country, also served as a Vice Admiral in the Navy.

Mr. SESTAK. Madam Chair, several days ago, I withdrew an amendment on an independent ethics commission, as the leadership discussed that imminently there would be something forthcoming.

I grew up in the military, and I bring this point up, from the Vietnam days until last year, and we were used to having investigations, outside investigations, whether with Milai or whether it was recently the USS *Cole*.

But during that entire period of time, 30-plus years, I learned that the best leadership is leadership by example; that type of leadership where others want to emulate your standards.

My question, therefore, is, how can this Congress look across the Potomac River at the Pentagon, to those men and women who have served 30 to 40 years in the cloth of this Nation and say, you cannot work for any company, including General Motors, if they have more than $50 million of contracts, and then not do the same to ourselves where Congressmen can walk out this door today and work for a lobbying firm, proscribed from certain activities, but work and get compensation.

If not us, why them? Why them, if not us?

I will be disappointed if this Congress passes this. I can support this amendment if it is for us, and I would like to see it for us. I know leadership, however, and this is not leadership.

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

Mr. CONYERS. Madam Chair, I would yield as much time as he may consume to the gentleman from Hawaii (Mr. ABERCROMBIE).

Mr. ABERCROMBIE. Madam Chairman, let's go over what this does do and why it's here.

This amendment places a 1-year ban on flag and general officers in the Armed Services from receiving compensation from any company that does greater than $50 million in business with the Department of Defense. The rationale is very, very straightforward. It assures that large corporations, relying on DOD business, do not take advantage of loopholes in the post-employment ethics laws right now. That's what this is addressing, what exists right now.

Current laws govern conduct-based actions. Conduct-based actions and restrictions that are in there now are meaningless because there's what's called behind-the-scenes and in-house provisions. I didn't make this up. This is what's going on right now. If I'm going to get lectured on ethics, let's talk about ethics. Former flag and general officers cannot overtly attempt to influence government officials. We know that. The $50 million ensures that small businesses seeking access to the DOD market are protected and people can go to work for them.

□ 1540

It does not impact officers pay grade O–6 and below. We are talking about the top people up here making the top money making the top decisions with Department of Defense organizations.

The amendment protects senior officers from large DOD prime contractors seeking to gain undue influence during their time in service. You think you walk out the door of the Pentagon and down the stairs and by immaculate conception can go to work for one of these DOD corporations and not have tried to influence that job beforehand or negotiate that job before you walk out the door?

Take public universities. From the publication that just came out in March of 2007, of all the universities in the country, only two universities in the country are doing more than $50 million worth of business. So that is open that you can go to.

Dwight Eisenhower, more than 40 years ago, way back in 1961, warned us about the military industrial complex that was emerging in our country. And I am quoting: ''Until the latest of our world conflicts, the United States had no armaments industry. American makers of plowshares could, with time and as required, make swords as well. But now we can no longer risk emergency improvisation of national defense; we have been compelled to create a permanent armaments industry of vast proportions.''

I think President Eisenhower's words speak for themselves. The amendment speaks for itself. This is an implementation of an ethics rule that should apply to the Pentagon, and I would think that people of goodwill would want to embrace it.

Mr. SMITH of Texas. Madam Chair, I yield 2½ minutes to the distinguished gentleman from Virginia (Mr. CANTOR), a member of our Republican leadership team.

Mr. CANTOR. Madam Chair, I thank the gentleman from Texas for yielding.

I rise in opposition to this amendment and take issue with the suggestion from the other side that somehow our generals and flag officers are tainted by the offers of employment upon leaving military service.

We are talking about individuals who have spent their entire professional lives serving in the United States of America. Our men and women in the uniformed services consistently hold themselves to a higher standard of ethical and moral conduct. They serve as role models for Americans all across this Nation. They deserve our respect, gratitude, and admiration.

This amendment imposes employment restrictions on general and flag officers that do not apply to any other officer or employee of the executive or legislative branch. In fact, as the gentleman from Pennsylvania who spoke before said, this amendment would ensure that our Nation's senior military leaders are governed by more restrictive postemployment rules than Members of Congress are.

Current postemployment prohibitions and restrictions in title 18 already apply to officers and employees of the executive and legislative branches, including general and flag officers. Current law does not generally prohibit employment, but rather restricts what individuals can do for 1- or 2-year periods following government service.

Finally, Madam Chair, this amendment hints of an antimilitary sentiment that will have an adverse impact on military officers serving in military grades below general and flag rank.

Our Nation's men and women serving in the military today have made tremendous sacrifices in the service of our country. I urge my colleagues to oppose this amendment and send a message to our Nation's senior military leaders that we appreciate their service, recognize their sacrifice, and honor their integrity.

Mr. SMITH of Texas. Madam Chairman, I yield 1 minute to the gentleman from Virginia (Mr. WOLF), a senior member of the Appropriations Committee.

(Mr. WOLF asked and was given permission to revise and extend his remarks.)

Mr. WOLF. Madam Chairman, I oppose the amendment.

But let me ask your side. I had an amendment to say that CIA station chiefs and people who were ambassadors cannot go out and work for the Khartoum government. Many on your side talk about the genocide in Darfur. I have been before the Rules Committee three times, and I have never had an amendment made in order. Now you give him an amendment, which may be a good amendment or maybe not, but I don't get any opportunity to offer my amendment.

Many on your side say, we are concerned about Darfur. This would have done more. There was a CIA station chief who left the CIA, working for the Khartoum government, and you would not even allow us to offer an amendment. Yet you go to the rallies and you speak out against Darfur.

I rise in opposition this amendment, and I rise against the activity of the Rules Committee. You all are pushing too much. And you are pushing people on this side.

Mr. ABERCROMBIE. Would you yield? You are pointing your finger at me.

Mr. WOLF. I am pointing at the Rules Committee. I am pointing at everybody on this side who would not give me an amendment to stop the genocide in Darfur.

Madam Chairman, I continue to grow more and more frustrated that my side of the aisle is not being heard.

I have been to the Rules Committee no less than three times this year—most recently last night—seeking amendments to bills coming before the House. Each time I have offered substantive changes, aimed at improving legislation. I have not been offering partisan amendments that would gut bills.

The amendment I sought to have debated as part of this bill would have closed the revolving door on former ambassadors and CIA station chiefs from representing countries in which they served for five years. Currently, an ambassador can leave the service of the United States one day and be hired the very next as an agent of foreign nation where they had served. These officials see every decision the United States makes in relation to that country. They have access to intelligence, policy documents and other confidential information. But under today's rules, the day they leave they have every legal right to use that same information on behalf of a foreign nation. These are people who have been entrusted with great responsibility. And they don't always work in the most friendliest of countries, or countries who have the United States best interests at heart.

My amendment would have ended this practice. Regrettably, it wasn't ruled in order, yet Mr. ABERCROMBIE's amendment, which aimed at closing the revolving door for flag and general officers from going to work for huge defense companies, was. I don't understand. Your side talks about wanting to work in a bipartisan fashion. I don't see it. My amendment drives at the same thing as Mr. ABERCROMBIE's, yet was roundly dismissed. This issue has nothing to do with Republican or Democrat. It has to do with what is right.

Last year I learned that a former State Department official and former CIA station chief, trained at the expense of the American taxpayer, were lobbying on behalf of Sudan, the same government that is playing a role in the genocide in Darfur.

No other government is a more established enemy of human dignity. Not only is the government widely linked to organizing and arming militias who have raped and killed innocent women, men and children, pillaged villages and displaced millions in Darfur, the Khartoum government gave safe haven to Osama bin Laden from 1991 to 1996 and allows the terrorist group Hamas to operate within its borders.

We all say we want to end the genocide yet we have no problem with rogue govermnents hiring Washington-based lobbyists. Yet the Rules Committee won't allow an amendment barring former high ranking diplomats and CIA station chiefs from representing country's like Sudan.

Don't even get me started on Saudi Arabia, where not just one, but several former ambassadors to Saudi Arabia have been on the Kingdom's payroll.

Severe human rights abuses and religious persecution are status quo in Saudi Arabia. Our own State Department has flatly said religious freedom does not exist in the Kingdom of Saudi Arabia. The Wahhabi doctrine, which is at the root of our global war on terror, is taught and encouraged by Saudi Arabia.

Read the attached piece from CQ that ran in February of 2006 about former U.S. Ambassadors to Saudi Arabia—the home to 15 of the 19 al Qaeda hijackers—who have or are presently on retainer by the Saudi government. It is extremely troubling.

During the Reagan Administration no lobbyist would have dared to even suggest representing a country like the Soviet Union. The clients signed up by some in the lobbying business today are among the world's most unsavory governments, including major human rights abusers and direct threats like China.

It saddens me to learn that reputable Washington lobbying firms take up the mantle of a Chinese state-run entity in their efforts to ''merge'' with a private American company. Is there no consideration given to the fact that the Chinese government poses a national security threat to the United States, including an organized spy network, which I have heard described in great detail in FBI briefings?

China blatantly disrespects free trade norms and intellectual property law. It persistently violates human rights, imprisoning and torturing Catholic priests, Protestant house church leaders, Tibetan Buddhists, Uyghur Muslims, and Falun Gong practitioners. China consistently stifles political dissent and free expression. Yet, big K Street firms don't think twice about representing them.

Nor do they think twice about the fact that China is providing guns and ammunition to the government of Sudan, which is complicit in the genocide that is taking place in Dafur. More than 450,000 people have died and China has done nothing to stop the violence. The PRC, in fact, is helping fuel the violence.

Sadly, we didn't get to debate this today. I hope in the future that the Rules Committee, and your side, will look at the aim of the amendment before just dismissing them out of hand.

AMERICAN DIPLOMATS TEND TO BECOME SAUDI LOBBYISTS—BUT MAYBE NOT FOR MUCH LONGER

(By Jeff Stein, National Security Editor)

Back in August 2002, a congressional delegation was traveling around Saudi Arabia, home to 15 of the 19 al Qaeda hijackers who less than a year earlier had launched the Sept. 11 attacks on the United States.

On one leg of the trip, in a big, white embassy van, Republican Representative Mike Rogers of Michigan, a former FBI agent, turned to the U.S. ambassador to Saudi Arabia, Robert Jordan. He asked Jordan, in light of how the Sept. 11 attacks had revealed the Saudis' role in nurturing al Qaeda-connected charities and religious schools, whether Jordan, a big-time Houston oil and gas lawyer, would be the first U.S. ambassador to not go to work for the Saudis after leaving his post.

Jordan, who had George W. Bush as a client before he went to the White House, considered Rogers' question for a moment, and then politely declined to ''take the pledge,'' according to a witness who recalled the episode.

Not that it mattered: Jordan's firm, Baker Botts LLP—that would be James A. Baker

III, secretary of State in the first Bush administration and lawyer for the second Bush in the 2000 Florida election deadlock—already had a host of business clients in the royal kingdom, with offices in Riyadh and Dubai.

In any event, Jordan in 2003 joined the long list of U.S. ambassadors and other former American officials working directly or indirectly for the Saudi royal family.

Rogers last week introduced a bill that would bar federal employees from representing foreign governments for four years after they leave public service. Also last week, the House overwhelmingly approved a resolution (H. Res. 648) that sharply curtails lobbyists by foreign agents on the House floor.

Representative Frank R. Wolf, R-Va., plans similar legislation, but more narrowly targeted diplomatic and intelligence officials. He called the practice of ambassadors—and former CIA officials—representing the Saudis, or other governments where they had worked, ''scandalous.''

''It's a great honor to be an American ambassador, to represent the United States,'' Wolf said by telephone. ''And we have some great ambassadors. But with that, to whom much is given, much is required.''

Reached in Houston, Jordan said he doesn't remember ''all the details of that conversation,'' but added: ''At that time I certainly didn't have any intention of representing Saudi interests. It was premature in any event, because I was still pretty much in office.''

Pressed further, he said, ''I remember someone bringing it up, and it may well have been Congressman Rogers.''

Rogers declined to comment on the matter.

Actually, it would be big news if a senior U.S. diplomat in the Middle East did not accept the warm embrace of the Saudis or other despots upon leaving the region.

They are sprinkled all over Washington, particularly in such well-known Saudi-supported think tanks as the Middle East Institute (MEI).

Two former American ambassadors to Saudi Arabia lead the MEI—Wyche Fowler Jr. (chairman) and Edward Walker (president). Former ambassador to the United Arab Emirates and deputy assistant secretary for the Near East David Mack is MEI's vice president. Also at MEI is Richard Parker, former ambassador to Algeria, Lebanon, and Morocco, and Michael Sterner, former ambassador to UAE and deputy assistant secretary of Near Eastern Affairs.

Chas. W. Freeman Jr., another former U.S. ambassador to the kingdom, is president of the Saudi-backed Middle East Policy Council. Another ambassador, Walter Cutler, leads the Saudi-backed Meridian International Center.

From the Saudi point of view, all this is a good thing.

The legendary former Saudi ambassador to Washington Prince Bandar bin Sultan was quoted in The Washington Post a few years back as saying, ''If the reputation then builds that the Saudis take care of friends when they leave office, you'd be surprised how much better friends you have who are just coming into office.''

Rogers' bill would prohibit U.S. officials from leaving office and lobbying ''on behalf of any foreign entity.''

Wolf's bill ''will be much more narrow, focused primarily on ambassadors and [CIA] station chiefs,'' said an aide.

Wolf is concerned about Saudi Arabia's influence. But he's also watching China.

Last July he sent a blistering letter to the Washington powerhouse firm of Akin Gump, which represented the China National Offshore Oil Corp. during some of its aggressive takeover bids here last year. One of its partners was a member of the president's Foreign Intelligence Advisory Board.

''That's just not appropriate,'' Wolf said.

Mr. ABERCROMBIE. I support your amendment; so leave me out of it. It is unfair for you to do that.

Mr. WOLF. We don't have a vote on it, and it was not made in order. I can't bring it up. And the genocide continues.

Mr. ABERCROMBIE. Madam Chairman, I rise today in support of my amendment which places a one-year ban on flag and general officers of the Armed Services from receiving compensation from any company that does greater than $50 million in business with the Department of Defense.

This ban will take place 120 days from the enactment of the legislation.

The rationale is to ensure former flag and general officers and large corporations relying on DoD business do not take advantage loopholes in the post-employment ethics laws.

Current laws governing conduct-based actions and restrictions are meaningless because of ''behind-the-scenes'' or ''in-house'' provisions where former flag/general officers cannot overtly attempt to influence government officials, but can provide an unfair business advantage by providing their new colleagues in the private sector with valuable knowledge immediately after leaving the Department of Defense.

The $50 million ceiling ensures small businesses seeking access to the DoD market are not restricted from hiring former general or flag officers as employees or consultants. Moreover, this does not impact officers paygrade O–6 and below.

Why include all flag and general officers? While not all flag and general officers are involved in procurement, they can be involved in the development of future military systems and operational requirements or have ''official responsibility'' for an acquisition program.

This amendment will protect senior officers from large DoD prime contractors seeking to gain undue influence during their time in service. The ''prime'' contractors in the DoD industry are so pervasive and ingrained that they have been referred to as ''quasi-agencies'' in the media. One private company received over $24 billion in DoD contracts, an amount equal to the budget request for the Department of Justice for Fiscal Year 2008 budget request totals $24.02 billion.

Another concern is the impact on the ability of these former officers to teach at universities. Well over 1,000 schools are listed in the Federal Science and Engineering Support to Universities, Colleges and Nonprofit Institutions: FY 2004 Report released March 2007—only two schools received more than $50 million in DoD funds (Johns Hopkins and University of Texas at Austin).

I urge my colleagues to support closing loopholes in our ethics laws and vote in favor of this amendment.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan (Mr. CONYERS).

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

Mr. ABERCROMBIE. Madam Chairman, I demand a recorded vote.

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

AMENDMENT NO. 4 OFFERED BY MR. CASTLE

The CHAIRMAN. It is now in order to consider amendment No. 4 printed in part B of House Report 110–167.

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. CASTLE:

Insert the following after section 208 and redesignate the succeeding sections, and conform the table of contents, accordingly:

SEC. 209. SENSE OF CONGRESS REGARDING LOBBYING BY IMMEDIATE FAMILY MEMBERS.

It is the sense of the Congress that the use of a family relationship by a lobbyist who is an immediate family member of a Member of Congress to gain special advantages over other lobbyists is inappropriate.

The CHAIRMAN. Pursuant to House Resolution 437, the gentleman from Delaware (Mr. CASTLE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Delaware.

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

The legislation before us, which I support, has in it a provision banning lobbying by spouses in the office of the individual whose spouse it is. And I am very supportive of that. I think it is something that we should do, but I think it should go a little further than that. And this is a sense of Congress in which we are going to cast a wider net in terms of being careful about who is lobbying.

I am concerned that family members other than just spouses, obviously including children, parents, brothers, sisters, direct family members, lobbying can be extremely maybe unfairly influential in terms of what happens in the Congress of the United States. Obviously, if the spouse of a committee chair come to you, and you are on that particular committee, that could have an adverse influence as far as your decisionmaking is concerned. And I think we need to be careful about that.

I have done this, though not as a specific prohibition, but as a caution in the form in which we find it. And I also noted a recent poll suggesting that 80 percent of Americans believe it is wrong for lawmakers and their staffs to have contact with family members of other lawmakers who are lobbyists.

I believe in openness and transparency. I think it is essential to all that we do. And I believe if somebody has an unfair, unstated advantage in terms of what they are doing, it is something that we in Congress should pay attention to.

Mr. CONYERS. Madam Chairman, will the gentleman yield?

Mr. CASTLE. I would be happy to yield to the gentleman.

Mr. CONYERS. Madam Chairman, I am very delighted to accept this amendment. It expresses a sense of Congress that is perfectly consistent with what we are doing. I am pleased to accept it, and we can move on to the next amendment.

Mr. CASTLE. Madam Chairman, I thank the gentleman from Michigan for the work on the bill and for the acceptance of this amendment.

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

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

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MR. CARDOZA

The CHAIRMAN. It is now in order to consider amendment No. 5 printed in part B of House Report 110–167.

Mr. CARDOZA. Madam Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. CARDOZA:

Insert after title IV the following new title and redesingate the succeeding title accordingly:

TITLE V—ADDITIONAL CRIMINAL PENALTIES FOR PUBLIC OFFICIALS

SEC. 501. CRIMINAL PENALTIES FOR PUBLIC OFFICIALS.

(a) IN GENERAL.—Subchapter D of chapter 227 of title 18, United States Code, is amended by adding at the end the following:

''§ 3587. Increased imprisonment for certain offenses by public officials.

''(a) GENERAL RULE.—In any Federal criminal case in which a public official is convicted of an offense against the United States—

''(1) consisting of conduct during the course of official duty, intended to enrich that official; and

''(2) involving bribery, fraud, extortion, or theft of public funds greater than $10,000;

the sentencing judge may increase the sentence of imprisonment by an amount of up to 2 years. The sentencing judge may double the sentence of imprisonment that would otherwise be imposed in that case: *Provided, however* that in no instance may the sentencing judge be allowed to increase the sentence by more than 2 years.

''(b) DEFINITION.—In this section, the term 'public official' means—

''(1) an elected official of the United States or of a State or local government;

''(2) a presidentially-appointed official; and

''(3) an official appointed to a State or local governmental office by an elected official of a State or local government.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter D of chapter 227 of title 18, United States Code, is amended by adding at the end the following new item:

''3587. Increased imprisonment for certain offenses by public officials.''.

The CHAIRMAN. Pursuant to House Resolution 437, the gentleman from California (Mr. CARDOZA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

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

Unfortunately, recent scandals have somewhat tarnished the reputation of Congress and stretched the bonds of trust between the public and their government. My amendment is quite simple and will help to restore that bond between public officials and the people that we represent.

My amendment gives Federal judges discretion to increase criminal sentences in cases where public confidence in government has been violated. If a public official has been convicted of bribery, fraud, extortion, or theft of public funds greater than $10,000, a sentencing judge has within his discretion to double the length of the sentence up to 2 years for those public officials convicted of ethics violations.

□ 1550

The 110th Congress has already taken steps to ensure that public officials adhere to the highest ethical standards and are more accountable for their actions. Banning meals, restricting congressional travel, and tightening the lobbying rules are all important first steps that we have already taken. However, more needs to be done.

With public faith in government officials weakened by scandals, we need to ensure that those who break these laws are punished appropriately. Beyond breaking the law, the perpetrators of these crimes violate the public trust by defying their fiduciary responsibility to our Constitution. For government to function effectively, the public must be able to trust the people making the decisions, and as public officials, we must hold ourselves to a higher standard.

This amendment signals that breaches of the public trust will not be condoned. I hope my colleagues will support this amendment and join me in providing a deterrent to illegal behavior in the future and helping rebuild public trust in government officials.

Madam Chairman, I reserve the balance of my time.

Mr. CONYERS. Madam Chairman, I rise in support of the amendment and I ask unanimous consent to speak in favor of it.

The CHAIRMAN. Without objection, the gentleman from Michigan is recognized for 5 minutes.

There was no objection.

Mr. CONYERS. I would just like my friend to know that this amendment meets with our standards. I want to commend the gentleman from California, because it allows judges to deal effectively and appropriately with extraordinary abuses of public trust, and that does not have any mandatory conditions to it whatsoever. I am pleased to accept it.

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

Mr. CARDOZA. Madam Chairman, I thank the gentleman from Michigan, the distinguished Chair. I appreciate his comments. I think it's a worthy amendment, and I ask the House to support it.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. CARDOZA).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. CONYERS

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, the unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Michigan (Mr. CONYERS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 152, noes 271, answered ''present'' 1, not voting 13, as follows:

[Roll No. 421]

AYES—152

Abercrombie
Ackerman
Allen
Arcuri
Baird
Baldwin
Becerra
Bishop (NY)
Blumenauer
Boren
Boucher
Brady (PA)
Braley (IA)
Butterfield
Camp (MI)
Capps
Capuano
Cardoza
Carnahan
Carney
Castle
Castor
Chabot
Chandler
Christensen
Clarke
Cleaver
Cohen
Conyers
Costa
Courtney
Crowley
Cummings
Davis (IL)
Davis, Lincoln
Delahunt
DeLauro
Dingell
Doggett
Doyle
Duncan
Ellison
Ellsworth
Emanuel
English (PA)
Etheridge
Faleomavaega
Fattah
Ferguson
Filner
Frank (MA)
Gerlach
Giffords
Gillibrand
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Hastings (FL)
Hill
Hinchey
Hinojosa
Hirono
Hodes
Inslee
Jackson (IL)
Jindal
Johnson (GA)
Kagen
Kanjorski
Kaptur
Kilpatrick
Kind
Kirk
Kucinich
Larson (CT)
Lee
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Mahoney (FL)
Maloney (NY)
Markey
Matsui
McCaul (TX)
McDermott
McGovern
McIntyre
McNulty
Meehan
Meek (FL)
Michaud
Miller (NC)
Miller, George
Moore (WI)
Murphy (CT)
Napolitano
Neal (MA)
Norton
Olver
Pallone
Pascrell
Pastor
Payne
Peterson (MN)
Peterson (PA)
Price (NC)
Rahall
Rangel
Rohrabacher
Roybal-Allard
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schwartz
Serrano
Shays
Shea-Porter
Sherman
Sires
Slaughter
Solis
Space
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NOES—271

Aderholt
Akin
Alexander
Altmire
Andrews
Baca
Bachmann
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Berkley
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman

Boswell
Boustany
Boyd (FL)
Boyda (KS)
Brady (TX)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Cannon
Cantor
Capito
Carson
Carter
Clyburn
Coble
Cole (OK)
Conaway
Cooper
Costello
Cramer
Crenshaw
Cubin
Cuellar
Culberson
Davis (AL)
Davis (CA)
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
DeFazio
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Donnelly
Doolittle
Drake
Dreier
Edwards
Ehlers
Eshoo
Everett
Fallin
Farr
Feeney
Flake
Forbes
Fortenberry
Fortuño
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Harman
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Inglis (SC)
Israel
Issa
Jackson-Lee (TX)
Jefferson
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jordan
Keller
Kennedy
Kildee
King (IA)
King (NY)
Kingston
Klein (FL)
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Latham
LaTourette
Levin
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Lynch
Mack
Manzullo
Marchant
Marshall
Matheson
McCarthy (CA)
McCarthy (NY)
McCollum (MN)
McCotter
McCrery
McHenry
McHugh
McKeon
McNerney
Meeks (NY)
Melancon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mitchell
Mollohan
Moore (KS)
Moran (KS)
Moran (VA)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Neugebauer
Nunes
Obey
Ortiz
Paul
Pearce
Pence
Perlmutter
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Pryce (OH)
Putnam
Ramstad
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Roskam
Ross
Rothman
Royce
Ruppersberger
Ryan (WI)
Salazar
Sali
Sanchez, Loretta
Saxton
Schiff
Schmidt
Scott (GA)
Scott (VA)
Sensenbrenner
Sessions
Sestak
Shadegg
Shimkus
Shuler
Shuster
Simpson
Skelton
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spratt
Stearns
Stupak
Sullivan
Tancredo
Tanner
Tauscher
Taylor
Terry
Thornberry
Tiahrt
Tiberi
Towns
Turner
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

ANSWERED ''PRESENT''—1

Rogers (MI)

NOT VOTING—13

Berman
Bordallo
Campbell (CA)
Clay
Davis, Jo Ann
DeGette
Emerson
Engel
Jones (OH)
Lewis (GA)
McMorris Rodgers
Oberstar
Radanovich

□ 1622

Ms. GINNY BROWN-WAITE of Florida, Ms. HARMAN, Ms. BEAN, Ms. ESHOO, Ms. HOOLEY, Ms. FOXX, Mrs. MUSGRAVE, Mrs. DAVIS of California, Ms. JACKSON-LEE of Texas, Ms. CARSON, Ms. LORETTA SANCHEZ of California, Ms. EDDIE BERNICE JOHNSON of Texas and Mrs. BOYDA of Kansas and Messrs. PATRICK J. MURPHY of Pennsylvania, RODRIGUEZ, HIGGINS, TANNER, WALZ of Minnesota, ISRAEL, SALAZAR, LANTOS, GORDON, ROTHMAN, HONDA, DONNELLY, MORAN of Virginia, HOLT, DENT, MEEKS of New York, TOWNS, KLEIN of Florida, WELCH of Vermont, ROSS, HALL of Texas, DAVIS of Alabama, BERRY, LANGEVIN, MOORE of Kansas and AL GREEN of Texas changed their vote from ''aye'' to ''no.''

Mrs. CHRISTENSEN and Ms. ROYBAL-ALLARD and Mr. HALL of Texas changed their vote from ''no'' to ''aye.''

Mr. ROGERS of Michigan changed his vote from ''no'' to ''present.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. The question is on the committee amendment in the nature of a substitute, as amended.

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

The CHAIRMAN. Under the rule, the committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. TIERNEY) having assumed the chair, Mrs. TAUSCHER, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2316) to provide more rigorous requirements with respect to disclosure and enforcement of lobbying laws and regulations, and for other purposes, pursuant to House Resolution 437, she reported the bill back to the House with an amendment adopted by the Committee of the Whole.

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

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

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

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

MOTION TO RECOMMIT OFFERED BY MR. CHABOT

Mr. CHABOT. Mr. Speaker, I offer a motion to recommit.

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

Mr. CHABOT. I am, in its current form.

Mr. CONYERS. Mr. Speaker, I reserve a point of order on the motion to recommit.

The SPEAKER pro tempore. A point of order is reserved.

The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Chabot of Ohio moves to recommit the bill H.R. 2316 to the Committee on the Judiciary with instructions to report the same back to the House forthwith with the following amendments:

At the end of title IV, add the following new section:

SEC. 403. LIMITING GIFTS TO MEMBERS, OFFICERS, AND EMPLOYEES OF THE HOUSE FROM STATE AND LOCAL GOVERNMENTS.

(a) GIFTS FROM STATE AND LOCAL GOVERNMENTS.—Clause 5(a)(3)(O) of rule XXV of the Rules of the House of Representatives is amended by striking '', by a State or local government,''.

(b) CONFORMING AMENDMENT.—Clause 5(b)(1)(A) of rule XXV of the Rules of the House of Representatives is amended by inserting ''a State or local government or'' before ''a private source''.

Insert the following after section 103 and redesignate the succeeding section accordingly:

SEC. 104. RESTRICTION ON CONGRESSIONAL EMPLOYEES REGARDING FORMER EMPLOYERS.

(a) RESTRICTION.—Chapter 11 of title 18, United States Code, as amended by this Act, is further amended by inserting after section 220 the following new section:

''§ 221. Additional restriction on congressional employees

''(a) RESTRICTION.—Any person—

''(1) who is a congressional employee,

''(2) who, before becoming employed as a congressional employee, was employed as a lobbyist, and

''(3) who, within 1 year after leaving employment as a lobbyist, knowingly makes, in carrying out his or her official responsibilities as a congressional employee, any communication to or appearance before—

''(A) the organization that employed the person as a lobbyist, if the person was not self-employed,

''(B) any entity that was a client of the person while employed as a lobbyist, or any entity that was a client of the organization described in subparagraph (A) while the person was employed as a lobbyist, or is a client of that organization during that 1-year period, on a matter relating specifically to that organization or client,

shall be punished as provided in section 216.

''(b) DEFINITIONS.—In this section—

''(1) the term 'congressional employee' means—

''(A) an elected officer of either House of Congress; and

''(B) any employee to which any of the restrictions contained in paragraphs (1) though (5) of section 207(e) apply;

''(2) the term 'lobbyist' means a person that is registered or required to register as a lobbyist under section 4(a)(1) of the Lobbying Disclosure Act of 1995, and any employee of an organization that is registered or required to be registered under section 4(b)(6) of that Act; and

''(3) the term 'client' has the meaning given that term in section 3(2) of the Lobbying Disclosure Act of 1995.''.

(b) CONFORMING AMENDMENT.—The table of sections for chapter 11 of title 18, United States Code, is amended by inserting after the item relating to section 220 the following new item:

''221. Additional restriction on congressional employees.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to individuals who become congressional employees on or after January 1, 2007.

In section 203, strike ''Section 5(b)'' and insert ''(a) GIFTS.—Section 5(b)''.

Add the following at the end of section 203:

(b) REQUESTS FOR CONGRESSIONAL EARMARKS.—Section 5(b)(2)(A) of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1604(b)(2)(A)) is amended by striking ''bill numbers'' and inserting the following: ''bill numbers, requests for Congressional earmarks (as defined in clause 9(d) of rule XXI of the Rules of the House of Representatives for the One Hundred Tenth Congress),''.

In section 204, strike ''Section 5'' and insert ''(a) OTHER CONTRIBUTIONS.—Section 5''.

Add at the end of section 204 the following:

(b) CONTRIBUTIONS BUNDLED FOR CERTAIN RECIPIENTS.—

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

''(f) 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 subsection (e).

''(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 bundled 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 bundled 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, 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)), or a political party committee; and

''(D) the term 'leadership PAC' has the meaning given such term in subsection (e)(2).''.

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

Mr. CHABOT. Mr. Speaker, I ask unanimous consent that the motion to recommit be considered as read and printed in the RECORD.

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

Mr. CONYERS. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard. The Clerk will continue to read.

The Clerk continued to read.

□ 1630

Mr. CHABOT (during the reading). Mr. Speaker, I ask unanimous consent that the motion to recommit be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Ohio (Mr. CHABOT) is recognized for 5 minutes.

Mr. CHABOT. Mr. Speaker, I yield myself 4 minutes.

We have been waiting for 5 months now to see on the House floor a package of reforms that largely reflect those that were in the Republican reform bill that passed the House last Congress over a year ago.

Now that the majority has finally scheduled this reform legislation for consideration, the House has an opportunity to build on Republicans' previous reform efforts. This motion to recommit does just that. To strengthen the legislation, this motion to recommit would do the following: It would close the existing loophole that allows State and local government entities to give gifts and travel to Members and their staff that other entities can't give.

This motion to recommit also contains a provision that could be described as a reverse revolving door provision. It would prohibit a congressional employee who was a registered lobbyist prior to his or her congressional employment from knowingly making during the course of official business any communication or appearance before their former private employer on a matter relating specifically to that former private employer for a period of 1 year.

This motion to recommit would also require lobbyists to disclose which special projects they lobbied for. If a special interest lobbyist is having closed-door meetings with Members of Congress regarding programs that do not benefit all Americans but only benefit a small group of people in one part of the country, then this motion to recommit would require those projects be disclosed.

Finally, this motion to recommit includes H.R. 2317 in the form that passed the House earlier today. With the inclusion of the amendment adopted by the motion to recommit, H.R. 2317 now requires that bundled contributions to political action committees, often referred to as PACs, be disclosed.

Let me be clear: Mr. EMANUEL said during the debate on this bill that this bill is the bill that will be conferenced with the Senate bill. Only by passing this motion to recommit can we guarantee that the vital fix we make to the bundling provisions in the previous motion to recommit will be conferenced with the Senate bill. This motion to recommit is the true test of Members' commitment to what they voted for earlier today.

So if you voted for the previous motion to recommit and you really want the fix included in the conference, you must support this motion to recommit as well.

The majority has brought to the floor a package that does not quite reach the standard set by House Republicans last Congress; but we all have this last opportunity today to show America that not only will we raise that standard to meet our efforts last Congress, but we will raise that standard even higher. I urge my colleagues to join me in passing this motion to recommit.

Mr. Speaker, I yield the balance of my time to the gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. Mr. Speaker, just a few minutes ago I heard a Member of the Democratic leadership say we have ended meals and gifts from lobbyists. That is true only if you approve this motion to recommit. There is a huge, huge loophole right now in this bill. It doesn't include lobbyists who lobby for State and local governments or for public universities. It is what I call the Jack Abramoff exemption.

Under this legislation, unless we pass the motion to instruct, Jack Abramoff

could take any Member of this body out to dinner at the Capital Grille tomorrow and pay $300 for your meal because one of his biggest clients was the government of Saipan which is a territorial government. He would not be included; unless we include this motion to recommit, the Jack Abramoff loophole or exemption will still exist.

This is not a game of gotcha. This legislation was introduced last year, and it was offered to the Democratic leadership earlier this year. We didn't need to come to this. It should have been part of the bill. There are some very good things in this bill. This would make the bill far better.

State and local governments and public universities spent $132 million last year alone lobbying Congress; $132 million last year alone. None of the lobbyists hired by those institutions are covered in this legislation. Lobbyists for State and local governments and public universities have spent $875 million since 1998, none of which would be covered by this legislation unless you include and unless you vote for the motion to recommit.

The SPEAKER pro tempore. Does the gentleman from Michigan continue to reserve his point of order?

Mr. CONYERS. Mr. Speaker, I withdraw my reservation.

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

Mr. CONYERS. Mr. Speaker, this is a level of hutzpah tonight to have Jack Abramoff's name being brought up by the Republicans, which is why we are on the floor here legislating. This is what brought it all on. I am so delighted that you chose to give it the right name.

Now let's be reasonable about this. We have not had the opportunity to even get the vaguest idea of what this recommit motion was about. And I ask my colleague, as one who has worked with the Judiciary Committee Republicans without exception, what is wrong with 5 minutes notice about it? We got no notice, and so we had to waste 435 Members' time until we could find out what was in the motion to recommit. I just ask my friends on the other side of the aisle, particularly the leadership because I don't ascribe this to Lamar Smith, the ranking member, at all. But let's get to the substance.

From our brief review of what we could hear and read about this matter, this motion to recommit deals with several issues: The ability of the State and local governments and Indian tribes to make gifts, a new revolving door limitation on former lobbyists, a requirement that lobbyists disclose when they are lobbying on earmarks, and new restrictions on bundling.

Now I wish we had time to review the motion in detail. But I have worked hard to make this process bipartisan and will continue to do so.

My inclination is to accept this amendment today; and I will tell you why, we have no objection to combining the bundling provisions with the rest of the lobbying disclosures. They do go together. We started out this process, and we thought it would appeal to more Members, but if now my colleagues on the other side of the aisle wish to combine them, I find no objection with it. It gives us one bill. We can go into conference and we will work our way there. This chairman has at least a 50 percent chance of becoming the conference chairman.

So, without any further ado, we accept the amendment of the gentleman from Ohio (Mr. CHABOT).

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 ayes appeared to have it.

RECORDED VOTE

Mr. CHABOT. Mr. Speaker, I demand a recorded vote.

A recorded vote was 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—ayes 346, noes 71, answered ''present'' 2, not voting 13, as follows:

[Roll No. 422]

AYES—346

Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Bean
Becerra
Berkley
Berry
Biggert
Bilbray
Bilirakis
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Cannon
Cantor
Capito
Capps
Carnahan
Carney
Carson
Carter
Castle
Castor
Chabot
Chandler
Coble
Cole (OK)
Conaway
Conyers
Cooper
Courtney
Cramer
Crenshaw
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellsworth
Emanuel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinojosa
Hobson
Hodes
Hoekstra
Holden
Hooley
Hoyer
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jefferson
Jindal
Johnson (IL)
Jones (NC)
Jordan
Kagen
Kaptur
Keller
Kennedy
Kildee
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Latham
LaTourette
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCotter
McCrery
McGovern
McHenry
McHugh
McIntyre
McKeon
McNerney
McNulty
Meek (FL)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Mitchell
Mollohan
Moore (KS)
Moran (KS)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Musgrave
Myrick
Nadler
Napolitano
Neugebauer
Nunes
Obey
Olver
Ortiz
Pallone
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ryan (WI)
Salazar
Sali
Sarbanes
Saxton
Schiff
Schmidt
Schwartz
Sensenbrenner
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Sullivan
Sutton
Tancredo
Tauscher
Taylor
Terry
Thompson (CA)
Thornberry
Tiahrt
Tiberi
Tierney
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waxman
Weiner
Weldon (FL)
Weller
Westmoreland
Whitfield
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Wu
Wynn
Yarmuth
Young (FL)

NOES—71

Abercrombie
Baird
Baldwin
Barton (TX)
Bishop (GA)
Boyd (FL)
Butterfield
Capuano
Cardoza
Clarke
Clay
Cleaver
Clyburn
Cohen
Costa
Costello
Crowley
Davis (IL)
Doyle
Ellison
Grijalva
Hastings (FL)
Hinchey
Hirono
Holt
Honda
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Kanjorski
Kilpatrick
Larson (CT)
Lee
Lungren, Daniel E.
Matsui
McCollum (MN)
McDermott
Meeks (NY)
Miller, George
Moore (WI)
Moran (VA)
Murtha
Neal (MA)
Pascrell
Pastor
Paul
Payne
Pickering
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Schakowsky
Scott (GA)
Scott (VA)
Serrano
Stupak
Tanner
Thompson (MS)
Towns
Visclosky
Waters
Watson
Watt
Welch (VT)
Wicker
Woolsey
Young (AK)

ANSWERED ''PRESENT''—2

Hulshof
Meehan

NOT VOTING—13

Berman	DeGette	McMorris Rodgers
Blunt	Emerson	Oberstar
Brown, Corrine	Engel	Wexler
Campbell (CA)	Jones (OH)	
Davis, Jo Ann	Lewis (GA)	

□ 1657

Mr. PAYNE and Ms. WOOLSEY changed their vote from ''aye'' to ''no.''

Mr. HINOJOSA and Mr. NADLER changed their vote from ''no'' to ''aye.''

Mr. MEEHAN changed his vote from ''no'' to ''present.''

So the motion to recommit was agreed to.

The result of the vote was announced as above recorded.

Mr. CONYERS. Mr. Speaker, pursuant to the instructions of the House in the motion to recommit, I report the bill, H.R. 2316, back to the House with an amendment.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. CHABOT:

At the end of title IV, add the following new section:

SEC. 403. LIMITING GIFTS TO MEMBERS, OFFICERS, AND EMPLOYEES OF THE HOUSE FROM STATE AND LOCAL GOVERNMENTS.

(a) GIFTS FROM STATE AND LOCAL GOVERNMENTS.—Clause 5(a)(3)(O) of rule XXV of the Rules of the House of Representatives is amended by striking '', by a State or local government,''.

(b) CONFORMING AMENDMENT.—Clause 5(b)(1)(A) of rule XXV of the Rules of the House of Representatives is amended by inserting ''a State or local government or'' before ''a private source''.

Insert the following after section 103 and redesignate the succeeding section accordingly:

SEC. 104. RESTRICTION ON CONGRESSIONAL EMPLOYEES REGARDING FORMER EMPLOYERS.

(a) RESTRICTION.—Chapter 11 of title 18, United States Code, as amended by this Act, is further amended by inserting after section 220 the following new section:

''§ 221. Additional restriction on congressional employees

''(a) RESTRICTION.—Any person—

''(1) who is a congressional employee,

''(2) who, before becoming employed as a congressional employee, was employed as a lobbyist, and

''(3) who, within 1 year after leaving employment as a lobbyist, knowingly makes, in carrying out his or her official responsibilities as a congressional employee, any communication to or appearance before—

''(A) the organization that employed the person as a lobbyist, if the person was not self-employed,

''(B) any entity that was a client of the person while employed as a lobbyist, or any entity that was a client of the organization described in subparagraph (A) while the person was employed as a lobbyist, or is a client of that organization during that 1-year period,

on a matter relating specifically to that organization or client,

shall be punished as provided in section 216.

''(b) DEFINITIONS.—In this section—

''(1) the term 'congressional employee' means—

''(A) an elected officer of either House of Congress; and

''(B) any employee to which any of the restrictions contained in paragraphs (1) though (5) of section 207(e) apply;

''(2) the term 'lobbyist' means a person that is registered or required to register as a lobbyist under section 4(a)(1) of the Lobbying Disclosure Act of 1995, and any employee of an organization that is registered or required to be registered under section 4(b)(6) of that Act; and

''(3) the term 'client' has the meaning given that term in section 3(2) of the Lobbying Disclosure Act of 1995.''.

(b) CONFORMING AMENDMENT.—The table of sections for chapter 11 of title 18, United States Code, is amended by inserting after the item relating to section 220 the following new item:

''221. Additional restriction on congressional employees.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to individuals who become congressional employees on or after January 1, 2007.

In section 203, strike ''Section 5(b)'' and insert ''(a) GIFTS.—Section 5(b)''.

Add the following at the end of section 203:

(b) REQUESTS FOR CONGRESSIONAL EARMARKS.—Section 5(b)(2)(A) of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1604(b)(2)(A)) is amended by striking ''bill numbers'' and inserting the following: ''bill numbers, requests for Congressional earmarks (as defined in clause 9(d) of rule XXI of the Rules of the House of Representatives for the One Hundred Tenth Congress),''.

In section 204, strike ''Section 5'' and insert ''(a) OTHER CONTRIBUTIONS.—Section 5''.

Add at the end of section 204 the following:

(b) CONTRIBUTIONS BUNDLED FOR CERTAIN RECIPIENTS.—

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

''(f) 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 subsection (e).

''(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 bundled 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 bundled 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, 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)), or a political party committee; and

''(D) the term 'leadership PAC' has the meaning given such term in subsection (e)(2).''.

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

Mr. BOEHNER (during the reading). Mr. Speaker, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. The question is on the amendment.

The amendment was agreed to.

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

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

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

Mr. CONYERS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 396, noes 22, answered ''present'' 1, not voting 13, as follows:

[Roll No. 423]

AYES—396

Ackerman
Aderholt
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Chabot
Chandler
Clarke
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Jones (NC)
Jordan
Kagen
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McNerney
McNulty
Meehan
Meek (FL)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Wexler
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (FL)

NOES—22

Abercrombie
Boyd (FL)
Brown, Corrine
Clay
Cleaver
Gohmert
Hastings (FL)
Johnson, E. B.
Johnson, Sam
Kanjorski
Kaptur
Mack
Meeks (NY)
Murtha
Paul
Schakowsky
Shadegg
Tanner
Towns
Watt
Whitfield
Young (AK)

ANSWERED ''PRESENT''—1

Hulshof

NOT VOTING—13

Akin
Berman
Campbell (CA)
Davis, Jo Ann
DeGette
Emerson
Engel
Hunter
Jones (OH)
Lewis (GA)
McMorris Rodgers
Oberstar
Westmoreland

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1705

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 2316, HONEST LEADERSHIP AND OPEN GOVERNMENT ACT OF 2007

Mr. CROWLEY. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 2316, the Clerk be authorized to correct section numbers, punctuation, cross-references, and the table of contents and to make such other technical and conforming changes as may be necessary to reflect the actions of the House in amending the bill.

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

There was no objection.

U.S. TROOP READINESS, VETERANS' CARE, KATRINA RECOVERY, AND IRAQ ACCOUNTABILITY APPROPRIATIONS ACT, 2007

Mr. OBEY. Mr. Speaker, pursuant to House Resolution 438, I call up the bill (H.R. 2206) making emergency supplemental appropriations and additional supplemental appropriations for agricultural and other emergency assistance for the fiscal year ending September 30, 2007, and for other purposes, with a Senate amendment thereto, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The Clerk will designate the Senate amendment.

The text of the Senate amendment is as follows:

Senate amendment:

Strike out all after the enacting clause and insert:

Since under the Constitution, the President and Congress have shared responsibilities for decisions on the use of the Armed Forces of the United States, including their mission, and for supporting the Armed Forces, especially during wartime;

Since when the Armed Forces are deployed in harm's way, the President, Congress, and the Nation should give them all the support they need in order to maintain their safety and accomplish their assigned or future missions, including the training, equipment, logistics, and funding necessary to ensure their safety and effectiveness, and such support is the responsibility of both the Executive Branch and the Legislative Branch of Government; and

Since thousands of members of the Armed Forces who have fought bravely in Iraq and Afghanistan are not receiving the kind of medical care and other support this Nation owes them when they return home: Now, therefore, be it

Determined by the Senate (the House of Representatives concurring), that it is the sense of Congress that—

(1) the President and Congress should not take any action that will endanger the Armed Forces of the United States, and will provide necessary funds for training, equipment, and other support for troops in the field, as such actions will ensure their safety and effectiveness in preparing for and carrying out their assigned missions;

(2) the President, Congress, and the Nation have an obligation to ensure that those who have bravely served this country in time of war receive the medical care and other support they deserve; and

(3) the President and Congress should—

(A) continue to exercise their constitutional responsibilities to ensure that the Armed Forces have everything they need to perform their assigned or future missions; and

(B) review, assess, and adjust United States policy and funding as needed to ensure our troops have the best chance for success in Iraq and elsewhere.