

Carolina to win an NCAA football championship with a 21–16 victory over Northern Iowa;

Whereas the members of the 2006 Appalachian State University football team are excellent representatives of a fine university that is a leader in higher education, producing many fine student-athletes and other leaders;

Whereas the Mountaineers showed tremendous dedication to each other, appreciation to their fans, sportsmanship to their opponents, and respect for the game of football throughout the 2006 season; and

Whereas residents of the Old North State and Appalachian State University fans everywhere are to be commended for their long-standing support, perseverance, and pride in the team; Now, therefore, be it

*Resolved*, That the Senate—

(1) commends the champion Appalachian State University football team for their historic win in the 2006 National Collegiate Athletic Association Division I-AA Football Championship;

(2) recognizes the achievements of the players, coaches, students, alumni, and support staff who were instrumental in helping Appalachian State University win the championship; and

(3) directs the Secretary of the Senate to transmit copies of this resolution to Appalachian State University Chancellor Kenneth Peacock and head coach Jerry Moore for appropriate display.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 22. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 3 proposed by Mr. REID (for himself, Mr. McCONNELL, Mrs. FEINSTEIN, Mr. BENNETT, Mr. LIEBERMAN, Ms. COLLINS, Mr. OBAMA, Mr. SALAZAR, and Mr. DURBIN) to the bill S. 1, to provide greater transparency in the legislative process; which was ordered to lie on the table.

SA 23. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 1, supra; which was ordered to lie on the table.

SA 24. Mr. ENSIGN proposed an amendment to amendment SA 3 proposed by Mr. REID (for himself, Mr. McCONNELL, Mrs. FEINSTEIN, Mr. BENNETT, Mr. LIEBERMAN, Ms. COLLINS, Mr. OBAMA, Mr. SALAZAR, and Mr. DURBIN) to the bill S. 1, supra.

SA 25. Mr. ENSIGN proposed an amendment to amendment SA 3 proposed by Mr. REID (for himself, Mr. McCONNELL, Mrs. FEINSTEIN, Mr. BENNETT, Mr. LIEBERMAN, Ms. COLLINS, Mr. OBAMA, Mr. SALAZAR, and Mr. DURBIN) to the bill S. 1, supra.

SA 26. Mr. CORNYN proposed an amendment to amendment SA 3 proposed by Mr. REID (for himself, Mr. McCONNELL, Mrs. FEINSTEIN, Mr. BENNETT, Mr. LIEBERMAN, Ms. COLLINS, Mr. OBAMA, Mr. SALAZAR, and Mr. DURBIN) to the bill S. 1, supra.

SA 27. Mr. CORNYN proposed an amendment to amendment SA 3 proposed by Mr. REID (for himself, Mr. McCONNELL, Mrs. FEINSTEIN, Mr. BENNETT, Mr. LIEBERMAN, Ms. COLLINS, Mr. OBAMA, Mr. SALAZAR, and Mr. DURBIN) to the bill S. 1, supra.

SA 28. Mr. McCAIN (for himself, Mr. FEINGOLD, and Mr. GRAHAM) submitted an amendment intended to be proposed to amendment SA 3 proposed by Mr. REID (for himself, Mr. McCONNELL, Mrs. FEINSTEIN, Mr. BENNETT, Mr. LIEBERMAN, Ms. COLLINS, Mr. OBAMA, Mr. SALAZAR, and Mr. DURBIN) to the bill S. 1, supra.

SA 29. Mr. McCAIN (for himself, Mr. FEINGOLD, and Mr. GRAHAM) submitted an amendment intended to be proposed by him to the bill S. 1, supra.

SA 30. Mr. LIEBERMAN (for himself, Ms. COLLINS, Mr. OBAMA, Mr. McCAIN, Mr. FEINGOLD, Mr. KERRY, and Mr. CARPER) proposed an amendment to amendment SA 3 proposed by Mr. REID (for himself, Mr. McCONNELL, Mrs. FEINSTEIN, Mr. BENNETT, Mr. LIEBERMAN, Ms. COLLINS, Mr. OBAMA, Mr. SALAZAR, and Mr. DURBIN) to the bill S. 1, supra.

SA 31. Mr. FEINGOLD (for himself and Mr. OBAMA) submitted an amendment intended to be proposed by him to the bill S. 1, supra; which was ordered to lie on the table.

SA 32. Mr. FEINGOLD (for himself and Mr. OBAMA) submitted an amendment intended to be proposed by him to the bill S. 1, supra; which was ordered to lie on the table.

SA 33. Mr. FEINGOLD (for himself and Mr. OBAMA) submitted an amendment intended to be proposed by him to the bill S. 1, supra; which was ordered to lie on the table.

SA 34. Mr. FEINGOLD (for himself and Mr. OBAMA) submitted an amendment intended to be proposed by him to the bill S. 1, supra; which was ordered to lie on the table.

SA 35. Mr. MARTINEZ submitted an amendment intended to be proposed by him to the bill S. 1, supra; which was ordered to lie on the table.

SA 36. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 1, supra; which was ordered to lie on the table.

SA 37. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 3 proposed by Mr. REID (for himself, Mr. McCONNELL, Mrs. FEINSTEIN, Mr. BENNETT, Mr. LIEBERMAN, Ms. COLLINS, Mr. OBAMA, Mr. SALAZAR, and Mr. DURBIN) to the bill S. 1, supra.

SA 38. Mrs. FEINSTEIN (for herself and Mr. BENNETT) proposed an amendment to amendment SA 3 proposed by Mr. REID (for himself, Mr. McCONNELL, Mrs. FEINSTEIN, Mr. BENNETT, Mr. LIEBERMAN, Ms. COLLINS, Mr. OBAMA, Mr. SALAZAR, and Mr. DURBIN) to the bill S. 1, supra.

SA 39. Mr. COLEMAN submitted an amendment intended to be proposed by him to the bill S. 1, supra; which was ordered to lie on the table.

SA 40. Mr. STEVENS proposed an amendment to amendment SA 4 proposed by Mr. REID (for himself, Mr. DURBIN, Mr. SALAZAR, and Mr. OBAMA) to the amendment SA 3 proposed by Mr. REID (for himself, Mr. McCONNELL, Mrs. FEINSTEIN, Mr. BENNETT, Mr. LIEBERMAN, Ms. COLLINS, Mr. OBAMA, Mr. SALAZAR, and Mr. DURBIN) to the bill S. 1, supra.

SA 41. Mr. OBAMA (for himself and Mr. FEINGOLD) submitted an amendment intended to be proposed by him to the bill S. 1, supra; which was ordered to lie on the table.

SA 42. Mrs. FEINSTEIN (for herself and Mr. ROCKEFELLER) proposed an amendment to amendment SA 3 proposed by Mr. REID (for himself, Mr. McCONNELL, Mrs. FEINSTEIN, Mr. BENNETT, Mr. LIEBERMAN, Ms. COLLINS, Mr. OBAMA, Mr. SALAZAR, and Mr. DURBIN) to the bill S. 1, supra.

#### TEXT OF AMENDMENTS

SA 22. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 3 proposed by Mr. REID (for himself, Mr. McCONNELL, Mrs. FEINSTEIN, Mr. BENNETT, Mr. LIEBERMAN, Ms. COLLINS, Mr. OBAMA, Mr. SALAZAR, and Mr. DURBIN) to the bill S. 1, to provide greater transparency in the legislative process; which was ordered to lie on the table; as follows:

On page 15, strike lines 10 through 18, and insert the following:

(c) PUBLIC AVAILABILITY.—Rule XXXV of the Standing Rules of the Senate is amended—

(1) in paragraph 2, by striking subparagraph (e) and inserting the following new subparagraph (e):

“(e) Not later than 48 hours after the date a disclosure is required to be filed pursuant to subparagraphs (f) and (g), the Secretary of the Senate shall make such disclosures available to the public over the Internet, without fee or other access charge, in a searchable, sortable, and downloadable manner.”; and

(2) in paragraph 4, by striking “as soon as possible after they are received” and inserting “not later than 48 hours after the date such information is received, and shall make such information available to the public over the Internet, without fee or other access charge, in a searchable, sortable, and downloadable manner”.

At the end of title I, insert the following:

#### SEC. 120. ELECTRONIC FILING AND SEARCHABLE ONLINE DATABASE OF ALL REPORTS FILED IN THE SENATE.

Rule XXXIV of the Standing Rules of the Senate is amended by adding at the end the following:

“5 (a). Each report required to be filed under this rule shall be filed and maintained in electronic form.

“(b) Not later than 48 hours after the date a report required under this rule is filed, the Secretary of the Senate shall make such report available to the public over the Internet, without fee or other access charge, in a searchable, sortable, and downloadable manner.”.

At the end of subtitle A of title II, insert the following:

#### SEC. 225. ELECTRONIC FILING OF ELECTION REPORTS OF SENATE CANDIDATES.

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

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

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

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

#### (b) CONFORMING AMENDMENTS.—

(1) Section 302(g)(2) of the Federal Election Campaign Act of 1971 (2 U.S.C. 432(g)(2)) is amended by inserting “or 1 working day in the case of a designation, statement, or report filed electronically” after “2 working days”.

(2) Section 304(a)(11)(B) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(a)(11)(B)) is amended by inserting “or filed with the Secretary of the Senate under section 302(g)(1) and forwarded to the Commission” after “Act”.

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

SA 23. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 1, to provide greater transparency in the legislative process; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

#### SEC. \_\_\_\_\_. NOTICE OF CONSIDERATION.

(a) IN GENERAL.—No matter or measure may be considered in the Senate unless—

(1) a Senator gives notice of his intent to proceed to that matter or measure and such notice and the full text of that matter or measure are printed in the Congressional Record and placed on each Senator's desk at least 3 calendar days in which the Senate is in session prior to proceeding to the matter or measure;

(2) the Senate proceeds to that matter or measure not later than 30 calendar days in which the Senate is in session after having given notice in accordance with paragraph (1); and

(3) the full text of that matter or measure is made available to the general public in searchable format by means of placement on any website within the senate.gov domain, the gpo.gov domain, or through the THOMAS system on the loc.gov domain at least 2 calendar days before the Senate proceeds to that matter or measure.

(b) CALENDAR.—The Secretary of the Senate shall establish for both the Senate Calendar of Business and the Senate Executive Calendar a separate section entitled “Notices of Intent to Proceed or Consider”. Each section shall include the name of each Senator filing a notice under this section, the title or a description of the measure or matter to which the Senator intends to proceed or offer, and the date the notice was filed.

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

**SA 24.** Mr. ENSIGN proposed an amendment to amendment SA 3 proposed by Mr. REID for himself, Mr. McCONNELL, Mrs. FEINSTEIN, Mr. BENNETT, Mr. LIEBERMAN, Ms. COLLINS, Mr. OBAMA, Mr. SALAZAR, and Mr. DURBIN) to the bill S. 1, to provide greater transparency in the legislative process; as follows:

On page 3, strike line 9 through line 11 and insert the following:

“(a) IN GENERAL.—A point of order may be made by any Senator against any item contained in a conference report that includes or consists of any matter not committed to the conferees by either House.

(1) For the purpose of this section, “matter not committed to the conferees by either House” shall be limited to any matter which:

(A) in the case of an appropriations Act, is a provision containing subject matter outside the jurisdiction of the Senate Committee on Appropriations;

(B) would, if offered as an amendment on the Senate floor, be considered “general legislation” under Rule XVI of the Standing Rules of the Senate;

(C) would be considered “not germane” under Rule XXII of the Standing Rules of the Senate; or

(D) consists specific provision of a containing a specific level of funding for any specific account, specific program, specific project, or specific activity, when no such specific funding was provided for such specific account, specific program, specific project, or specific activity in the measure originally committed to the conferees by either House.

(2) For the purpose of this section, “matter not committed to the conferees by either House” shall not include any changes to any numbers, dollar amounts, or dates, or to any specific accounts, specific programs, specific projects, or specific activities which were originally provided for in the measure committed to the conferees by either House.

**SA 25.** Mr. ENSIGN proposed an amendment to amendment SA 3 proposed by Mr. REID (for himself, Mr. McCONNELL, Mrs. FEINSTEIN, Mr. BENNETT, Mr. LIEBERMAN, Ms. COLLINS, Mr. OBAMA, Mr. SALAZAR, and Mr. DURBIN) to the bill S. 1, to provide greater transparency in the legislative process; as follow:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . SENATE FIREWALL FOR DEFENSE SPENDING.**

(a) For purposes of Section 301 and 302 of the Congressional Budget Act of 1974, the levels of new budget authority and outlays and the allocations for the Committees on Appropriations shall be further divided and separately enforced under Section 302(f) by—

(1) DEFENSE ALLOCATION.—The amount of discretionary spending assumed in the budget resolution for the defense function (050); and

(2) NONDEFENSE ALLOCATION.—The amount of discretionary spending assumed for all other functions of the budget.

**SA 26.** Mr. CORNYN proposed an amendment to amendment SA 3 proposed by Mr. REID (for himself, Mr. McCONNELL, Mrs. FEINSTEIN, Mr. BENNETT, Mr. LIEBERMAN, Ms. COLLINS, Mr. OBAMA, Mr. SALAZAR, and Mr. DURBIN) to the bill S. 1, to provide greater transparency in the legislative process; as follows:

At the appropriate place, insert the following:

“(a) IN GENERAL. It shall not be in order to consider a bill, joint resolution, report, conference report, or statement of managers unless the following—

“(a) a list of each earmark, limited tax benefit or tariff benefit in the bill, joint resolution, report, conference report, or statement of managers along with:

“(1) its specific budget, contract or other spending authority or revenue impact;

“(2) an identification of the Member of Members who proposed the earmark, targeted tax benefit, or targeted tariff benefit; and

“(3) an explanation of the essential governmental purpose for the earmark, targeted tax benefit, or targeted tariff benefit, including how the earmark, targeted tax benefit, or targeted tariff benefit advances the ‘General Welfare’ of the United States of America;

“(b) the total number of earmarks, limited tax benefits or tariff benefits in the bill, joint resolution, report, conference report, or statement of managers; and

“(c) a calculation of the total budget, contract or other spending authority or revenue impact of all the congressional earmarks, limited tax benefits or tariff benefits in the bill, joint resolution, report, conference report, or statement of managers;

is available along with such bill, joint resolution, report, conference report, or statement of managers to all Members and the list is made available to the general public by means of placement on any website within the senate.gov domain, the gpo.gov domain, or through the THOMAS system on the loc.gov domain at least 2 calendar days before the Senate proceeds to it.”.

**SA 27.** Mr. CORNYN proposed an amendment to amendment SA 3 proposed by Mr. REID (for himself, Mr. McCONNELL, Mrs. FEINSTEIN, Mr. BENNETT, Mr. LIEBERMAN, Ms. COLLINS, Mr. OBAMA, Mr. SALAZAR, and Mr. DURBIN)

to the bill S. 1, to provide greater transparency in the legislative process; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . NOTICE OF CONSIDERATION.**

(a) IN GENERAL.—No legislative matter or measure may be considered in the Senate unless—

(1) a Senator gives notice of his intent to proceed to that matter or measure and such notice and the full text of that matter or measure are printed in the Congressional Record and placed on each Senator's desk at least 3 calendar days in which the Senate is in session prior to proceeding to the matter or measure;

(2) the Senate proceeds to that matter or measure not later than 30 calendar days in which the Senate is in session after having given notice in accordance with paragraph (1); and

(3) the full text of that matter or measure is made available to the general public in searchable format by means of placement on any website within the senate.gov domain, the gpo.gov domain, or through the THOMAS system on the loc.gov domain at least 2 calendar days before the Senate proceeds to that matter or measure.

(b) CALENDAR.—The Secretary of the Senate shall establish for both the Senate Calendar of Business and the Senate Executive Calendar a separate section entitled “Notices of Intent to Proceed or Consider”. Each section shall include the name of each Senator filing a notice under this section, the title or a description of the legislative measure or matter to which the Senator intends to proceed, and the date the notice was filed.

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

**SA 28.** Mr. McCAIN (for himself, Mr. FEINGOLD, and Mr. GRAHAM) submitted an amendment intended to be proposed to amendment SA 3 proposed by Mr. REID (for himself, Mr. McCONNELL, Mrs. FEINSTEIN, Mr. BENNETT, Mr. LIEBERMAN, Ms. COLLINS, Mr. OBAMA, Mr. SALAZAR, and Mr. DURBIN) to the bill S. 1, to provide greater transparency in the legislative process; as follows:

On page 4, strike line 11 through line 10, page 5, and insert the following: that portion of the conference report that has not been stricken and any modification of total amounts appropriated necessary to reflect the deletion of the matter struck from the conference report;

(B) the question shall be debatable; and

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

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

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

(d) ANY MATTER.—In this section, the term “any matter” means any new matter, including general legislation, unauthorized appropriations, and non-germane matter.

**SEC. 102A. REFORM OF CONSIDERATION OF APPROPRIATIONS BILLS IN THE SENATE.**

(a) IN GENERAL.—Rule XVI of the Standing Rules of the Senate is amended by adding at the end the following:

“9. (a) On a point of order made by any Senator:

“(1) No new or general legislation nor any unauthorized appropriation may be included in any general appropriation bill.

“(2) No amendment may be received to any general appropriation bill the effect of which will be to add an unauthorized appropriation to the bill.

“(3) No unauthorized appropriation may be included in any amendment between the Houses, or any amendment thereto, in relation to a general appropriation bill.

“(b)(1) If a point of order under subparagraph (a)(1) against a Senate bill or amendment is sustained—

“(A) the new or general legislation or unauthorized appropriation shall be struck from the bill or amendment; and

“(B) any modification of total amounts appropriated necessary to reflect the deletion of the matter struck from the bill or amendment shall be made.

“(2) If a point of order under subparagraph (a)(1) against an Act of the House of Representatives is sustained when the Senate is not considering an amendment in the nature of a substitute, then an amendment to the House bill is deemed to have been adopted that—

“(A) strikes the new or general legislation or unauthorized appropriation from the bill; and

“(B) modifies, if necessary, the total amounts appropriated by the bill to reflect the deletion of the matter struck from the bill;

“(C) If the point of order against an amendment under subparagraph (a)(2) is sustained, then the amendment shall be out of order and may not be considered.

“(d)(1) If a point of order under subparagraph (a)(3) against a Senate amendment is sustained, then—

“(A) the unauthorized appropriation shall be struck from the amendment;

“(B) any modification of total amounts appropriated necessary to reflect the deletion of the matter struck from the amendment shall be made; and

“(C) after all other points of order under this paragraph have been disposed of, the Senate shall proceed to consider the amendment as so modified.

“(2) If a point of order under subparagraph (a)(3) against a House of Representatives amendment is sustained, then—

“(A) an amendment to the House amendment is deemed to have been adopted that—

“(i) strikes the new or general legislation or unauthorized appropriation from the House amendment; and

“(ii) modifies, if necessary, the total amounts appropriated by the bill to reflect the deletion of the matter struck from the House amendment; and

“(B) after all other points of order under this paragraph have been disposed of, the Senate shall proceed to consider the question of whether to concur with further amendment.

“(e) The disposition of a point of order made under any other paragraph of this rule, or under any other Standing Rule of the Senate, that is not sustained, or is waived, does not preclude, or affect, a point of order made under subparagraph (a) with respect to the same matter.

“(f) A point of order under subparagraph (a) may be waived only by a motion agreed to by the affirmative vote of three-fifths of the Senators duly chosen and sworn. If an appeal is taken from the ruling of the Presiding Officer with respect to such a point of order, the ruling of the Presiding Officer shall be sustained absent an affirmative vote of three-fifths of the Senators duly chosen and sworn.

“(g) Notwithstanding any other rule of the Senate, it shall be in order for a Senator to raise a single point of order that several provisions of a general appropriation bill or an amendment between the Houses on a general appropriation bill violate subparagraph (a). The Presiding Officer may sustain the point of order as to some or all of the provisions against which the Senator raised the point of order. If the Presiding Officer so sustains the point of order as to some or all of the provisions against which the Senator raised the point of order, then only those provisions against which the Presiding Officer sustains the point of order shall be deemed stricken pursuant to this paragraph. Before the Presiding Officer rules on such a point of order, any Senator may move to waive such a point of order, in accordance with subparagraph (f), as it applies to some or all of the provisions against which the point of order was raised. Such a motion to waive is amendable in accordance with the rules and precedents of the Senate. After the Presiding Officer rules on such a point of order, any Senator may appeal the ruling of the Presiding Officer on such a point of order as it applies to some or all of the provisions on which the Presiding Officer ruled.

“(h) For purposes of this paragraph:

“(1) The term ‘new or general legislation’ has the meaning given that term when it is used in paragraph 2 of this rule.

“(2)(A) The term ‘unauthorized appropriation’ means an appropriation—

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

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

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

(b) LOBBYING ON BEHALF OF RECIPIENTS OF FEDERAL FUNDS.—The Lobbying Disclosure Act of 1995 is amended by adding after section 5 the following:

**SEC. 5A. REPORTS BY RECIPIENTS OF FEDERAL FUNDS.**

“(a) IN GENERAL.—A recipient of Federal funds shall file a report as required by section 5(a) containing—

“(1) the name of any lobbyist registered under this Act to whom the recipient paid money to lobby on behalf of the Federal funding received by the recipient; and

“(2) the amount of money paid as described in paragraph (1).

“(b) DEFINITION.—In this section, the term ‘recipient of Federal funds’ means the recipient of Federal funds constituting an award, grant, or loan.”.

**(c) PROHIBITION ON OBLIGATION OF FUNDS FOR APPROPRIATIONS EARMARKS INCLUDED ONLY IN CONGRESSIONAL REPORTS.**

(1) IN GENERAL.—No Federal agency may obligate any funds made available in an appropriation Act to implement an earmark that is included in a congressional report accompanying the appropriation Act, unless the earmark is also included in the appropriation Act.

(2) DEFINITIONS.—For purposes of this subsection:

(A) The term “assistance” includes an award, grant, loan, loan guarantee, contract, or other expenditure.

(B) The term “congressional report” means a report of the Committee on Appropriations of the House of Representatives or the Senate, or a joint explanatory statement of a committee of conference.

(C) The term “earmark” means a provision that specifies the identity of an entity to receive assistance and the amount of the assistance.

(D) The term “entity” includes a State or locality.

(3) EFFECTIVE DATE.—This subsection shall apply to appropriation Acts enacted after December 31, 2007.

**SEC. 103. EARMARKS.**

The Standing Rules of the Senate are amended by adding at the end the following:

**“RULE XLIV**

**“EARMARKS**

“1. In this rule—

“(1) the term ‘earmark’ means a provision that specifies the identity of an entity (by

**SA 29. Mr. McCAIN** (for himself, Mr. FEINGOLD, and Mr. GRAHAM) submitted an amendment intended to be proposed by him to the bill S. 1, to provide greater transparency in the legislative process; as follows:

On page 4, strike line 11 through line 2, page 5, and insert the following:

that portion of the conference report that has not been stricken and any modification of total amounts appropriated necessary to reflect the deletion of the matter struck from the conference report;

(B) the question shall be debatable; and

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

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

(c) SUPERMAJORITY WAIVER AND APPEAL.—This section may be waived or suspended in the Senate only by an affirmative vote of  $\frac{3}{5}$  of the Members, duly chosen and sworn. An affirmative vote of  $\frac{3}{5}$  of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

(d) ANY MATTER.—In this section, the term “any matter” means any new matter, including general legislation, unauthorized appropriations, and non-germane matter.

**SEC. 102A. REFORM OF CONSIDERATION OF APPROPRIATIONS BILLS IN THE SENATE.**

(a) IN GENERAL.—Rule XVI of the Standing Rules of the Senate is amended by adding at the end the following:

“9.(a) On a point of order made by any Senator:

“(1) No new or general legislation nor any unauthorized appropriation may be included in any general appropriation bill.

“(2) No amendment may be received to any general appropriation bill the effect of which will be to add an unauthorized appropriation to the bill.

“(3) No unauthorized appropriation may be included in any amendment between the Houses, or any amendment thereto, in relation to a general appropriation bill.

“(b)(1) If a point of order under subparagraph (a)(1) against a Senate bill or amendment is sustained—

“(A) the new or general legislation or unauthorized appropriation shall be struck from the bill or amendment; and

“(B) any modification of total amounts appropriated necessary to reflect the deletion of the matter struck from the bill or amendment shall be made.

“(2) If a point of order under subparagraph (a)(1) against an Act of the House of Representatives is sustained when the Senate is not considering an amendment in the nature of a substitute, then an amendment to the House bill is deemed to have been adopted that—

“(A) strikes the new or general legislation or unauthorized appropriation from the bill; and

“(B) modifies, if necessary, the total amounts appropriated by the bill to reflect the deletion of the matter struck from the bill;

“(c) If the point of order against an amendment under subparagraph (a)(2) is sustained, then the amendment shall be out of order and may not be considered.

“(d)(1) If a point of order under subparagraph (a)(3) against a Senate amendment is sustained, then—

“(A) the unauthorized appropriation shall be struck from the amendment;

“(B) any modification of total amounts appropriated necessary to reflect the deletion of the matter struck from the amendment shall be made; and

“(C) after all other points of order under this paragraph have been disposed of, the Senate shall proceed to consider the amendment as so modified.

“(2) If a point of order under subparagraph (a)(3) against a House of Representatives amendment is sustained, then—

“(A) an amendment to the House amendment is deemed to have been adopted that—

“(i) strikes the new or general legislation or unauthorized appropriation from the House amendment; and

“(ii) modifies, if necessary, the total amounts appropriated by the bill to reflect the deletion of the matter struck from the House amendment; and

“(B) after all other points of order under this paragraph have been disposed of, the Senate shall proceed to consider the question of whether to concur with further amendment.

“(e) The disposition of a point of order made under any other paragraph of this rule, or under any other Standing Rule of the Senate, that is not sustained, or is waived, does not preclude, or affect, a point of order made under subparagraph (a) with respect to the same matter.

“(f) A point of order under subparagraph (a) may be waived only by a motion agreed to by the affirmative vote of three-fifths of the Senators duly chosen and sworn. If an

appeal is taken from the ruling of the Presiding Officer with respect to such a point of order, the ruling of the Presiding Officer shall be sustained absent an affirmative vote of three-fifths of the Senators duly chosen and sworn.

“(g) Notwithstanding any other rule of the Senate, it shall be in order for a Senator to raise a single point of order that several provisions of a general appropriation bill or an amendment between the Houses on a general appropriation bill violate subparagraph (a). The Presiding Officer may sustain the point of order as to some or all of the provisions against which the Senator raised the point of order. If the Presiding Officer so sustains the point of order as to some or all of the provisions against which the Senator raised the point of order, then only those provisions against which the Presiding Officer sustains the point of order shall be deemed stricken pursuant to this paragraph. Before the Presiding Officer rules on such a point of order, any Senator may move to waive such a point of order, in accordance with subparagraph (f), as it applies to some or all of the provisions against which the point of order was raised. Such a motion to waive is amendable in accordance with the rules and precedents of the Senate. After the Presiding Officer rules on such a point of order, any Senator may appeal the ruling of the Presiding Officer on such a point of order as it applies to some or all of the provisions on which the Presiding Officer ruled.

“(h) For purposes of this paragraph:

“(i) The term ‘new or general legislation’ has the meaning given that term when it is used in paragraph 2 of this rule.

“(2)(A) The term ‘unauthorized appropriation’ means an appropriation—

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

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

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

(b) LOBBYING ON BEHALF OF RECIPIENTS OF FEDERAL FUNDS.—The Lobbying Disclosure Act of 1995 is amended by adding after section 5 the following:

**“SEC. 5A. REPORTS BY RECIPIENTS OF FEDERAL FUNDS.**

“(a) IN GENERAL.—A recipient of Federal funds shall file a report as required by section 5(a) containing—

“(1) the name of any lobbyist registered under this Act to whom the recipient paid

money to lobby on behalf of the Federal funding received by the recipient; and

“(2) the amount of money paid as described in paragraph (1).

“(b) DEFINITION.—In this section, the term ‘recipient of Federal funds’ means the recipient of Federal funds constituting an award, grant, or loan.”.

**(c) PROHIBITION ON OBLIGATION OF FUNDS FOR APPROPRIATIONS EARMARKS INCLUDED ONLY IN CONGRESSIONAL REPORTS.**

(1) IN GENERAL.—No Federal agency may obligate any funds made available in an appropriation Act to implement an earmark that is included in a congressional report accompanying the appropriation Act, unless the earmark is also included in the appropriation Act.

(2) DEFINITIONS.—For purposes of this subsection:

(A) The term “assistance” includes an award, grant, loan, loan guarantee, contract, or other expenditure.

(B) The term “congressional report” means a report of the Committee on Appropriations of the House of Representatives or the Senate, or a joint explanatory statement of a committee of conference.

(C) The term “earmark” means a provision that specifies the identity of an entity to receive assistance and the amount of the assistance.

(D) The term “entity” includes a State or locality.

(3) EFFECTIVE DATE.—This subsection shall apply to appropriation Acts enacted after December 31, 2007.

**SA 30. Mr. LIEBERMAN** (for himself, Ms. COLLINS, Mr. OBAMA, Mr. McCAIN, Mr. FEINGOLD, Mr. KERRY, Mr. CARPER) proposed an amendment to amendment SA 3 proposed by Mr. REID (for himself, Mr. MCCONNELL, Mrs. FEINSTEIN, Mr. BENNETT, Mr. LIEBERMAN, Ms. COLLINS, Mr. OBAMA, Mr. SALAZAR, and Mr. DURBIN) to the bill S. 1, to provide greater transparency in the legislative process; as follows:

At the end of the amendment, add the following:

**TITLE III—SENATE OFFICE OF PUBLIC INTEGRITY****SEC. 301. ESTABLISHMENT OF SENATE OFFICE OF PUBLIC INTEGRITY.**

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

**SEC. 302. DIRECTOR.****(a) APPOINTMENT OF DIRECTOR.**

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

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

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

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

**(d) REMOVAL.**

(1) AUTHORITY.—The Director may be removed by the President Pro Tempore of the

Senate upon the joint recommendation of the Senate majority and minority leaders for—

- (A) disability that substantially prevents the Director from carrying out the duties of the Director;
- (B) inefficiency;
- (C) neglect of duty; or
- (D) malfeasance, including a felony or conduct involving moral turpitude.

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

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

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

(a) DUTIES.—The Office is authorized—

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

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

(3) to make recommendations to the Select Committee on Ethics of the Senate that it report to the appropriate Federal or State authorities any substantial evidence of a violation by a Member, officer, or employee of the Senate of any law applicable to the performance of his duties or the discharge of his responsibilities, which may have been disclosed in an investigation by the Office; and

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

(b) POWERS.—

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

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

**SEC. 304. INVESTIGATIONS AND INTERACTION WITH THE SENATE SELECT COMMITTEE ON ETHICS.**

(a) INITIATION OF ENFORCEMENT MATTERS.—

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

(2) FILED COMPLAINT.—

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

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

(i) the complaint fails to state a violation;

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

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

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

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

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

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

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

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

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

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

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

(b) CONDUCTING INVESTIGATIONS.—

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

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

(A) administer oaths;

(B) issue subpoenas;

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

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

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

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

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

(1) NOTICE TO COMMITTEES.—If the Director determines, upon conclusion of an investigation, that probable cause exists that an ethics violation has occurred, the Director shall

notify the Select Committee on Ethics of the Senate of this determination.

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

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

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

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

(3) DETERMINATION AND RULING.—

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

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

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

**SEC. 305. PROCEDURAL RULES.**

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

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

**SEC. 306. SOPI EMPLOYEES UNDER THE CONGRESSIONAL ACCOUNTABILITY ACT.**

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

(1) in paragraph (3)—

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

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

(C) by adding at the end the following:

“(J) the Office of Public Integrity.”;

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

**SEC. 307. EFFECTIVE DATE.**

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

(b) EXCEPTION.—Section 302 shall take effect upon the date of enactment of this Act.

**SA 31. Mr. FEINGOLD** (for himself and Mr. OBAMA) submitted an amendment intended to be proposed by him to the bill S. 1, to provide greater transparency in the legislative process; which was ordered to lie on the table; as follows:

On page 50, line 25, strike “1995.”;” and all that follows through page 51, line 12, and insert the following: “1995.”

“(3) MEMBERS OF CONGRESS AND ELECTED OFFICERS.—Any person who is a Member of Congress or an elected officer of either House of Congress and who, within 2 years after that person leaves office, knowingly engages in lobbying activities on behalf of any other person (except the United States) in connection with any matter on which such former Member of Congress or elected officer seeks action by a Member, officer, or employee of either House of Congress shall be punished as provided in section 216 of this title.”.

(3) in paragraph (6)—

(A) by striking “paragraphs (2), (3), and (4)” and inserting “paragraph (2)”;

(B) by striking “(A)”;

(C) by striking subparagraph (B); and

(D) by redesignating the paragraph as paragraph (4); and

(4) by redesignating paragraph (7) as paragraph (5).

(c) DEFINITION OF LOBBYING ACTIVITY.—Section 207(i) of title 18, United States Code, is amended—

(1) in paragraph (2), by striking “and” after the semicolon;

(2) in paragraph (3), by striking the period and inserting “; and”; and

(3) by adding at the end the following:

“(4) the term ‘lobbying activities’ has the same meaning given such term in section 3(7) of the Lobbying Disclosure Act (2 U.S.C. 1602(7)).”.

(d) EFFECTIVE DATE.—The amendments made by subsection (b) shall take effect 60 days after the date of enactment of this Act.

**SA 32.** Mr. FEINGOLD (for himself and Mr. OBAMA) submitted an amendment intended to be proposed by him to the bill S. 1, to provide greater transparency in the legislative process; which was ordered to lie on the table; as follows:

On page 17, line 15, strike “1 year” and insert “2 years”.

On page 50, line 25, strike “1995.”;” and all that follows through page 51, line 12, and insert the following: “1995.”

“(3) MEMBERS OF CONGRESS AND ELECTED OFFICERS.—Any person who is a Member of Congress or an elected officer of either House of Congress and who, within 2 years after that person leaves office, knowingly engages in lobbying activities on behalf of any other person (except the United States) in connection with any matter on which such former Member of Congress or elected officer seeks action by a Member, officer, or employee of either House of Congress shall be punished as provided in section 216 of this title.”;

(3) in paragraph (6)—

(A) by striking “paragraphs (2), (3), and (4)” and inserting “paragraph (2)”;

(B) by striking “(A)”;

(C) by striking subparagraph (B); and

(D) by redesignating the paragraph as paragraph (4); and

(4) by redesignating paragraph (7) as paragraph (5).

(c) DEFINITION OF LOBBYING ACTIVITY.—Section 207(i) of title 18, United States Code, is amended—

(1) in paragraph (2), by striking “and” after the semicolon;

(2) in paragraph (3), by striking the period and inserting “; and”; and

(3) by adding at the end the following:

“(4) the term ‘lobbying activities’ has the same meaning given such term in section 3(7) of the Lobbying Disclosure Act (2 U.S.C. 1602(7)).”.

(d) EFFECTIVE DATE.—The amendments made by subsection (b) shall take effect 60 days after the date of enactment of this Act.

**SA 33.** Mr. FEINGOLD (for himself and Mr. OBAMA) submitted an amendment intended to be proposed by him to the bill S. 1, to provide greater transparency in the legislative process; which was ordered to lie on the table; as follows:

On page 10, line 9, strike “Leader.”;” and insert the following: “Leader.”

“3. A former Member of the Senate may not exercise privileges to use Senate or House gym or exercise facilities or member-only parking spaces if such Member is—

(1) a registered lobbyist or agent of a foreign principal; or

(2) in the employ of or represents any party or organization for the purpose of influencing, directly or indirectly, the passage, defeat, or amendment of any legislative proposal.”.

**SA 34.** Mr. FEINGOLD (for himself and Mr. OBAMA) submitted an amendment intended to be proposed by him to the bill S. 1, to provide greater transparency in the legislative process; which was ordered to lie on the table; as follows:

At the end of subtitle A of title II insert the following:

**SEC. 225. ELECTRONIC FILING OF ELECTION REPORTS OF SENATE CANDIDATES.**

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

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

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

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

**(b) CONFORMING AMENDMENTS.—**

(1) Section 302(g)(2) of the Federal Election Campaign Act of 1971 (2 U.S.C. 432(g)(2)) is amended by inserting “or 1 working day in the case of a designation, statement, or report filed electronically” after “2 working days”.

(2) Section 304(a)(11)(B) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(a)(11)(B)) is amended by inserting “or filed with the Secretary of the Senate under section 302(g)(1) and forwarded to the Commission” after “Act”.

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

**SA 35.** Mr. MARTINEZ submitted an amendment intended to be proposed by him to the bill S. 1, to provide greater transparency in the legislative process; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_\_. STANDARDS FOR ECONOMIC DEVELOPMENT INITIATIVE EARMARKS.**

Section 108(q) of the Housing and Community Development Act of 1974 (42 U.S.C. 5308(q)) is amended by adding at the end the following:

**“(5) CRITERIA FOR CONGRESSIONAL EARMARKS.—**

“(A) IN GENERAL.—No amount of funds provided or made available in an earmark for purposes of funding grants under this subsection may be made available to the Secretary, unless such funds are used for 1 or more of the following purposes related to

real property or public or private nonprofit facilities:

“(i) Acquisition.

“(ii) Planning.

“(iii) Design.

“(iv) Purchase of equipment.

“(v) Revitalization, reconstruction, or rehabilitation.

“(vi) Redevelopment.

“(vii) Construction.

“(B) EXPRESS PROHIBITIONS.—In addition to the general prohibition described in subparagraph (A), no amount of funds provided or made available in an earmark for purposes of funding grants under this section may be used by the Secretary for any of the following purposes:

“(i) Reimbursement of expense, including debt services or retirements.

“(ii) Transportation or road projects.

“(iii) Expenses for program operations.

“(iv) Homeland Security or first responder projects.

“(v) Healthcare facilities.

“(C) REPORTS.—

“(i) REQUIRED BEFORE DISBURSAL.—The Secretary may not release any grant funds provided for or made available by an earmark to an eligible public entity or public or private nonprofit organization under this subsection, unless such entity or organization submits to the Secretary a report detailing the economic impact of the earmark.

“(ii) CONTENTS OF REPORT.—

“(I) IN GENERAL.—The report required under clause (i) shall be submitted by the eligible public entity or public or private nonprofit organization to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

“(II) LIMITATION.—In any report required under clause (i), the Secretary—

“(aa) shall not require the disclosure of any confidential information of the eligible public entity or public or private nonprofit organization, or of any subgrantee employed by such entity or organization; and

“(bb) shall ensure that the requirements of such report are uniform for all grants funded by an earmark within each fiscal year.

“(III) RELEASE OF CHANGE IN REPORTING REQUIREMENTS.—The Secretary shall publish any changes to the reporting requirements under this subparagraph in the Federal Register not later than January 1 of the year preceding the fiscal year in which such changes are to take effect.

“(iii) AVAILABILITY.—The Secretary shall, upon request, provide any member of Congress with a copy of any report filed under this subparagraph.

“(D) SET ASIDE OF BUDGET AUTHORITY.—Not less than 20 percent of the total funds made available for purposes of this section in any appropriations Act shall be made available to the Secretary, free from earmarks, such that the Secretary may award these funds, in the discretion of the Secretary, to eligible public entities or public or private nonprofit organizations under a competitive bidding process.

“(E) DEFINITIONS.—In this subsection:

“(i) EARMARK.—the term ‘earmark’ means a provision of law, or a directive contained within a joint explanatory statement or report included in a conference report or bill primarily at the request of a Member, Delegate, Resident Commissioner, or Senator providing, authorizing or recommending a specific amount of discretionary budget authority, credit authority, or other spending authority for a contract, loan, loan guarantee, grant, loan authority, or other expenditure with or to an entity, or targeted to a specific State, locality or Congressional district, other than through a statutory or administrative formula-driven or competitive award process.

“(ii) NONPROFIT.—The term ‘nonprofit’ means, with respect to an organization, association, corporation, or other entity, that no part of the net earnings of the entity inures to the benefit of any member, founder, contributor, or individual.

“(iii) PRIVATE NONPROFIT ORGANIZATION.—The term ‘private nonprofit organization’ means any private organization (including a State or locally chartered organization) that—

“(I) is incorporated under State or local law;

“(II) is nonprofit in character; and

“(III) complies with standards of financial accountability acceptable to the Secretary.

“(iv) PUBLIC NONPROFIT ORGANIZATION.—The term ‘public nonprofit organization’ means any public entity that is nonprofit in character.”.

**SA 36.** Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 1, to provide greater transparency in the legislative process; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_.** AMENDMENTS AND MOTIONS TO RE-COMMIT.

Paragraph 1 of rule XV of the Standing Rules of the Senate is amended to read as follows:

“1. (a) An amendment and any instruction accompanying a motion to recommit shall be reduced to writing and copied and provided by the clerk to the desks of the Majority Leader and the Minority Leader and shall be read before being debated.

“(b) A motion shall be reduced to writing, if desired by the Presiding Officer or by any Senator, and shall be read before being debated.”.

**SA 37.** Mr. THUNE submitted an amendment intended to be proposed to amendment SA 3 proposed by Mr. REID (for himself, Mr. McCONNELL, Mrs. FEINSTEIN, Mr. BENNETT, Mr. LIEBERMAN, Ms. COLLINS, Mr. OBAMA, Mr. SALAZAR, and Mr. DURBIN) to the bill S. 1, to provide greater transparency in the legislative process; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_.** DISCLOSURE OF POLITICAL ADVOCACY BY THE RECIPIENT OF ANY FEDERAL AWARD.

The Federal Funding Accountability and Transparency Act of 2006 (Public Law 109-282) is amended by adding at the end the following:

**“SEC. 5. DISCLOSURE OF POLITICAL ADVOCACY BY THE RECIPIENT OF ANY FEDERAL AWARD.**

“(a) IN GENERAL.—Not later than December 31 of each year, an entity that receives any Federal award shall provide to each Federal entity that awarded or administered its grant an annual report for the prior Federal fiscal year, certified by the entity’s chief executive officer or equivalent person of authority, and setting forth—

“(1) the entity’s name;

“(2) the entity’s identification number; and

“(3)(A) a statement that the entity did not engage in political advocacy; or

“(B) a statement that the entity did engage in political advocacy, and setting forth for each award—

“(i) the award identification number;

“(ii) the amount or value of the award (including all administrative and overhead costs awarded);

“(iii) a brief description of the purpose or purposes for which the award was awarded;

“(iv) the identity of each Federal, State, and local government entity awarding or administering the award and program thereunder;

“(v) the name and entity identification number of each individual, entity, or organization to whom the entity made an award; and

“(vi) a brief description of the entity’s political advocacy, and a good faith estimate of the entity’s expenditures on political advocacy, including a list of any lobbyist registered under the Lobbying Disclosure Act of 1995, foreign agent, or employee of a lobbying firm or foreign agent employed by the entity to conduct such advocacy and amounts paid to each lobbyist or foreign agent.

“(b) OMB COORDINATION.—The Office of Management and Budget shall develop by regulation 1 standardized form for the annual report that shall be accepted by every Federal entity, and a uniform procedure by which each entity is assigned 1 permanent and unique entity identification number.

“(c) WEBSITE.—Any information received under this section shall be available on the website established under section 2(b).

“(d) DEFINITIONS.—In this section:

“(1) POLITICAL ADVOCACY.—The term ‘political advocacy’ includes—

“(A) carrying on propaganda, or otherwise attempting to influence legislation or agency action, including, but not limited to monetary or in-kind contributions, endorsements, publicity, or similar activity;

“(B) participating or intervening in (including the publishing or distributing of statements) any political campaign on behalf of (or in opposition to) any candidate for public office, including but not limited to monetary or in-kind contributions, endorsements, publicity, or similar activity;

“(C) participating in any judicial litigation or agency proceeding (including as an amicus curiae) in which agents or instrumentalities of Federal, State, or local governments are parties, other than litigation in which the entity or award applicant—

“(i) is a defendant appearing in its own behalf;

“(ii) is defending its tax-exempt status; or

“(iii) is challenging a government decision or action directed specifically at the powers, rights, or duties of that entity or award applicant; and

“(D) allocating, disbursing, or contributing any funds or in-kind support to any individual, entity, or organization whose expenditures for political advocacy for the previous Federal fiscal year exceeded 15 percent of its total expenditures for that Federal fiscal year.

“(2) ENTITY AND FEDERAL AWARD.—The terms ‘entity’ and ‘Federal award’ shall have the same meaning as in section 2(a).”.

**SA 38.** Mrs. FEINSTEIN (for herself and Mr. BENNETT) proposed an amendment to amendment SA 3 proposed by Mr. REID (for himself, Mr. McCONNELL, Mrs. FEINSTEIN, Mr. BENNETT, Mr. LIEBERMAN, Ms. COLLINS, Mr. OBAMA, Mr. SALAZAR, and Mr. DURBIN) to the bill S. 1, to provide greater transparency in the legislative process; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_.** FREE ATTENDANCE AT A BONA FIDE CONSTITUENT EVENT.

(a) IN GENERAL.—Paragraph 1(c) of rule XXXV of the Senate Rules is amended by adding at the end the following:

“(24) Subject to the restrictions in subparagraph (a)(2), free attendance at a bona fide constituent event permitted pursuant to subparagraph (h).”.

(b) IN GENERAL.—Paragraph 1 of rule XXXV of the Senate Rules is amended by adding at the end the following:

“(h)(1) A Member, officer or, employee may accept an offer of free attendance at a convention, conference, symposium, forum, panel discussion, dinner event, site visit, viewing, reception, or similar event, provided by a sponsor of the event, if—

“(A) the cost of any meal provided does not exceed \$50;

“(B)(i) the event is sponsored by bona fide constituents of, or a group that consists primarily of bona fide constituents of, the Member (or the Member by whom the officer or employee is employed); and

“(ii) the event will be attended by a group of at least 5 bona fide constituents or individuals employed by bona fide constituents of the Member (or the Member by whom the officer or employee is employed) provided that an individual registered to lobby under the Federal Lobbying Disclosure Act shall not attend the event; and

“(C)(i) the Member, officer, or employee participates in the event as a speaker or a panel participant, by presenting information related to Congress or matters before Congress, or by performing a ceremonial function appropriate to the Member’s, officer’s, or employee’s official position; or

“(ii) attendance at the event is appropriate to the performance of the official duties or representative function of the Member, officer, or employee.

“(2) A Member, officer, or employee who attends an event described in clause (1) may accept a sponsor’s unsolicited offer of free attendance at the event for an accompanying individual if others in attendance will generally be similarly accompanied or if such attendance is appropriate to assist in the representation of the Senate.

“(3) For purposes of this paragraph, the term ‘free attendance’ has the same meaning as in subparagraph (d).

“(4) The Select Committee on Ethics shall issue guidelines within 60 days after the enactment of this subparagraph on determining the definition of the term ‘bona fide constituent’.”.

**SA 39.** Mr. COLEMAN submitted an amendment intended to be proposed by him to the bill S. 1, to provide greater transparency in the legislative process; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_.** CONGRESSIONAL TRAVEL PUBLIC WEBSITE.

(a) IN GENERAL.—Not later than January 1, 2008, the Secretary of the Senate and the Clerk of the House of Representatives shall each establish a publicly available website that contains information on all officially related congressional travel that is subject to disclosure under the gift rules of the Senate and the House of Representatives, respectively, that includes—

(1) a search engine;

(2) uniform categorization by Member, dates of travel, and any other common categories associated with congressional travel; and

(3) all forms filed in the Senate and the House of Representatives relating to officially-related travel referred to in paragraph (2), including the “Disclosure of Member or Officer’s Reimbursed Travel Expenses” form in the Senate.

(b) EXTENSION AUTHORITY.—If the Secretary of the Senate or the Clerk of the House of Representatives is unable to meet the deadline established under subsection

(a), the Committee on Rules and Administration of the Senate or the Committee on Rules of the House of Representatives may grant an extension of such date for the Secretary of the Senate or the Clerk of the House of Representatives, respectively.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.

**SA 40.** Mr. STEVENS proposed an amendment to amendment SA 4 proposed by Mr. REID (for himself, Mr. DURBIN, Mr. SALAZAR, and Mr. OBAMA) to the amendment SA 3 proposed by Mr. REID (for himself, Mr. MCCONNELL, Mrs. FEINSTEIN, Mr. BENNETT, Mr. LIEBERMAN, Ms. COLLINS, Mr. OBAMA, Mr. SALAZAR, and Mr. DURBIN) to the bill S. 1, to provide greater transparency in the legislative process; as follows:

On page 8, line 14, after “entity” insert “or by a Member of Congress, or Member’s spouse or an immediate family member of either”.

On page 10, after line 5, insert the following:

(4) LIMITED FLIGHT EXCEPTION.—Paragraph 1 of rule XXXV of the Standing Rules of the Senate is amended by adding at the end the following:

“(h) For purposes of subparagraph (c)(1) and rule XXXVIII, if there is not more than 1 regularly scheduled flight daily from a point in a Member’s State to another point within that Member’s State, the Select Committee on Ethics may provide a waiver to the requirements in subparagraph (c)(1) (except in those cases where regular air service is not available between 2 cities) if—

“(1) there is no appearance of or actual conflict of interest; and

“(2) the Member has the trip approved by the committee at a rate determined by the committee.

In determining rates under clause (2), the committee may consider Ethics Committee Interpretive Ruling 412.”.

(5) DISCLOSURE.—

(A) RULES.—Paragraph 2 of rule XXXV of the Standing Rules of the Senate is amended by adding at the end the following:

“(g) A Member, officer, or employee of the Senate shall—

“(1) disclose a flight on an aircraft that is not licensed by the Federal Aviation Administration to operate for compensation or hire, excluding a flight on an aircraft owned, operated, or leased by a governmental entity, taken in connection with the duties of the Member, officer, or employee as an officeholder or Senate officer or employee; and

“(2) with respect to the flight, file a report with the Secretary of the Senate, including the date, destination, and owner or lessee of the aircraft, the purpose of the trip, and the persons on the trip, except for any person flying the aircraft.

This subparagraph shall apply to flights approved under paragraph 1(h).”.

(B) FECA.—Section 304(b) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(b)) is amended—

(i) by striking “and” at the end of paragraph (7);

(ii) by striking the period at the end of paragraph (8) and inserting “; and”; and

(iii) by adding at the end the following:

“(9) in the case of a principal campaign committee of a candidate (other than a candidate for election to the office of President or Vice President), any flight taken by the candidate (other than a flight designated to transport the President, Vice President, or a candidate for election to the office of Presi-

dent or Vice President) during the reporting period on an aircraft that is not licensed by the Federal Aviation Administration to operate for compensation or hire, together with the following information:

“(A) The date of the flight.  
“(B) The destination of the flight.  
“(C) The owner or lessee of the aircraft.  
“(D) The purpose of the flight.  
“(E) The persons on the flight, except for any person flying the aircraft.”.

(C) PUBLIC AVAILABILITY.—Paragraph 2(e) of rule XXXV of the Standing Rules of the Senate is amended to read as follows:

“(e) The Secretary of the Senate shall make available to the public all disclosures filed pursuant to subparagraphs (f) and (g) as soon as possible after they are received and such matters shall be posted on the Member’s official website but no later than 30 days after the trip or flight.”.

**SA 41.** Mr. OBAMA (for himself and Mr. FEINGOLD) submitted an amendment intended to be proposed by him to the bill S. 1, to provide greater transparency in the legislative process; which was ordered to lie on the table; as follows:

Strike section 212 and insert the following:

**SEC. 212. QUARTERLY REPORTS ON OTHER CONTRIBUTIONS.**

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

“(d) QUARTERLY REPORTS ON OTHER CONTRIBUTIONS.—

“(1) IN GENERAL.—Not later than 45 days after the end of the quarterly period beginning on the 20th day of January, April, July, and October of each year, or on the first business day after the 20th if that day is not a business day, each registrant under paragraphs (1) or (2) of section 4(a), and each employee who is listed as a lobbyist on a current registration or report filed under this Act, shall file a report with the Secretary of the Senate and the Clerk of the House of Representatives containing—

“(A) the name of the registrant or lobbyist;

“(B) the employer of the lobbyist or the names of all political committees established or administered by the registrant;

“(C) 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 lobbyist, the registrant, or a political committee established or administered by the registrant within the calendar year, and the date and amount of each contribution made within the quarter;

“(D) the name of each Federal candidate or officeholder, leadership PAC, or political party committee for whom a fundraising event was hosted, co-hosted, or sponsored by the lobbyist, the registrant, or a political committee established or administered by the registrant within the quarter, and the date, location, and total amount (or good faith estimate thereof) raised at such event;

“(E) the name of each Federal candidate or officeholder, leadership PAC, or political party committee for whom aggregate contributions equal to or exceeding \$200 were collected or arranged within the calendar year, and to the extent known the aggregate amount of such contributions (or a good faith estimate thereof) within the quarter for each recipient;

“(F) the name of each covered legislative branch official or covered executive branch official for whom the lobbyist, the registrant, or a political committee established or administered by the registrant provided, or directed or caused to be provided, any payment or reimbursements for travel and

related expenses in connection with the duties of such covered official, including for each such official—

“(i) an itemization of the payments or reimbursements provided to finance the travel and related expenses, and to whom the payments or reimbursements were made with the express or implied understanding or agreement that such funds will be used for travel and related expenses;

“(ii) the purpose and final itinerary of the trip, including a description of all meetings, tours, events, and outings attended;

“(iii) whether the registrant or lobbyist traveled on any such travel;

“(iv) the identity of the listed sponsor or sponsors of such travel; and

“(v) the identity of any person or entity, other than the listed sponsor or sponsors of the travel, who directly or indirectly provided for payment of travel and related expenses at the request or suggestion of the lobbyist, the registrant, or a political committee established or administered by the registrant;

“(G) the date, recipient, and amount of funds contributed, disbursed, or arranged (or a good faith estimate thereof) by the lobbyist, the registrant, or a political committee established or administered by the registrant—

“(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;

“(H) the date, recipient, and amount of any gift (that under the standing rules of the House of Representatives or Senate counts towards the \$100 cumulative annual limit described in such rules) valued in excess of \$20 given by the lobbyist, the registrant, or a political committee established or administered by the registrant to a covered legislative branch official or covered executive branch official; and

“(I) the name of each Presidential library foundation and Presidential inaugural committee, to whom contributions equal to or exceeding \$200 were made by the lobbyist, the registrant, or a political committee established or administered by the registrant within the calendar year, and the date and amount of each such contribution within the quarter.

“(2) RULES OF CONSTRUCTION.—

“(A) IN GENERAL.—For purposes of this subsection, contributions, donations, or other funds—

“(i) are ‘collected’ by a lobbyist where funds donated by a person other than the lobbyist are received by the lobbyist for, or forwarded by the lobbyist to, a Federal candidate or other recipient; and

“(ii) are ‘arranged’ by a lobbyist—

“(I) where there is a formal or informal agreement, understanding, or arrangement between the lobbyist and a Federal candidate or other recipient that such contributions, donations, or other funds will be or have been credited or attributed by the Federal candidate or other recipient in records, designations, or formal or informal recognitions

as having been raised, solicited, or directed by the lobbyist; or

“(II) where the lobbyist has actual knowledge that the Federal candidate or other recipient is aware that the contributions, donations, or other funds were solicited, arranged, or directed by the lobbyist.

“(B) CLARIFICATIONS.—For the purposes of this paragraph—

“(i) the term ‘lobbyist’ shall include a lobbyist, registrant, or political committee established or administered by the registrant; and

“(ii) the term ‘Federal candidate or other recipient’ shall include a Federal candidate, Federal officeholder, leadership PAC, or political party committee.

“(3) DEFINITIONS.—In this subsection, the following definitions shall apply:

“(A) GIFT.—The term ‘gift’—

“(i) means a gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item having monetary value; and

“(ii) includes, whether provided in kind, by purchase of a ticket, payment in advance, or reimbursement after the expense has been incurred—

“(I) gifts of services;

“(II) training;

“(III) transportation; and

“(IV) lodging and meals.

“(B) LEADERSHIP PAC.—The term ‘leadership PAC’ means with respect to an individual holding Federal office, an unauthorized political committee which 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.”.

**SA 42.** Mrs. FEINSTEIN (for herself and Mr. ROCKEFELLER) proposed an amendment to amendment SA 3 proposed by Mr. REID (for himself, Mr. McCONNELL, Mrs. FEINSTEIN, Mr. BENNETT, Mr. LIEBERMAN, Ms. COLLINS, Mr. OBAMA, Mr. SALAZAR, and Mr. DURBIN) to the bill S. 1, to provide greater transparency in the legislative process; follows:

On page 7, after line 6, insert the following: “4. It shall not be in order to consider any bill, resolution, or conference report that contains an earmark included in any classified portion of a report accompanying the measure unless the bill, resolution, or conference report includes, in unclassified language, to the greatest extent possible, a general program description, funding level, and the name of the sponsor of that earmark.”.

#### NOTICES OF HEARINGS/MEETINGS

##### COMMITTEE ON ENERGY AND NATURAL RESOURCES

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

The hearing will take place on January 18, 2007, at 9:30 in SD-106 of the Dirksen Senate Office Building.

The purpose of this oversight hearing is to receive testimony on issues relating to oil and gas royalty management at the Department of the Interior.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony

for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, Washington, DC, 20510-6150.

For further information, please contact Patty Beneke at 202-224-5451 or David Marks at (202) 224-8046.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON THE BUDGET

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Committee on the Budget be authorized to meet during the session of the Senate on Thursday, January 11, 2007, at 10:30 a.m. to hold hearings to examine the long term budget outlook in SD-608.

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

##### COMMITTEE ON FINANCE

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Thursday, January 11, 2007, at 10 a.m., in 215 Dirksen Senate Office Building, to hear testimony on “Prescription Drug Pricing and Negotiation: An Overview and Economic Perspectives for the Medicare Prescription Drug Benefit.”

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

##### COMMITTEE ON FOREIGN RELATIONS

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, January 11, 2007, at 10 a.m. to hold a hearing on Iraq.

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

##### COMMITTEE ON FOREIGN RELATIONS

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, January 11, 2007, at 2 p.m. to hold a hearing on Iraq.

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

##### SELECT COMMITTEE ON INTELLIGENCE

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on January 11, 2007 at 2:30 p.m. to hold an open hearing.

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

#### PRIVILEGES OF THE FLOOR

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that Terry Blankenship, a legislative fellow in my office, be granted privileges of the floor during consideration of S. 1, the ethics reform bill.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### CONGRATULATING THE UNIVERSITY OF FLORIDA 2006 NCAA FOOTBALL CHAMPIONS

Mr. BROWN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 25, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A bill (S. Res. 25) congratulating the University of Florida football team for winning the 2006 National Collegiate Athletic Association Division I Football championship.

There being no objection, the Senate proceeded to consider the resolution.

Mr. BROWN. Mr. President, I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and any statements be printed in the RECORD at the appropriate place.

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

The resolution (S. Res. 25) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

##### S. RES. 25

Whereas, on January 8, 2007, before a crowd of nearly 75,000 fans in Glendale, Arizona, the University of Florida football team (referred to in this preamble as the ‘Florida Gators’) defeated the football team of The Ohio State University (referred to in this preamble as the ‘Buckeyes’) by a score of 41-14, to win the 2006 National Collegiate Athletic Association Division I Football Championship;

Whereas that victory marked only the second national football championship victory for the University of Florida in the storied 100-year history of the Florida Gators;

Whereas the Florida Gators captured the Southeastern Conference Championship and compiled an impressive record of 13 wins and 1 loss;

Whereas although many fans viewed the Florida Gators as underdogs, the team—inspired by the leadership of Head Coach Urban Meyer—finished the game with a 41-7 scoring run, and prevented the opponent from scoring a single point during the second half of the game;

Whereas the 4-year starting quarterback of the Florida Gators, Chris Leak, during the final college game of his career, was chosen as the Offensive Most Valuable Player;

Whereas a defensive end of the Florida Gators, Derrick Harvey, was chosen as the Defensive Most Valuable Player;

Whereas the University of Florida is the first university to at the same time hold both the National Collegiate Athletic Association Division I Football Championship and the National Collegiate Athletic Association Division I Basketball Championship;

Whereas each player, coach, trainer, and manager dedicated his or her time and effort