

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 an oversight hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will be held on Tuesday, January 30, 2007, at 2:30 p.m. in room SD-366 of the Dirksen Senate Office Building.

The purpose of this hearing is to receive testimony on transportation sector fuel efficiency, including challenges to and incentives for increased oil savings through technological innovation including plug-in hybrids.

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 Michael Carr at (202) 224-8164 or Rachael Pasternack at (202) 224-0883.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Tuesday, January 23, 2007, at 9:30 a.m., in open session to consider the nomination of LTG David H. Petraeus, USA, to be General and Commander, Multi-National Forces-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 Tuesday, January 23, 2007 at 9:15 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 Tuesday, January 23, 2007 at 2:30 p.m. to hold a hearing on Iraq.

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

COMMITTEE ON VETERANS' AFFAIRS

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on Tuesday, January 23, 2007, to hold an oversight hearing on DOD/VA Collaboration and Cooperation to Meet the Needs of Returning Service members. The hearing will take place in room 418 of the Russell Senate Office Building.

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 23, 2007 at 2:30 p.m. to hold a hearing.

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

LEGISLATIVE TRANSPARENCY AND ACCOUNTABILITY ACT OF 2007

On Thursday, January 18, 2007, the Senate passed S. 1, as amended, as follows:

S. 1

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

SECTION 1. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Table of contents.

TITLE I—LEGISLATIVE TRANSPARENCY AND ACCOUNTABILITY ACT OF 2007

Sec. 101. Short title.

Sec. 102. Out of scope matters in conference reports.

Sec. 103. Congressional earmark reform.

Sec. 104. Availability of conference reports on the Internet.

Sec. 105. Sense of the Senate on conference committee protocols.

Sec. 106. Elimination of floor privileges for former Members, Senate Officers, and Speakers of the House who are lobbyists or seek financial gain.

Sec. 107. Proper valuation of tickets to entertainment and sporting events.

Sec. 108. Ban on gifts from lobbyists and entities that hire lobbyists.

Sec. 108A. National party conventions.

Sec. 109. Restrictions on lobbyist participation in travel and disclosure.

Sec. 110. Restrictions on former officers, employees, and elected officials of the executive and legislative branch.

Sec. 111. Post employment restrictions.

Sec. 112. Disclosure by Members of Congress and staff of employment negotiations.

Sec. 113. Prohibit official contact with spouse or immediate family member of Member who is a registered lobbyist.

Sec. 114. Influencing hiring decisions.

Sec. 115. Sense of the Senate that any applicable restrictions on Congressional branch employees should apply to the Executive and Judicial branches.

Sec. 116. Amounts of COLA adjustments not paid to certain Members of Congress.

Sec. 117. Requirement of notice of intent to proceed.

Sec. 118. CBO scoring requirement.

Sec. 119. Effective date.

TITLE II—LOBBYING TRANSPARENCY AND ACCOUNTABILITY ACT OF 2007

Sec. 201. Short title.

Subtitle A—Enhancing Lobbying Disclosure

Sec. 211. Quarterly filing of lobbying disclosure reports.

Sec. 212. Quarterly reports on other contributions.

Sec. 213. Additional disclosure.

Sec. 214. Public database of lobbying disclosure information.

Sec. 215. Disclosure by registered lobbyists of all past executive and Congressional employment.

Sec. 216. Increased penalty for failure to comply with lobbying disclosure requirements.

Sec. 217. Disclosure of lobbying activities by certain coalitions and associations.

Sec. 218. Disclosure of enforcement for non-compliance.

Sec. 219. Electronic filing of lobbying disclosure reports.

Sec. 220. Electronic filing and public database for lobbyists for foreign governments.

Sec. 221. Additional lobbying disclosure requirements.

Sec. 222. Increased criminal penalties for failure to comply with lobbying disclosure requirements.

Sec. 223. Effective date.

Subtitle B—Oversight of Ethics and Lobbying

Sec. 231. Comptroller General audit and annual report.

Sec. 232. Mandatory Senate ethics training for Members and staff.

Sec. 233. Sense of the Senate regarding self-regulation within the Lobbying community.

Sec. 234. Annual ethics committees reports.

Subtitle C—Slowing the Revolving Door

Sec. 241. Amendments to restrictions on former officers, employees, and elected officials of the executive and legislative branches.

Subtitle D—Ban on Provision of Gifts or Travel by Lobbyists in Violation of the Rules of Congress

Sec. 251. Prohibition on provision of gifts or travel by registered lobbyists to Members of Congress and to Congressional employees.

Subtitle E—Commission to Strengthen Confidence in Congress Act of 2007

Sec. 261. Short title.

Sec. 262. Establishment of commission.

Sec. 263. Purposes.

Sec. 264. Composition of commission.

Sec. 265. Functions of commission.

Sec. 266. Powers of commission.

Sec. 267. Administration.

Sec. 268. Security clearances for commission Members and staff.

Sec. 269. Commission reports; termination.

Sec. 270. Funding.

TITLE III—CONGRESSIONAL PENSION ACCOUNTABILITY

Sec. 301. Short title.

Sec. 302. Denial of retirement benefits.

Sec. 303. Constitutional authority.

Sec. 304. Effective date.

TITLE IV—GENERAL PROVISIONS

Sec. 401. Knowing and willful falsification or failure to report.

Sec. 402. Public availability of Senate committee and subcommittee meetings.

Sec. 403. Free attendance at a bona fide constituent event.

Sec. 404. Prohibition on financial gain from earmarks by Members, immediate family of Members, staff of Members, or immediate family of staff of Members.

Sec. 405. Amendments and motions to recommit.

Sec. 406. Congressional travel public website.

TITLE I—LEGISLATIVE TRANSPARENCY AND ACCOUNTABILITY ACT OF 2007

SEC. 101. SHORT TITLE.

This title may be cited as the “Legislative Transparency and Accountability Act of 2007”.

SEC. 102. OUT OF SCOPE MATTERS IN CONFERENCE REPORTS.

(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 include any item which consists of a specific provision 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 Rule XXVIII of the Standing Rules of the Senate “matter not committed” shall include any item which consists of a specific provision 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.

The point of order may be made and disposed of separately for each item in violation of this section.

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

(1) the matter in such conference report shall be stricken;

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

(A) the Senate shall proceed to consider the question of whether the Senate should recede from its amendment to the House bill, or its disagreement to the amendment of the House, and concur with a further amendment, which further amendment shall consist of only that portion of the conference report that has not been stricken (any modification of total amounts appropriated necessary to reflect the deletion of the matter struck from the conference report shall be made);

(B) the question shall be debatable; and

(C) no further amendment shall be in order.

(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.

SEC. 103. CONGRESSIONAL EARMARK REFORM.

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

RULE XLIV
EARMARKS

“1. It shall not be in order to consider—

“(a) a bill or joint resolution reported by a committee unless the report includes a list, which shall be made available on the Internet in a searchable format to the general public for at least 48 hours before consideration of the bill or joint resolution, of congressional earmarks, limited tax benefits, and limited tariff benefits in the bill or in the report (and the name of any Member who submitted a request to the committee for each respective item included in such list) or a statement that the proposition contains no congressional earmarks, limited tax benefits, or limited tariff benefits;

“(b) a bill or joint resolution not reported by a committee unless the chairman of each committee of jurisdiction has caused a list, which shall be made available on the Inter-

net in a searchable format to the general public for at least 48 hours before consideration of the bill or joint resolution, of congressional earmarks, limited tax benefits, and limited tariff benefits in the bill (and the name of any Member who submitted a request to the committee for each respective item included in such list) or a statement that the proposition contains no congressional earmarks, limited tax benefits, or limited tariff benefits to be printed in the Congressional Record prior to its consideration; or

“(c) a conference report to accompany a bill or joint resolution unless the joint explanatory statement prepared by the managers on the part of the House and the managers on the part of the Senate includes a list, which shall be made available on the Internet in a searchable format to the general public for at least 48 hours before consideration of the conference report, of congressional earmarks, limited tax benefits, and limited tariff benefits in the conference report or joint statement (and the name of any Member, Delegate, Resident Commissioner, or Senator who submitted a request to the House or Senate committees of jurisdiction for each respective item included in such list) or a statement that the proposition contains no congressional earmarks, limited tax benefits, or limited tariff benefits.

“2. For the purpose of this rule—

“(a) the term ‘congressional earmark’ means a provision or report language included 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;

“(b) the term ‘limited tax benefit’ means—

“(1) any revenue provision that—

“(A) provides a Federal tax deduction, credit, exclusion, or preference to a particular beneficiary or limited group of beneficiaries under the Internal Revenue Code of 1986; and

“(B) contains eligibility criteria that are not uniform in application with respect to potential beneficiaries of such provision; or

“(2) any Federal tax provision which provides one beneficiary temporary or permanent transition relief from a change to the Internal Revenue Code of 1986; and

“(c) the term ‘limited tariff benefit’ means a provision modifying the Harmonized Tariff Schedule of the United States in a manner that benefits 10 or fewer entities.

“3. A Member may not condition the inclusion of language to provide funding for a congressional earmark, a limited tax benefit, or a limited tariff benefit in any bill or joint resolution (or an accompanying report) or in any conference report on a bill or joint resolution (including an accompanying joint explanatory statement of managers) on any vote cast by another Member, Delegate, or Resident Commissioner.

“4. (a) A Member who requests a congressional earmark, a limited tax benefit, or a limited tariff benefit in any bill or joint resolution (or an accompanying report) or in any conference report on a bill or joint resolution (or an accompanying joint statement of managers) shall provide a written statement to the chairman and ranking member of the committee of jurisdiction, including—

“(1) the name of the Member;

“(2) in the case of a congressional earmark, the name and address of the intended recipi-

ent or, if there is no specifically intended recipient, the intended location of the activity;

“(3) in the case of a limited tax or tariff benefit, identification of the individual or entities reasonably anticipated to benefit, to the extent known to the Member;

“(4) the purpose of such congressional earmark or limited tax or tariff benefit; and

“(5) a certification that the Member or spouse has no financial interest in such congressional earmark or limited tax or tariff benefit.

“(b) Each committee shall maintain the written statements transmitted under subparagraph (a). The written statements transmitted under subparagraph (a) for any congressional earmarks, limited tax benefits, or limited tariff benefits included in any measure reported by the committee or conference report filed by the chairman of the committee or any subcommittee thereof shall be published in a searchable format on the committee’s or subcommittee’s website not later than 48 hours after receipt on such information.

“5. 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 to the greatest extent practicable, consistent with the need to protect national security (including intelligence sources and methods), in unclassified language, a general program description, funding level, and the name of the sponsor of that earmark.”

SEC. 104. AVAILABILITY OF CONFERENCE REPORTS ON THE INTERNET.

(a) IN GENERAL.—

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

“7. (a) It shall not be in order to consider a conference report unless such report is available to all Members and made available to the general public by means of the Internet for at least 48 hours before its consideration.

“(b) This paragraph 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 paragraph.

“8. It shall not be in order to consider a conference report unless the text of such report has not been changed after the Senate signatures sheets have been signed by a majority of the Senate conferees.”

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

(b) IMPLEMENTATION.—Not later than 60 days after the date of enactment of this title, the Secretary of the Senate, in consultation with the Clerk of the House of Representatives, the Government Printing Office, and the Committee on Rules and Administration, shall develop a website capable of complying with the requirements of paragraph 7 of rule XXVIII of the Standing Rules of the Senate, as added by subsection (a).

SEC. 105. SENSE OF THE SENATE ON CONFERENCE COMMITTEE PROTOCOLS.

It is the sense of the Senate that—

(1) conference committees should hold regular, formal meetings of all conferees that are open to the public;

(2) all conferees should be given adequate notice of the time and place of all such meetings; and

(3) all conferees should be afforded an opportunity to participate in full and complete

debates of the matters that such conference committees may recommend to their respective Houses.

SEC. 106. ELIMINATION OF FLOOR PRIVILEGES FOR FORMER MEMBERS, SENATE OFFICERS, AND SPEAKERS OF THE HOUSE WHO ARE LOBBYISTS OR SEEK FINANCIAL GAIN.

Rule XXXIII of the Standing Rules of the Senate is amended by—

(1) inserting “1.” before “Other”;

(2) inserting after “Ex-Senators and Senators-elect” the following: “, except as provided in paragraph 2”;

(3) inserting after “Ex-Secretaries and ex-Sergeants at Arms of the Senate” the following: “, except as provided in paragraph 2”;

(4) inserting after “Ex-Speakers of the House of Representatives” the following: “, except as provided in paragraph 2”;

(5) adding at the end the following:

“2. (a) The floor privilege provided in paragraph 1 shall not apply, when the Senate is in session, to an individual covered by this paragraph who is—

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

“(2) is 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.

“(b) The Committee on Rules and Administration may promulgate regulations to allow individuals covered by this paragraph floor privileges for ceremonial functions and events designated by the Majority Leader and the Minority 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.”

SEC. 107. PROPER VALUATION OF TICKETS TO ENTERTAINMENT AND SPORTING EVENTS.

Paragraph 1(c)(1) of rule XXXV of the Standing Rules of the Senate is amended by adding at the end the following: “The market value of a ticket to an entertainment or sporting event shall be the face value of the ticket or, in the case of a ticket without a face value, the value of the most similar ticket sold by the issuer to the public. A determination of similarity shall consider all features of the ticket, including access to parking, availability of food and refreshments, and access to venue areas not open to the public. A ticket with no face value and for which no similar ticket is sold by the issuer to the public, shall be valued at the cost of a ticket with the highest face value for the event.”

SEC. 108. BAN ON GIFTS FROM LOBBYISTS AND ENTITIES THAT HIRE LOBBYISTS.

Paragraph 1(a)(2) of rule XXXV of the Standing Rules of the Senate is amended by—

(1) inserting “(A)” after “(2)”;

(2) adding at the end the following:

“(B) A Member, officer, or employee may not knowingly accept a gift from a registered lobbyist, an agent of a foreign principal, or a private entity that retains or employs a registered lobbyist or an agent of a foreign principal, except as provided in subparagraph (c).”

SEC. 108A. NATIONAL PARTY CONVENTIONS.

Paragraph 1(d) of rule XXXV of the Standing Rules of the Senate is amended by adding at the end the following:

“5. A Member may not participate in an event honoring that Member at a national party convention if such event is paid for by any person or entity required to register pursuant to section 4(a) of the Lobbying Disclosure Act of 1995, or any individual or entity identified as a lobbyist or a client in any current registration or report filed under such Act.”

SEC. 109. RESTRICTIONS ON LOBBYIST PARTICIPATION IN TRAVEL AND DISCLOSURE.

(a) **PROHIBITION.**—Paragraph 2 of rule XXXV is amended—

(1) in subparagraph (a)(1), by—

(A) adding after “foreign principal” the following: “or a private entity that retains or employs 1 or more registered lobbyists or agents of a foreign principal”;

(B) striking the dash and inserting “complies with the requirements of this paragraph.”; and

(C) striking clauses (A) and (B);

(2) by redesignating subparagraph (a)(2) as subparagraph (a)(3) and adding after subparagraph (a)(1) the following:

“(2) Notwithstanding clause (1), a reimbursement (including payment in kind) to a Member, officer, or employee of the Senate from an individual other than a registered lobbyist or agent of a foreign principal that is a private entity that retains or employs one or more registered lobbyists or agents of a foreign principal for necessary transportation, lodging, and related expenses for travel to a meeting, speaking engagement, factfinding trip or similar event in connection with the duties of the Member, officer, or employee shall be deemed to be a reimbursement to the Senate under clause (1) if it is, under regulations prescribed by the Select Committee on Ethics to implement this clause, provided only for attendance at or participation for 1-day at an event (exclusive of travel time and an overnight stay) described in clause (1) or sponsored by a 501(c)(3) organization that has been pre-approved by the Select Committee on Ethics. When deciding whether to pre-approve a 501(c)(3) organization, the Select Committee on Ethics shall consider the stated mission of the organization, the organization’s prior history of sponsoring congressional trips, other educational activities performed by the organization besides sponsoring congressional trips, whether any trips previously sponsored by the organization led to an investigation by the Select Committee on Ethics and any other factor deemed relevant by the Select Committee on Ethics. Regulations to implement this clause, and the committee on a case-by-case basis, may permit a 2-night stay when determined by the committee to be practically required to participate in the event.”;

(3) in subparagraph (a)(3), as redesignated, by striking “clause (1)” and inserting “clauses (1) and (2)”;

(4) in subparagraph (b), by inserting before “Each” the following: “Before an employee may accept reimbursement pursuant to subparagraph (a), the employee shall receive advance authorization from the Member or officer under whose direct supervision the employee works to accept reimbursement.”;

(5) in subparagraph (c)—

(A) by inserting before “Each” the following: “Each Member, officer, or employee that receives reimbursement under this paragraph shall disclose the expenses reimbursed or to be reimbursed and authorization (for an employee) to the Secretary of the Senate not later than 30 days after the travel is completed.”;

(B) by striking “subparagraph (a)(1)” and inserting “this subparagraph”;

(C) in clause (5), by striking “and” after the semicolon;

(D) by redesignating clause (6) as clause (7); and

(E) by inserting after clause (5) the following:

“(6) a description of meetings and events attended; and”;

(6) by redesignating subparagraphs (d) and (e) as subparagraphs (f) and (g), respectively;

(7) by adding after subparagraph (c) the following:

“(d) A Member, officer, or employee of the Senate may not accept a reimbursement (including payment in kind) for transportation, lodging, or related expenses under subparagraph (a) for a trip that was planned, organized, or arranged by or at the request of a registered lobbyist or agent of a foreign principal, or on which a lobbyist accompanies the Member, officer, or employee on any segment of the trip. The Select Committee on Ethics shall issue regulations identifying de minimis activities by lobbyists or foreign agents that would not violate this subparagraph.”

“(e) A Member, officer, or employee shall, before accepting travel otherwise permissible under this paragraph from any person—

“(1) provide to the Select Committee on Ethics a written certification from such person that—

“(A) the trip will not be financed in any part by a registered lobbyist or agent of a foreign principal;

“(B) the source either—

“(i) does not retain or employ registered lobbyists or agents of a foreign principal and is not itself a registered lobbyist or agent of a foreign principal; or

“(ii) certifies that the trip meets the requirements specified in rules prescribed by the Select Committee on Ethics to implement subparagraph (a)(2);

“(C) the source will not accept from any source funds earmarked directly or indirectly for the purpose of financing the specific trip; and

“(D) the trip will not in any part be planned, organized, requested, or arranged by a registered lobbyist or agent of a foreign principal and that the traveler will not be accompanied on any segment of the trip by a registered lobbyist or agent of a foreign principal, except as permitted by regulations issued under subparagraph (d), and specifically details the extent of any involvement of a registered lobbyist or agent of a foreign principal; and

“(2) after the Select Committee on Ethics has promulgated regulations mandated in subparagraph (h), obtain the prior approval of the committee for such reimbursement.”;

(8) by striking subparagraph (g), as redesignated, and inserting the following:

“(g) The Secretary of the Senate shall make all advance authorizations, certifications, and disclosures filed pursuant to this paragraph available for public inspection as soon as possible after they are received.”;

(9) by adding at the end the following:

“(h)(1) Not later than 45 days after the date of adoption of this subparagraph and at annual intervals thereafter, the Select Committee on Ethics shall develop and revise, as necessary—

“(A) guidelines on judging the reasonableness of an expense or expenditure for purposes of this clause, including the factors that tend to establish—

“(i) a connection between a trip and official duties;

“(ii) the reasonableness of an amount spent by a sponsor;

“(iii) a relationship between an event and an officially connected purpose; and

“(iv) a direct and immediate relationship between a source of funding and an event; and

“(B) regulations describing the information it will require individuals subject to this clause to submit to the committee in order to obtain the prior approval of the committee for any travel covered by this clause, including any required certifications.

“(2) In developing and revising guidelines under clause (1)(A), the committee shall take into account the maximum per diem rates for official Government travel published annually by the General Services Administration, the Department of State, and the Department of Defense.

“(3) For purposes of this subparagraph, travel on an aircraft operated or paid for by a carrier not licensed by the Federal Aviation Administration to operate for compensation shall not be considered a reasonable expense.

“(i) A Member, officer, or employee who travels on an aircraft operated or paid for by a carrier not licensed by the Federal Aviation Administration shall file a report with the Secretary of the Senate not later than 60 days after the date on which such flight is taken. The report shall include—

- “(1) the date of such flight;
- “(2) the destination of such flight;
- “(3) the owner or lessee of the aircraft;
- “(4) the purpose of such travel;
- “(5) the persons on such flight (except for any person flying the aircraft); and
- “(6) the charter rate paid for such flight.”.

(b) REIMBURSEMENT FOR NONCOMMERCIAL AIR TRAVEL.—

(1) CHARTER RATES.—Paragraph 1(c)(1) of rule XXXV of the Standing Rules of the Senate is amended by adding at the end the following: “Fair market value for a flight on an aircraft operated or paid for by a carrier not licensed by the Federal Aviation Administration to operate for compensation or hire, excluding an aircraft owned or leased by a governmental entity or by a Member of Congress or a Member’s spouse (including an aircraft owned by an entity that is not a public corporation in which the Member or Member’s spouse has an ownership interest, provided that the Member does not use the aircraft anymore than the Member’s or spouse’s proportionate share of ownership allows), shall be the pro rata share of the fair market value of the normal and usual charter fare or rental charge for a comparable plane of comparable size (as determined by dividing such cost by the number of members, officers, or employees of the Congress on the flight).”.

(2) UNOFFICIAL OFFICE ACCOUNTS.—Paragraph 1 of rule XXXVIII of the Standing Rules of the Senate is amended by adding at the end the following:

“(c) For purposes of reimbursement under this rule, fair market value of a flight on an aircraft operated or paid for by a carrier not licensed by the Federal Aviation Administration to operate for compensation or hire, shall be the pro rata share of the fair market value of the normal and usual charter fare or rental charge for a comparable plane of comparable size (as determined by dividing such cost by the number of members, officers, or employees of the Congress on the flight).”.

(3) CANDIDATES.—Subparagraph (B) of section 301(8) of the Federal Election Campaign Act of 1971 (42 U.S.C. 431(8)(B)) is amended by—

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

(B) in clause (xiv), striking the period and inserting “; and”; and

(C) by adding at the end the following :

“(xv) any travel expense for a flight on an aircraft that is operated or paid for by a carrier not licensed by the Federal Aviation Administration to operate for compensation or hire, but only if the candidate, the candidate’s authorized committee, or other political committee pays—

“(I) to the owner, lessee, or other person who provides the airplane the pro rata share of the fair market value of such flight (as determined by dividing the fair market value of the normal and usual charter fare or rental charge for a comparable plane of appropriate size by the number of candidates on the flight) by not later than 7 days after the date on which the flight is taken; and

“(II) files a report with the Secretary of the Senate not later than 60 days after the date on which such flight is taken, such report shall include—

- “(aa) the date of such flight;
- “(bb) the destination of such flight;
- “(cc) the owner or lessee of the aircraft;
- “(dd) the purpose of such travel;
- “(ee) the persons on such flight (except for any person flying the aircraft); and
- “(ff) the charter rate paid for such flight.”.

(4) RULES COMMITTEE REVIEW OF TRAVEL ALLOWANCES.—Not later than 90 days after the enactment of this Act, the Senate Committee on Appropriations, Subcommittee on the Legislative Branch, in consultation with the Committee on Rules and Administration of the Senate, shall consider and propose, as necessary in the discretion of the subcommittee, any adjustment to the Senator’s Official Personnel and Office Expense Account needed in light of the revised standards for reimbursement for private air travel required by this subsection, and any modifications of Federal statutes or appropriations measures needed to accomplish such adjustments.

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

SEC. 110. RESTRICTIONS ON FORMER OFFICERS, EMPLOYEES, AND ELECTED OFFICIALS OF THE EXECUTIVE AND LEGISLATIVE BRANCH.

(a) IN GENERAL.—Section 207(j)(1) of title 18, United States Code, is amended, by—

(1) striking “The restrictions” and inserting the following:

- “(A) IN GENERAL.—The restrictions”; and
- “(2) adding at the end the following:

“(B) INDIAN TRIBES.—The restrictions contained in this section shall not apply to acts done pursuant to section 104 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450i).”.

(b) CONFORMING AMENDMENT.—Section 104(j) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450i(j)) is amended by striking “and former officers and employees of the United States employed by Indian tribes may act as agents or attorneys for or” and inserting “or former officers and employees of the United States who are carrying out official duties as employees or as elected or appointed officials of an Indian tribe may communicate with and”.

SEC. 111. POST EMPLOYMENT RESTRICTIONS.

(a) IN GENERAL.—Paragraph 9 of rule XXXVII of the Standing Rules of the Senate is amended by—

(1) designating the first sentence as subparagraph (a);

(2) designating the second sentence as subparagraph (b); and

(3) adding at the end the following:

“(c) If an employee on the staff of a Member or on the staff of a committee whose rate of pay is equal to or greater than 75 percent of the rate of pay of a Member and employed at such rate for more than 60 days in a calendar year, upon leaving that position, becomes a registered lobbyist under the Lobbying Disclosure Act of 1995, or is employed or retained by such a registered lobbyist for the purpose of influencing legislation, such employee may not lobby any Member, officer, or employee of the Senate for a period of 1 year after leaving that position.”.

(b) EFFECTIVE DATE.—This section shall take effect 60 days after the date of enactment of this title.

SEC. 112. DISCLOSURE BY MEMBERS OF CONGRESS AND STAFF OF EMPLOYMENT NEGOTIATIONS.

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

“(1) A Member shall not directly negotiate or have any arrangement concerning prospective private employment until after his or her successor has been elected, unless such Member files a statement with the Secretary of the Senate, for public disclosure, regarding such negotiations or arrangements within 3 business days after the commencement of such negotiation or arrangement, including the name of the private entity or entities involved in such negotiations or arrangements, the date such negotiations or arrangements commenced, and must be signed by the Member.

“(b) A Member shall not directly negotiate or have any arrangement concerning prospective employment until after his or her successor has been elected for a job involving lobbying activities as defined by the Lobbying Disclosure Act of 1995.

“(c) An employee of the Senate earning in excess of 75 percent of the salary paid to a Senator shall notify the Committee on Ethics that he or she is negotiating or has any arrangement concerning prospective private employment.

“(2) The disclosure and notification under this subparagraph shall be made within 3 business days after the commencement of such negotiation or arrangement.

“(3) An employee to whom this subparagraph 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 employee under this rule and notify the Select Committee on Ethics of such recusal.”.

SEC. 113. PROHIBIT OFFICIAL CONTACT WITH SPOUSE OR IMMEDIATE FAMILY MEMBER OF MEMBER WHO IS A REGISTERED LOBBYIST.

Rule XXXVII of the Standing Rules of the Senate is amended by—

(1) redesignating paragraphs 10 through 12 as paragraphs 11 through 13, respectively; and

(2) inserting after paragraph 9, the following:

“(10. (a) If a Member’s spouse or immediate family member is a registered lobbyist under the Lobbying Disclosure Act of 1995, or is employed or retained by such a registered lobbyist for the purpose of influencing legislation, the Member shall prohibit all staff employed by that Member (including staff in personal, committee, and leadership offices) from having any official contact with the Member’s spouse or immediate family member.

“(b) Members and employees on the staff of a Member (including staff in personal, committee, and leadership offices) shall be prohibited from having any official contact with any spouse of a Member who is a registered lobbyist under the Lobbying Disclosure Act of 1995, or is employed or retained by such a registered lobbyist.

“(c) The prohibition in subparagraph (a) shall not apply to the spouse of a Member who was serving as a registered lobbyist at least 1 year prior to the election of that Member to office or at least 1 year prior to their marriage to that Member.

“(d) In this paragraph, the term ‘immediate family member’ means the son, daughter, stepson, stepdaughter, son-in-law, daughter-in-law, mother, father, stepmother, stepfather, mother-in-law, father-in-law, brother, sister, stepbrother, or stepsister of the Member.”.

SEC. 114. INFLUENCING HIRING DECISIONS.

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

“6. No Member shall, with the intent to influence on the basis of partisan political affiliation an employment decision or employment practice of any private entity—

“(1) take or withhold, or offer or threaten to take or withhold, an official act; or

“(2) influence, or offer or threaten to influence the official act of another.”.

SEC. 115. SENSE OF THE SENATE THAT ANY APPLICABLE RESTRICTIONS ON CONGRESSIONAL BRANCH EMPLOYEES SHOULD APPLY TO THE EXECUTIVE AND JUDICIAL BRANCHES.

It is the sense of the Senate that any applicable restrictions on Congressional branch employees in this title should apply to the Executive and Judicial branches.

SEC. 116. AMOUNTS OF COLA ADJUSTMENTS NOT PAID TO CERTAIN MEMBERS OF CONGRESS.

(a) IN GENERAL.—Any adjustment under section 601(a) of the Legislative Reorganization Act of 1946 (2 U.S.C. 31) (relating to the cost-of-living adjustments for Members of Congress) shall not be paid to any Member of Congress who voted for any amendment (or against the tabling of any amendment) that provided that such adjustment would not be made.

(b) DEPOSIT IN TREASURY.—Any amount not paid to a Member of Congress under subsection (a) shall be transmitted to the Treasury for deposit in the appropriations account under the subheading “**MEDICAL SERVICES**” under the heading “**VETERANS HEALTH ADMINISTRATION**.”

(c) ADMINISTRATION.—The salary of any Member of Congress to whom subsection (a) applies shall be deemed to be the salary in effect after the application of that subsection, except that for purposes of determining any benefit (including any retirement or insurance benefit), the salary of that Member of Congress shall be deemed to be the salary that Member of Congress would have received, but for that subsection.

(d) EFFECTIVE DATE.—This section shall take effect on the first day of the first applicable pay period beginning on or after February 1, 2008.

SEC. 117. REQUIREMENT OF NOTICE OF INTENT TO PROCEED.

(a) IN GENERAL.—The majority and minority leaders of the Senate or their designees shall recognize a notice of intent of a Senator who is a member of their caucus to object to proceeding to a measure or matter only if the Senator—

(1) submits the notice of intent in writing to the appropriate leader or their designee; and

(2) within 3 session days after the submission under paragraph (1), submits for inclusion in the Congressional Record and in the applicable calendar section described in subsection (b) the following notice:

“I, Senator ___, intend to object to proceeding to ___, dated ____.”.

(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 Object to Proceeding”. Each section shall include the name of each Senator filing a notice under subsection (a)(2), the measure or matter covered by the calendar that the Senator objects to, and the date the objection was filed.

(c) REMOVAL.—A Senator may have an item with respect to the Senator removed from a calendar to which it was added under subsection (b) by submitting for inclusion in the Congressional Record the following notice:

“I, Senator ___, do not object to proceeding to ___, dated ____.”.

SEC. 118. CBO SCORING REQUIREMENT.

(a) IN GENERAL.—It shall not be in order in the Senate to consider a report of a committee of conference unless an official written cost estimate or table by the Congressional Budget Office is available at the time of consideration.

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

SEC. 119. EFFECTIVE DATE.

Except as otherwise provided in this title, this title shall take effect on the date of enactment of this title.

TITLE II—LOBBYING TRANSPARENCY AND ACCOUNTABILITY ACT OF 2007**SEC. 201. SHORT TITLE.**

This title may be cited as the “**Legislative Transparency and Accountability Act of 2007**”.

Subtitle A—Enhancing Lobbying Disclosure**SEC. 211. QUARTERLY FILING OF LOBBYING DISCLOSURE REPORTS.**

(a) QUARTERLY FILING REQUIRED.—Section 5 of the Lobbying Disclosure Act of 1995 (in this title referred to as the “**Act**”) (2 U.S.C. 1604) is amended—

(1) in subsection (a)—

(A) in the subsection heading, by striking “**“Semiannual”**” and inserting “**“Quarterly”**”; and

(B) by striking the first sentence and inserting the following: “Not later than 20 days after the end of the quarterly period beginning on the 1st day of January, April, July, and October of each year, or on the first business day after the 20th day if that day is not a business day, in which a registrant is registered with the Secretary of the Senate and the Clerk of the House of Representatives, a registrant shall file a report or reports, as applicable, on its lobbying activities during such quarterly period.”;

(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 Act (2 U.S.C. 1602) is amended by striking “**six month period**” and inserting “**“three-month period”**”.

(2) REGISTRATION.—Section 4 of the Act (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(a)(6) of the Act (2 U.S.C. 1605(6)) is amended by striking “**“semiannual period”**” and inserting “**“quarterly period”**”.

(4) ESTIMATES.—Section 15 of the Act (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.

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

(i) in subsection (a)(3)(A)(i), by striking “**“\$5,000”**” and inserting “**“\$2,500”**”;

(ii) in subsection (a)(3)(A)(ii), by striking “**“\$20,000”**” and inserting “**“\$10,000”**”;

(iii) in subsection (b)(3)(A), by striking “**“\$10,000”**” and inserting “**“\$5,000”**”; and

(iv) in subsection (b)(4), by striking “**“\$10,000”**” and inserting “**“\$5,000”**”.

(B) REPORTS.—Section 5 of the Act (2 U.S.C. 1604) is amended—

(i) in subsection (c)(1), by striking “**“\$10,000”**” and “**“\$20,000”**” and inserting “**“\$5,000”**” and “**“\$10,000”**”, respectively; and

(ii) in subsection (c)(2), by striking “**“\$10,000”**” both places such term appears and inserting “**“\$5,000”**”.

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 es-

tablished 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.”.

SEC. 213. ADDITIONAL DISCLOSURE.

Section 5(b) of the Act (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 a semicolon; and

(3) by adding at the end of the following:

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

SEC. 214. PUBLIC DATABASE OF LOBBYING DISCLOSURE INFORMATION.

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

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

(2) in paragraph (8), by striking the period and inserting “; and”; and

(3) by adding at the end the following:

“(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, at a minimum, by each of the categories of information described in section 4(b) or 5(b).”.

(b) AVAILABILITY OF REPORTS.—Section 6(a)(4) of the Act is amended by inserting before the semicolon the following: “and, in the case of a report filed in electronic form under section 5(e), shall make such report available for public inspection over the Internet not more than 48 hours after the report is filed”.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out paragraph (9) of section 6(a) of the Act, as added by subsection (a).

SEC. 215. DISCLOSURE BY REGISTERED LOBBYISTS OF ALL PAST EXECUTIVE AND CONGRESSIONAL EMPLOYMENT.

Section 4(b)(6) of the Act (2 U.S.C. 1603) 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. 216. INCREASED PENALTY FOR FAILURE TO COMPLY WITH LOBBYING DISCLOSURE REQUIREMENTS.

Section 7 of the Act (2 U.S.C. 1606) is amended by striking “\$50,000” and inserting “\$200,000”.

SEC. 217. DISCLOSURE OF LOBBYING ACTIVITIES BY CERTAIN COALITIONS AND ASSOCIATIONS.

(a) IN GENERAL.—Section 4(b)(3)(B) of the Act (2 U.S.C. 1603(b)(3)(B)) is amended to read as follows:

“(B) participates in a substantial way in the planning, supervision, or control of such lobbying activities.”.

(b) NO DONOR OR MEMBERSHIP LIST DISCLOSURE.—Section 4(b) of the Act (2 U.S.C. 1603(b)) is amended by adding at the end the following:

“No disclosure is required under paragraph (3)(B) if it is publicly available knowledge that the organization that would be identified is affiliated with the client 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 paragraph (3)(B) 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 that paragraph.”.

SEC. 218. DISCLOSURE OF ENFORCEMENT FOR NONCOMPLIANCE.

Section 6 of the Act (2 U.S.C. 1605) is amended—

(1) by inserting “(a)” before “The Secretary of the Senate”;

(2) in paragraph (8), by striking “and” at the end;

(3) in paragraph (9), by striking the period and inserting “; and”;

(4) after paragraph (9), by inserting the following:

“(10) make publicly available the aggregate number of lobbyists and lobbying firms, separately accounted, referred to the United States Attorney for the District of Columbia for noncompliance as required by paragraph (8) on a semi annual basis”; and

(5) by inserting at the end the following:

“(b) ENFORCEMENT REPORT.—The United States Attorney for the District of Columbia shall report to the Committee on Homeland Security and Governmental Affairs and the Committee on the Judiciary of the Senate and the Committee on Government Reform and the Committee on the Judiciary of the House of Representatives on a semi annual basis the aggregate number of enforcement actions taken by the Attorney’s office under this Act and the amount of fines, if any, by case, except that such report shall not include the names of individuals or personally identifiable information.”.

SEC. 219. ELECTRONIC FILING OF LOBBYING DISCLOSURE REPORTS.

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

“(e) ELECTRONIC FILING REQUIRED.—A report required to be filed under this section shall be filed in electronic form, in addition to any other form. The Secretary of the Senate and the Clerk of the House of Representatives shall use the same electronic software for receipt and recording of filings under this Act.”.

SEC. 220. ELECTRONIC FILING AND PUBLIC DATABASE FOR LOBBYISTS FOR FOREIGN GOVERNMENTS.

(a) ELECTRONIC FILING.—Section 2 of the Foreign Agents Registration Act (22 U.S.C. 612) is amended by adding at the end the following new subsection:

“(g) ELECTRONIC FILING OF REGISTRATION STATEMENTS AND UPDATES.—A registration statement or update 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 Attorney General.”

(b) PUBLIC DATABASE.—Section 6 of the Foreign Agents Registration Act (22 U.S.C. 616) is amended by adding at the end the following new subsection:

“(d) PUBLIC DATABASE OF REGISTRATION STATEMENTS AND UPDATES.—

“(1) IN GENERAL.—The Attorney General shall 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 registration statements and updates 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, at a minimum, by each of the categories of information described in section 2(a).

“(2) ACCOUNTABILITY.—Each registration statement and update filed in electronic form pursuant to section 2(g) shall be made available for public inspection over the Internet not more than 48 hours after the registration statement or update is filed.”.

SEC. 221. ADDITIONAL LOBBYING DISCLOSURE REQUIREMENTS.

Section 5(b) of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1604(b)) is amended by adding at the end the following:

“(8) a certification that the lobbying firm, or registrant, and each employee listed as a lobbyist under section 4(b)(6) or 5(b)(2)(C) for that lobbying firm or registrant, has not provided, requested, or directed a gift, including travel, to a Member or employee 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. 222. INCREASED 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 inserting “(a) CIVIL PENALTY.” before “Whoever”; and

(2) by adding at the end the following:

“(b) CRIMINAL PENALTY.—Whoever knowingly, willfully, and corruptly fails to comply with any provision of this section shall be imprisoned for not more than 10 years, or fined under title 18, United States Code, or both.”.

SEC. 223. EFFECTIVE DATE.

This subtitle and the amendments made by this subtitle shall take effect January 1, 2008.

Subtitle B—Oversight of Ethics and Lobbying

SEC. 231. COMPTROLLER GENERAL AUDIT AND ANNUAL REPORT.

(a) AUDIT REQUIRED.—The Comptroller General shall audit on an annual basis lobbying registration and reports filed under the Lobbying Disclosure Act of 1995 to determine the extent of compliance or noncompliance with the requirements of that Act by lobbyists and their clients.

(b) ANNUAL REPORTS.—Not later than April 1 of each year, the Comptroller General shall submit to Congress a report on the review required by subsection (a). The report shall include the Comptroller General’s assessment of the matters required to be emphasized by

that subsection and any recommendations of the Comptroller General to—

(1) improve the compliance by lobbyists with the requirements of that Act; and

(2) provide the Secretary of the Senate and the Clerk of the House of Representatives with the resources and authorities needed for effective administration of that Act.

SEC. 232. MANDATORY SENATE ETHICS TRAINING FOR MEMBERS AND STAFF.

(a) TRAINING PROGRAM.—The Select Committee on Ethics shall conduct ongoing ethics training and awareness programs for Members of the Senate and Senate staff.

(b) REQUIREMENTS.—The ethics training program conducted by the Select Committee on Ethics shall be completed by—

(1) new Senators or staff not later than 60 days after commencing service or employment; and

(2) Senators and Senate staff serving or employed on the date of enactment of this Act not later than 120 days after the date of enactment of this Act.

SEC. 233. SENSE OF THE SENATE REGARDING SELF-REGULATION WITHIN THE LOBBYING COMMUNITY.

It is the sense of the Senate that the lobbying community should develop proposals for multiple self-regulatory organizations which could provide—

(1) for the creation of standards for the organizations appropriate to the type of lobbying and individuals to be served;

(2) training for the lobbying community on law, ethics, reporting requirements, and disclosure requirements;

(3) for the development of educational materials for the public on how to responsibly hire a lobbyist or lobby firm;

(4) standards regarding reasonable fees to clients;

(5) for the creation of a third-party certification program that includes ethics training; and

(6) for disclosure of requirements to clients regarding fee schedules and conflict of interest rules.

SEC. 234. ANNUAL ETHICS COMMITTEES REPORTS.

The Committee on Standards of Official Conduct of the House of Representatives and the Select Committee on Ethics of the Senate shall each issue an annual report due no later than January 31, describing the following:

(1) The number of alleged violations of Senate or House rules including the number received from third parties, from Members or staff within each House, or inquires raised by a Member or staff of the respective House or Senate committee.

(2) A list of the number of alleged violations that were dismissed—

(A) for lack of subject matter jurisdiction; or

(B) because they failed to provide sufficient facts as to any material violation of the House or Senate rules beyond mere allegation or assertion.

(3) The number of complaints in which the committee staff conducted a preliminary inquiry.

(4) The number of complaints that staff presented to the committee with recommendations that the complaint be dismissed.

(5) The number of complaints that the staff presented to the committee with recommendation that the investigation proceed.

(6) The number of ongoing inquiries.

(7) The number of complaints that the committee dismissed for lack of substantial merit.

(8) The number of private letters of admonition or public letters of admonition issued.

(9) The number of matters resulting in a disciplinary sanction.

Subtitle C—Slowing the Revolving Door

SEC. 241. AMENDMENTS TO RESTRICTIONS ON FORMER OFFICERS, EMPLOYEES, AND ELECTED OFFICIALS OF THE EXECUTIVE AND LEGISLATIVE BRANCHES.

(a) VERY SENIOR EXECUTIVE PERSONNEL.—The matter after subparagraph (C) in section 207(d)(1) of title 18, United States Code, is amended by striking “within 1 year” and inserting “within 2 years”.

(b) RESTRICTIONS ON LOBBYING BY MEMBERS OF CONGRESS AND EMPLOYEES OF CONGRESS.—Subsection (e) of section 207 of title 18, United States Code, is amended—

(1) in paragraph (1)(A), by striking “within 1 year” and inserting “within 2 years”;

(2) by striking paragraphs (2) through (5) and inserting the following:

“(2) CONGRESSIONAL STAFF.—

“(A) PROHIBITION.—Any person who is an employee of a House of Congress and who, within 1 year after that person leaves office, knowingly makes, with the intent to influence, any communication to or appearance before any of the persons described in subparagraph (B), on behalf of any other person (except the United States) in connection with any matter on which such former employee seeks action by a Member, officer, or employee of either House of Congress, in his or her official capacity, shall be punished as provided in section 216 of this title.

“(B) CONTACT PERSONS COVERED.—Persons referred to in subparagraph (A) with respect to appearances or communications are any Member, officer, or employee of the House of Congress in which the person subject to subparagraph (A) was employed. This subparagraph shall not apply to contacts with staff of the Secretary of the Senate or the Clerk of the House of Representatives regarding compliance with lobbying disclosure requirements under the Lobbying Disclosure Act of 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.

Subtitle D—Ban on Provision of Gifts or Travel by Lobbyists in Violation of the Rules of Congress

SEC. 251. PROHIBITION ON PROVISION OF GIFTS OR TRAVEL BY REGISTERED LOBBYISTS TO MEMBERS OF CONGRESS AND TO CONGRESSIONAL EMPLOYEES.

The Lobbying Disclosure Act of 1995 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.—Persons described in subsection (b) may not make a gift or provide travel to a Member, Delegate, Resident Commissioner, 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 in subsection (a) are any lobbyist that registers under section 4(a)(1), any organization that employs 1 or more lobbyists and registers under section 4(a)(2), and any employee listed as a lobbyist by a registrant under section 4(b)(6).

“(c) PENALTY.—Any person who violates this section shall be subject to the penalties provided in section 7.”.

Subtitle E—Commission to Strengthen Confidence in Congress Act of 2007

SEC. 261. SHORT TITLE.

This subtitle may be cited as the “Commission to Strengthen Confidence in Congress Act of 2007”.

SEC. 262. ESTABLISHMENT OF COMMISSION.

There is established in the legislative branch a commission to be known as the “Commission to Strengthen Confidence in Congress” (in this subtitle referred to as the “Commission”).

SEC. 263. PURPOSES.

The purposes of the Commission are to—

(1) evaluate and report the effectiveness of current congressional ethics requirements, if penalties are enforced and sufficient, and make recommendations for new penalties;

(2) weigh the need for improved ethical conduct with the need for lawmakers to have access to expertise on public policy issues;

(3) determine whether the current system for enforcing ethics rules and standards of conduct is sufficiently effective and transparent;

(4) determine whether the statutory framework governing lobbying disclosure should be expanded to include additional means of attempting to influence Members of Congress, senior staff, and high-ranking executive branch officials;

(5) analyze and evaluate the changes made by this Act to determine whether additional changes need to be made to uphold and enforce standards of ethical conduct and disclosure requirements; and

(6) investigate and report to Congress on its findings, conclusions, and recommendations for reform.

SEC. 264. COMPOSITION OF COMMISSION.

(a) MEMBERS.—The Commission shall be composed of 10 members, of whom—

(1) the chair and vice chair shall be selected by agreement of the majority leader and minority leader of the House of Representatives and the majority leader and minority leader of the Senate;

(2) 2 members shall be appointed by the senior member of the Senate leadership of the Republican Party, 1 of which is a former member of the Senate;

(3) 2 members shall be appointed by the senior member of the Senate leadership of

the Democratic Party, 1 of which is a former member of the Senate;

(4) 2 members shall be appointed by the senior member of the leadership of the House of Representatives of the Republican Party, 1 of which is a former member of the House of Representatives; and

(5) 2 members shall be appointed by the senior member of the leadership of the House of Representatives of the Democratic Party, 1 of which is a former member of the House of Representatives.

(b) QUALIFICATIONS; INITIAL MEETING.—

(1) POLITICAL PARTY AFFILIATION.—Five members of the Commission shall be Democrats and 5 Republicans.

(2) NGOVERNMENTAL APPOINTEES.—An individual appointed to the Commission may not be an officer or employee of the Federal Government or any State or local government.

(3) OTHER QUALIFICATIONS.—It is the sense of Congress that individuals appointed to the Commission should be prominent United States citizens, with national recognition and significant depth of experience in professions such as governmental service, government consulting, government contracting, the law, higher education, historian, business, public relations, and fundraising.

(4) DEADLINE FOR APPOINTMENT.—All members of the Commission shall be appointed on a date 3 months after the date of enactment of this Act.

(5) INITIAL MEETING.—The Commission shall meet and begin the operations of the Commission as soon as practicable.

(c) QUORUM; VACANCIES.—After its initial meeting, the Commission shall meet upon the call of the chairman or a majority of its members. Six members of the Commission shall constitute a quorum. Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

SEC. 265. FUNCTIONS OF COMMISSION.

The functions of the Commission are to submit to Congress a report required by this title containing such findings, conclusions, and recommendations as the Commission shall determine, including proposing organization, coordination, planning, management arrangements, procedures, rules and regulations—

(1) related to section 263; or

(2) related to any other areas the commission unanimously votes to be relevant to its mandate to recommend reforms to strengthen ethical safeguards in Congress.

SEC. 266. POWERS OF COMMISSION.

(a) HEARINGS AND EVIDENCE.—The Commission or, on the authority of the Commission, any subcommittee or member thereof, may, for the purpose of carrying out this title hold such hearings and sit and act at such times and places, take such testimony, receive such evidence, administer such oaths.

(b) OBTAINING INFORMATION.—Upon request of the Commission, the head of any agency or instrumentality of the Federal Government shall furnish information deemed necessary by the panel to enable it to carry out its duties.

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

SEC. 267. ADMINISTRATION.

(a) COMPENSATION.—Except as provided in subsection (b), members of the Commission shall receive no additional pay, allowances, or benefits by reason of their service on the Commission.

(b) TRAVEL EXPENSES AND PER DIEM.—Each member of the Commission shall receive

travel expenses and per diem in lieu of subsistence in accordance with sections 5702 and 5703 of title 5, United States Code.

(c) STAFF AND SUPPORT SERVICES.—

(1) STAFF DIRECTOR.—

(A) APPOINTMENT.—The Chair (or Co-Chairs) in accordance with the rules agreed upon by the Commission shall appoint a staff director for the Commission.

(B) COMPENSATION.—The staff director shall be paid at a rate not to exceed the rate established for level V of the Executive Schedule under section 5315 of title 5, United States Code.

(2) STAFF.—The Chair (or Co-Chairs) in accordance with the rules agreed upon by the Commission shall appoint such additional personnel as the Commission determines to be necessary.

(3) APPLICABILITY OF CIVIL SERVICE LAWS.—The staff director and other members of the staff of the Commission shall be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and shall be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates.

(4) EXPERTS AND CONSULTANTS.—With the approval of the Commission, the staff director may procure temporary and intermittent services under section 3109(b) of title 5, United States Code.

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

(e) ADMINISTRATIVE SUPPORT SERVICES AND OTHER ASSISTANCE.—

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

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

(f) USE OF MAIls.—The Commission may use the United States mails in the same manner and under the same conditions as Federal agencies and shall, for purposes of the frank, be considered a commission of Congress as described in section 3215 of title 39, United States Code.

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

SEC. 268. SECURITY CLEARANCES FOR COMMISSION MEMBERS AND STAFF.

The appropriate Federal agencies or departments shall cooperate with the Commission in expeditiously providing to the Commission members and staff appropriate security clearances to the extent possible pursuant to existing procedures and requirements, except that no person shall be provided with access to classified information under this title without the appropriate security clearances.

SEC. 269. COMMISSION REPORTS; TERMINATION.

(a) ANNUAL REPORTS.—The Commission shall submit—

(1) an initial report to Congress not later than July 1, 2007; and

(2) annual reports to Congress after the report required by paragraph (1); containing such findings, conclusions, and recommendations for corrective measures as have been agreed to by a majority of Commission members.

(b) REPORT REGARDING POLITICAL CONTRIBUTIONS.—

(1) **IN GENERAL.**—Not later than 6 months after the date of enactment of this Act, the Commission shall submit a report to Congress detailing the number, type, and quantity of contributions made to Members of the Senate or the House of Representatives during the 30-month period beginning on the date that is 24 months before the date of enactment of the Acts identified in paragraph (2) by the corresponding organizations identified in paragraph (2).

(2) **ORGANIZATIONS AND ACTS.**—The report submitted under paragraph (1) shall detail the number, type, and quantity of contributions made to Members of the Senate or the House of Representatives as follows:

(A) For the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (Public Law 108-173; 117 Stat. 2066), any contribution made during the time period described in paragraph (1) by or on behalf of a political action committee associated or affiliated with—

(i) a pharmaceutical company; or
(ii) a trade association for pharmaceutical companies.

(B) For the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 (Public Law 109-8; 119 Stat. 23), any contribution made during the time period described in paragraph (1) by or on behalf of a political action committee associated or affiliated with—

(i) a bank or financial services company;
(ii) a company in the credit card industry; or

(iii) a trade association for any such companies.

(C) For the Energy Policy Act of 2005 (Public Law 109-58; 119 Stat. 594), any contribution made during the time period described in paragraph (1) by or on behalf of a political action committee associated or affiliated with—

(i) a company in the oil, natural gas, nuclear, or coal industry; or

(ii) a trade association for any such companies.

(D) For the Dominican Republic-Central America-United States Free Trade Agreement Implementation Act (Public Law 109-53; 119 Stat. 462), any contribution made during the time period described in paragraph (1) by or on behalf of a political action committee associated or affiliated with—

(i) the United States Chamber of Commerce, the National Association of Manufacturers, the Business Roundtable, the National Federation of Independent Business, the Emergency Committee for American Trade, or any member company of such entities; or

(ii) any other free trade organization funded primarily by corporate entities.

(3) **AGGREGATE REPORTING.**—The report submitted under paragraph (1)—

(A) shall not list the particular Member of the Senate or House of Representative that received a contribution; and

(B) shall report the aggregate amount of contributions given by each entity identified in paragraph (2) to—

(i) Members of the Senate during the time period described in paragraph (1) for the corresponding Act identified in paragraph (2); and

(ii) Members of the House of Representatives during the time period described in

paragraph (1) for the corresponding Act identified in paragraph (2).

(4) **DEFINITIONS.**—In this subsection—

(A) the terms “authorized committee”, “candidate”, “contribution”, “political committee”, and “political party” have the meanings given such terms in section 301 of the Federal Election Campaign Act of 1971 (2 U.S.C. 431); and

(B) the term “political action committee” means any political committee that is not—

(i) a political committee of a political party; or

(ii) an authorized committee of a candidate.

(c) **ADMINISTRATIVE ACTIVITIES.**—During the 60-day period beginning on the date of submission of each annual report and the final report under this section, the Commission shall—

(1) be available to provide testimony to committeees of Congress concerning such reports; and

(2) take action to appropriately disseminate such reports.

(d) **TERMINATION OF COMMISSION.**—

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

(2) **TERMINATION.**—The Commission, and all the authorities of this title, shall terminate 60 days after the date on which the final report is submitted under paragraph (1), and the Commission may use such 60-day period for the purpose of concluding its activities.

SEC. 270. FUNDING.

There are authorized such sums as necessary to carry out this title.

TITLE III—CONGRESSIONAL PENSION ACCOUNTABILITY

SEC. 301. SHORT TITLE.

This title may be cited as the “Congressional Pension Accountability Act”.

SEC. 302. DENIAL OF RETIREMENT BENEFITS.

(a) **IN GENERAL.**—Section 8312(a) of title 5, United States Code, is amended—

(1) by striking “or” at the end of paragraph (1), by striking the period at the end of paragraph (2) and inserting “; or”, and by inserting after paragraph (2) the following:

“(3) was convicted of an offense described in subsection (d), to the extent provided by that subsection.”; and

(2) by striking “and” at the end of subparagraph (A), by striking the period at the end of subparagraph (B) and inserting “; and”, and by inserting after subparagraph (B) the following:

“(C) with respect to the offenses described in subsection (d), to the period after the date of conviction.”.

(b) **OFFENSES DESCRIBED.**—Section 8312 of such title 5 is amended by redesignating subsection (d) as subsection (e), and by inserting after subsection (c) the following:

“(d) The offenses to which subsection (a)(3) applies are the following:

“(1) An offense within the purview of—

“(A) section 201 of title 18 (bribery of public officials and witnesses); or

“(B) section 371 of title 18 (conspiracy to commit offense or to defraud United States), to the extent of any conspiracy to commit an act which constitutes an offense within the purview of such section 201.

“(2) Perjury committed under the statutes of the United States or the District of Columbia in falsely denying the commission of any act which constitutes an offense within the purview of a statute named by paragraph (1), but only in the case of the statute named by subparagraph (B) of paragraph (1).

“(3) Subornation of perjury committed in connection with the false denial or false testimony of another individual as specified by paragraph (2).

An offense shall not be considered to be an offense described in this subsection except if or to the extent that it is committed by a Member of Congress (as defined by section 2106, including a Delegate to Congress).”.

(c) **ABSENCE FROM UNITED STATES TO AVOID PROSECUTION.**—Section 8313(a)(1) of such title 5 is amended by striking “or” at the end of subparagraph (A), by striking “and” at the end of subparagraph (B) and inserting “or”, and by adding at the end the following:

“(C) for an offense described under subsection (d) of section 8312; and”.

(d) **NONACCRUAL OF INTEREST ON REFUNDS.**—Section 8316(b) of such title 5 is amended by striking “or” at the end of paragraph (1), by striking the period at the end of paragraph (2) and inserting “; or”, and by adding at the end the following:

“(3) if the individual was convicted of an offense described in section 8312(d), for the period after the conviction.”.

SEC. 303. CONSTITUTIONAL AUTHORITY.

The Constitutional authority for this title is the power of Congress to make all laws which shall be necessary and proper as enumerated in Article I, Section 8 of the United States Constitution, and the power to ascertain compensation for Congressional service under Article I, Section 6 of the United States Constitution.

SEC. 304. EFFECTIVE DATE.

This title, including the amendments made by this title, shall take effect on January 1, 2009 and shall apply with respect to convictions for offenses committed on or after the date of enactment of this Act.

TITLE IV—GENERAL PROVISIONS

SEC. 401. KNOWING AND WILLFUL FALSIFICATION OR FAILURE TO REPORT.

Section 104(a) of the Ethics in Government Act of 1978 (5 U.S.C. App.) is amended—

(1) by inserting “(1)” after “(a)”; and

(2) in paragraph (1), as so designated, by striking “\$10,000” and inserting “\$50,000”; and

(3) by adding at the end the following:

“(2)(A) It shall be unlawful for any person to knowingly and willfully falsify, or to knowingly and willingly fails to file or report, any information that such person is required to report under section 102.

“(B) Any person who violates subparagraph (A) shall be fined under title 18, United States Code, imprisoned for not more than 1 year, or both.”.

SEC. 402. PUBLIC AVAILABILITY OF SENATE COMMITTEE AND SUBCOMMITTEE MEETINGS.

(a) **IN GENERAL.**—Paragraph 5(e) of rule XXVI of the Standing Rules of the Senate is amended by—

(1) by inserting after “(e)” the following:

“(1); and

(2) by adding at the end the following:

“(2) Except with respect to meetings closed in accordance with this rule, each committee and subcommittee shall make publicly available through the Internet a video recording, audio recording, or transcript of any meeting not later than 14 business days after the meeting occurs.”.

(b) **EFFECTIVE DATE.**—This section shall take effect October 1, 2007.

SEC. 403. 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 in the

Member's home State 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 meals provided the Member, officer or employee 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 primarily by a group of at least 5 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).

SEC. 404. PROHIBITION ON FINANCIAL GAIN FROM EARMARKS BY MEMBERS, IMMEDIATE FAMILY OF MEMBERS, STAFF OF MEMBERS, OR IMMEDIATE FAMILY OF STAFF OF MEMBERS.

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

“(5) (a) No Member shall use his official position to introduce, request, or otherwise aid the progress or passage of a congressional earmark that will financially benefit or otherwise further the pecuniary interest of such Member, the spouse of such Member, the immediate family member of such Member, any employee on the staff of such Member, the spouse of an employee on the staff of such Member, or immediate family member of an employee on the staff of such Member.

“(b) For purposes of this paragraph—

“(1) the term 'immediate family member' means the son, daughter, stepson, stepdaughter, son-in-law, daughter-in-law, mother, father, stepmother, stepfather, mother-in-law, father-in-law, brother, sister, stepbrother, or stepsister of a Member or any employee on the staff (including staff in personal, committee and leadership offices) of a Member; and

“(2) the term 'congressional earmark' means—

“(A) a provision or report language included 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;

“(B) any revenue-losing provision that—

“(i) provides a Federal tax deduction, credit, exclusion, or preference to 10 or fewer

beneficiaries under the Internal Revenue Code of 1986; and

“(ii) contains eligibility criteria that are not uniform in application with respect to potential beneficiaries of such provision;

“(C) any Federal tax provision which provides one beneficiary temporary or permanent transition relief from a change to the Internal Revenue Code of 1986; and

“(D) any provision modifying the Harmonized Tariff Schedule of the United States in a manner that benefits 10 or fewer entities.”

SEC. 405. 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 read and identical copies shall be provided by the Senator offering the amendment or instruction to the desks of the Majority Leader and the Minority Leader 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.”

SEC. 406. 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 without fee or without access charge, 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.

Mr. DURBIN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

PROVIDING FOR A CONDITIONAL ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consider-

ation of H. Con. Res. 41, just received from the House and at the desk.

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

The clerk will report.

The legislative clerk read as follows:

A House concurrent resolution (H. Con. Res. 41) providing for a conditional adjournment of the House of Representatives.

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

Mr. DURBIN. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to, the motion to reconsider be laid upon the table, without any intervening action or debate.

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

The concurrent resolution (H. Con. Res. 41) was agreed to.

HOUSE PAGE BOARD REVISION ACT OF 2007

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate now proceed to the immediate consideration of H.R. 475, received from the House and at the desk.

The PRESIDING OFFICER. The clerk will state the bill by title.

The legislative clerk read as follows:

A bill (H.R. 475) to revise the composition of the House of Representatives Page Board to equalize the number of members representing the majority and minority parties and to include a member representing the parents of pages and a member representing former pages, and for other purposes.

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

Mr. DURBIN. Mr. President, I ask unanimous consent that the bill be read the third time and passed, the motion to reconsider be laid upon the table, and that any statements relating thereto be printed in the RECORD as if read, with no intervening action.

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

The bill (H.R. 475) was ordered to a third reading, was read the third time, and passed.

ORDER FOR RECESS AND ORDERS FOR WEDNESDAY, JANUARY 24, 2007

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate now stand in recess until 8:30 p.m. this evening and that at 8:40 p.m., Members then proceed as a body to the House of Representatives for the State of the Union Address; that upon the conclusion of the address, the Senate then stand adjourned until 9:30 a.m., Wednesday, January 24; that on Wednesday, following the prayer and pledge, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day; that there then be a period for the transaction of morning business until 10:30 a.m., with the time equally divided and controlled between the majority and Republican leaders or their