

(1) the term “creditable service” means service that is creditable under chapter 83 or 84 of title 5, United States Code;

(2) the term “lobbyist” has the meaning given that term in section 3 of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1602);

(3) the term “Member of Congress” has the meaning given that term in section 2106 of title 5, United States Code; and

(4) the term “remuneration” includes salary and any payment for services not otherwise identified as salary, such as consulting fees, honoraria, and paid authorship.

(b) FORFEITURE OF CREDIT FOR SERVICE.—Any service as a Member of Congress shall not be creditable service if the Member of Congress, after serving as a Member of Congress—

(1) becomes a registered lobbyist;

(2) accepts any remuneration from a company or other private entity that employs registered lobbyists; or

(3) accepts any remuneration from a company or other private entity that does business with the Federal Government.

Mr. PAUL. This amendment will address some of the situations that are concerning the American people. I think the ability to serve in the Senate is a great honor. The ability to serve in the House of Representatives is a great honor. But I am somewhat sickened and somewhat saddened by people who use their office, who leave office and become lobbyists, who leave office and call themselves historians but basically leave office and peddle the friendships they have found here and the relationships to make money. I think it is hard to prevent people from being lobbyists. But I think if people choose to leave the Senate and leave the House of Representatives and become lobbyists, they should give up something. These people are making millions of dollars lobbying Congress. I think maybe they should give up their pension. Maybe they should give up the health benefits that are subsidized by the taxpayer.

If someone is going to use their position as an ex-Senator or as an ex-Congressman to enrich themselves, maybe they should have to give up some of those perks they accumulated while in office. So this amendment would say that if you go out and become a lobbyist, you have to give up your pension and you have to give up your health benefits and you need to pay for them yourself. I think this is the least we can ask.

I think we have a great deal of coverage now talking about people who are either lobbyists or not or whether they are historians. The bottom line is we have a lot of people peddling their friendship and their influence for monetary gain, and I do not think the taxpayers should be subsidizing that.

I yield the floor and 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.

Ms. COLLINS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Ms. COLLINS. Madam President, I thought I would bring our colleagues up to date on what is going on this evening, as it is getting late. We are close, I believe, to working out an agreement for a vote on an amendment that was offered by Senator PAUL earlier. It has to do with extending to executive branch officials the same kind of reporting requirement to ban insider trading that would apply to Members of Congress and their staffs. It is an amendment that enjoys the support of both managers and the principal authors of this bill.

We are trying to make sure, however, that we narrow the amendment so that it applies to top-level Federal employees and not to low-level Federal employees, who have no policy responsibilities. So we were looking at limiting it to Senate-confirmed positions. The problem with that is it brings in all of the military appointments that are Senate confirmed, so we want to make sure we exclude those individuals who are clearly not the target of the amendment.

We continue to work—the managers, the sponsors of the bill, and the sponsor of the amendment, Senator PAUL—in order to refine his amendment. It is still our hope that we can reach that compromise and have a rollcall vote tonight. We will keep our colleagues informed about whether it will be possible to complete the drafting that would be needed to modify his amendment.

AMENDMENT NO. 1490

In the meantime, I want to talk very briefly about an amendment Senator PAUL filed, his amendment No. 1490. This is an amendment that would require former Members of Congress to forfeit their Federal retirement benefits if they work as a lobbyist or even engage in any lobbying activity—regardless, I might say, of whether they served 40 years in this body.

I also note that the language in this amendment is extraordinarily broad. For example, the definition of remuneration includes salaries, any payment for services not otherwise identified as salary, such as consulting fees, honoraria, and paid authorship. Think about that. As I read the language, a former Member of Congress who writes a book would be in danger of forfeiting his or her pension. In other words, this is going to apply to authors. It mentions honoraria, so if a former Member of Congress gives a speech and receives \$1,000 for giving that speech, that former Member is going to forfeit his or her pension—earned pension?

I don't even know that this would pass constitutional muster. But there is certainly a fairness issue, it seems to me. I don't know if the intent of the Senator from Kentucky was to draft this as broadly as he did to include and define as remuneration paid authorship. In other words, if you wrote a book—and it would not even have to be a book; what if you wrote a newspaper article or an op-ed for the Washington

Post and received \$250 for that? Do you forfeit the Federal pension? What if you worked in the private sector for a number of years, worked in State government for a number of years, and then worked for a few years serving the people of this country in Congress? Would you then forfeit your pension if you provided some lobbying activities? If you wrote a book? If you gave a speech for money? This is extraordinarily broad.

I see the Senate majority leader is on the floor, so I will stop discussing this amendment. I did want our colleagues to actually read the text of this amendment before we ever vote on it.

It defines remuneration not just as salary or payment for services not otherwise identified as salary, but consulting fees, honoraria, and paid authorship. In other words, if after being in Congress you wrote a book or you wrote an op-ed for which you were paid, you forfeit your Federal pension because you did some lobbying activities? This strikes me as a very sweeping amendment that does not belong on this bill.

The PRESIDING OFFICER. The majority leader.

Mr. REID. I am happy to hear what that amendment does, and I thank the Senator.

COMMENDING ALAN S. FRUMIN ON HIS SERVICE TO THE UNITED STATES SENATE

Mr. REID. Madam President, I ask unanimous consent that the Senate now proceed to S. Res. 359.

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

Mr. REID. I ask the clerk to read the entire resolution.

The PRESIDING OFFICER. The clerk will read the resolution.

The assistant legislative clerk read as follows:

Whereas Alan S. Frumin, a native of New Rochelle, New York, and graduate of Colgate University and Georgetown University Law Center, began his long career with the Congress in the House of Representatives precedents writing office in April of 1974;

Whereas Alan S. Frumin began work with the Secretary of the Senate's Office of the Senate Parliamentarian on January 1, 1977, serving under eight Majority Leaders;

Whereas Alan S. Frumin served the Senate as its Parliamentarian from 1987 to 1995 and from 2001 to 2012 and has been Parliamentarian Emeritus since 1997;

Whereas Alan S. Frumin revised the Senate's book on procedure, “Riddick's Senate Procedure,” and is the only sitting Parliamentarian to have published a compilation of the body's work;

Whereas Alan S. Frumin has shown tremendous dedication to the Senate during his 35 years of service;

Whereas Alan S. Frumin has earned the respect and affection of the Senators, their staffs, and all of his colleagues for his extensive knowledge of all matters relating to the Senate, his fairness and thoughtfulness;

Whereas Alan S. Frumin now retires from the Senate after 35 years to spend more time with his wife, Jill, and his daughter, Allie; Now, therefore, be it

Resolved, That the Senate expresses its appreciation to Alan S. Frumin and commends him for his lengthy, faithful and outstanding service to the Senate.

Resolved, That the Secretary of the Senate shall transmit a copy of this resolution to Alan S. Frumin.

Mr. REID. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

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

The resolution (S. Res. 359) was agreed to.

The preamble was agreed to.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Madam President, I want to join in saluting Alan for his many years of work. He is someone all of us know to be an honest broker, who calls them as he sees them, who withstands at times tremendous pressures, and who has extraordinary knowledge that all of us have come to rely upon.

On behalf of the Republican side of the aisle, I am sure I am speaking for our Members as well in saluting Alan and wishing him well, and thanking him for his many years of dedicated public service.

We wish you well.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Madam President, I would be remiss if I didn't say a word of thanks to Alan Frumin for his service to the Senate.

When I first came to the Senate in 1989 and had the privilege to occupy the chair, I had two great mentors. One was the great Senator from West Virginia, Robert C. Byrd, and the other was Alan Frumin. Both were steadfastly reliable.

I was just one of many who sat in the chair. We are often asked questions whose answers do not immediately spring to mind, and there was a voice that I heard—in this case, it was not from above but from slightly below—that clarified exactly what the rules of the Senate required.

Alan has been a true and faithful public servant, has held himself to the highest standards, and helped this inherently unruly body to be ruly. For that, I thank him and wish him well in his next chapter of life.

Mr. COCHRAN. Mr. President, I am pleased to join the leader and other Senators on both sides of the aisle as we congratulate Alan Frumin on his impressive service as our Parliamentarian which was characterized by the dutiful and trustworthy performance of his duties.

We wish for him much continued success in the years ahead.

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

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

STOP TRADING ON CONGRESSIONAL KNOWLEDGE ACT OF 2012—Continued

Mr. DURBIN. Pending before the Senate is the STOCK Act, and the purpose is one that I support. It is a bill I cosponsored.

The notion behind it is that Members of Congress should not use their public service or information gained in their public service for private benefit. It basically outlaws the type of insider trading and conflict of interest that should be a standard and will be a standard after this is enacted into law.

Amendments have been proposed to this measure, and there is one in particular I heard about earlier and asked for a copy of. This is an amendment proposed by the Senator from Kentucky, Mr. PAUL. It is an amendment which talks about Members of Congress forfeiting their Federal retirement benefits and the conditions under which they would forfeit their Federal retirement benefits. Understand that these are Members of Congress who have completed enough service in the Congress to qualify for a pension. It is my understanding that is about 6 years. So at a minimum of 6 years of service, Members of Congress receive some pension benefit. Certainly those benefits increase the longer they serve.

This bill would disqualify them from pensions they have been credited and earned as Members of Congress under three conditions:

First, should they decide after they have served in Congress to serve as a registered lobbyist. That in and of itself is breathtaking. To think that if a person should decide after service in Congress to become a registered lobbyist—with or without compensation I might add, for perhaps a nonprofit organization—they would forfeit their Federal pension. That in and of itself is unacceptable and inexplicable, but then it gets worse.

This amendment goes on to say that a Member of Congress, retired, forfeits his Federal pension if he accepts any kind of remuneration, which could be a salary, a consulting fee, even an honorarium for giving a speech, from any company or other private entity that employs a registered lobbyist.

Think about that for a second. If a retired Member of Congress in Illinois should give a speech to a gathering of the management of Caterpillar Tractor Company in Peoria about their experience in Congress and their views on issues in Washington, give a speech and receive any compensation for giving that speech, they would forfeit their Federal pension because Caterpillar has a paid lobbyist in Washington.

Then it gets worse. The third provision says that a retired Member of Congress would forfeit their pension if they accept that remuneration from any company or private entity that does

business with the Federal Government. Is using the mail service doing business with the Federal Government? Would most businesses in America, therefore, be doing business with the Federal Government because they use the mail service? If so, if I take compensation from that company, I forfeited my Federal pension?

What is the purpose of this, other than just to basically harass Members of Congress in their retirement?

There are certainly situations where a person could forfeit their pension based on misconduct, for example, or convictions for crime. That is understandable. But this has gone way too far. I hope Members of the Senate will read this amendment—it is very brief, two pages long—and in reading it realize this is something that should not be offered and if offered should be defeated. It does nothing to make this a better place to serve. It raises serious questions about the rights of individuals who have served the Nation in Congress and what they are going to do after they leave the service of the United States.

I urge my colleagues to defeat the amendment offered by the Senator from Kentucky and I yield the floor.

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.

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

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

Ms. STABENOW. Mr. President, I rise today to speak about the STOCK Act. I wish to start by thanking the leaders on the floor, Senator LIEBERMAN and Senator COLLINS, for their hard work and leadership in bringing this bill to the floor. There should not be any question that Members of Congress should be held accountable to the same laws to which every other American is held.

That is why in November Senator GILLIBRAND, Senator TESTER, and I introduced the STOCK Act to prohibit Members of Congress from engaging in insider trading. This bill is common sense. The American people deserve to know that their representatives in Congress are doing what is right for the country and not trying to strike it rich by trading on insider information.

My constituents are certainly wondering why this isn't law already, and that is a good question. It certainly is a question I asked myself last year when there were news reports raising this issue, and I was very pleased to join immediately with my colleagues to put forward this legislation to make it absolutely clear that insider trading by Members of Congress is in violation of the law.

I wish to thank, as I indicated before, the Senator from Connecticut and the Senator from Maine for moving this