

Sánchez, Linda T.
 Sanchez, Loretta
 Sanders
 Schakowsky
 Schiff
 Schwartz (PA)
 Scott (GA)
 Scott (VA)
 Serrano
 Sherman
 Skelton
 Slaughter
 Smith (WA)

ANSWERED "PRESENT"—1

McHugh

NOT VOTING—25

Brown, Corrine
 Camp (MI)
 Davis (FL)
 Doolittle
 Evans
 Ford
 Gibbons
 Higgins
 Hunter

□ 1149

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PALESTINIAN ANTI-TERRORISM ACT OF 2006

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and passing the bill, H.R. 4681, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and pass the bill, H.R. 4681, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 361, nays 37, answered "present" 9, not voting 25, as follows:

[Roll No. 181]

YEAS—361

Ackerman
 Aderholt
 Akin
 Alexander
 Allen
 Andrews
 Baca
 Bachus
 Baird
 Baker
 Baldwin
 Barrett (SC)
 Barrow
 Bartlett (MD)
 Barton (TX)
 Bass
 Bean
 Beauprez
 Berkley
 Berman
 Berry
 Biggert
 Bilirakis
 Bishop (GA)
 Bishop (NY)
 Bishop (UT)
 Blackburn
 Blunt
 Boehlert
 Boehner
 Bonilla
 Bonner

Velázquez
 Visclosky
 Wasserman
 Schultz
 Tanner
 Waters
 Watson
 Watt
 Waxman
 Weiner
 Tierney
 Woolsey
 Wu
 Wynn

Dreier
 Duncan
 Edwards
 Ehlers
 Emanuel
 Emerson
 Engel
 English (PA)
 Etheridge
 Everrett
 Fattah
 Feeney
 Ferguson
 Filner
 Fitzpatrick (PA)
 Flake
 Foley
 Forbes
 Fortenberry
 Fossella
 Foxx
 Frank (MA)
 Franks (AZ)
 Frelinghuysen
 Gallegly
 Garrett (NJ)
 Gerlach
 Gillmor
 Gingrey
 Gohmert
 Gonzalez
 Goode
 Goodlatte
 Gordon
 Granger
 Graves
 Green (WI)
 Green, Gene
 Gutknecht
 Hall
 Harman
 Harris
 Hart
 Hastings (FL)
 Hastings (WA)
 Hayes
 Hayworth
 Hefley
 Hensarling
 Hergert
 Herseth
 Hinojosa
 Hobson
 Hoekstra
 Holden
 Holt
 Honda
 Hooley
 Hostettler
 Hoyer
 Hulshof
 Hyde
 Inglis (SC)
 Inslee
 Israel
 Jackson-Lee (TX)
 Jefferson
 Jindal
 Johnson (CT)
 Johnson (IL)
 Johnson, Sam
 Jones (OH)
 Kanjorski
 Keller
 Kelly
 Kennedy (MN)
 Kildee
 Kind
 King (IA)
 King (NY)
 Kingston
 Kirk
 Kline
 Knollenberg
 Kuhl (NY)
 Langevin
 Lango
 Larsen (WA)
 Latham

NAYS—37

Abercrombie
 Becerra
 Blumenauer
 Capps
 Capuano
 Conyers

LaTourette
 Leach
 Levin
 Lewis (CA)
 Lewis (KY)
 Linder
 Lipinski
 LoBiondo
 Lofgren, Zoe
 Lowey
 Lucas
 Lungren, Daniel E.
 Lynch
 Mack
 Maloney
 Manzullo
 Marchant
 Markey
 Matheson
 Matsui
 McCarthy
 McCaul (TX)
 McCotter
 McHenry
 McHugh
 McIntyre
 McKeon
 McMorris
 McNulty
 Meehan
 Meek (FL)
 Meeke (NY)
 Melancon
 Mica
 Michaud
 Millender-McDonald
 Miller (FL)
 Miller (MI)
 Miller (NC)
 Miller, Gary
 Mollohan
 Moore (KS)
 Moran (KS)
 Murphy
 Murtha
 Musgrave
 Myrick
 Nadler
 Neal (MA)
 Neugebauer
 Ney
 Northup
 Norwood
 Nunes
 Nussle
 Oberstar
 Oliver
 Ortiz
 Osborne
 Otter
 Owens
 Oxley
 Pallone
 Pascrell
 Pastor
 Pearce
 Pelosi
 Pence
 Peterson (MN)
 Petri
 Pitts
 Platts
 Pomeroy
 Porter
 Price (GA)
 Pryce (OH)
 Putnam
 Radanovich
 Ramstad
 Rangel
 Regula
 Reichert
 Renzi
 Reyes
 Reynolds
 Rogers (AL)
 Rogers (KY)
 Rogers (MI)
 Rohrabacher

NAYS—37

DeFazio
 Dingell
 Doggett
 Eshoo
 Farr
 Gilchrest

Kucinich
 LaHood
 Lee
 Marshall
 McCollum (MN)
 McDermott
 McGovern

ANSWERED "PRESENT"—9

Carson
 Clay
 Davis (IL)

NOT VOTING—25

Brown, Corrine
 Camp (MI)
 Davis (FL)
 Doolittle
 Evans
 Ford
 Gibbons
 Higgins
 Hunter

□ 1157

Mr. PAYNE changed his vote from "nay" to "present."

So (two-thirds of those voting having responded in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. RUPPERSBERGER. Mr. Speaker, on rollcall No. 181 I was unavoidably detained in a meeting with some of my constituents. Had I been present, I would have voted "yea."

PERSONAL EXPLANATION

Mr. HIGGINS. Mr. Speaker, I missed three rollcall votes this morning, Tuesday, May 23, 2006.

On roll No. 179 regarding the Previous Question for the Agricultural, Rural Development, FDA and related agencies Appropriations Act, I would have voted "no."

On roll No. 180 regarding the Rule for the consideration of H.R. 5384—Agricultural, Rural Development, FDA and related agencies Appropriations Act (Rules), I would have voted "no."

On roll No. 181 regarding H.R. 4681—Palestinian Anti-Terrorism Act of 2006, I would have voted "yea."

PERSONAL EXPLANATION

Mr. POMBO. Mr. Speaker, I was unable to vote today on the House floor. I take my responsibility to vote very seriously.

Had I been present, I would have voted "yea" on rollcall 179; "yea" on rollcall 180, or H. Res. 380, the Rule for consideration of H.R. 5384, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2007; and "yea" on rollcall 181, or H.R. 4681, the Palestinian Anti-Terrorism Act. On March 9, 2006 I joined 295 of my colleagues in the House in support of H.R. 4681.

LEGISLATIVE TRANSPARENCY AND ACCOUNTABILITY ACT OF 2006

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 2349) to provide greater

transparency in the legislative process, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 2349

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 2006

- Sec. 101. Short title.
 Sec. 102. Out of scope matters in conference reports.
 Sec. 103. Earmarks.
 Sec. 104. Availability of conference reports on the Internet.
 Sec. 105. Elimination of floor privileges for former members, Senate officers, and Speakers of the House who are lobbyists or seek financial gain.
 Sec. 106. Ban on gifts from lobbyists.
 Sec. 107. Travel restrictions and disclosure.
 Sec. 108. Post employment restrictions.
 Sec. 109. Public disclosure by Members of Congress of employment negotiations.
 Sec. 110. Prohibit official contact with spouse or immediate family member of Member who is a registered lobbyist.
 Sec. 111. Influencing hiring decisions.
 Sec. 112. Sense of the Senate that any applicable restrictions on Congressional branch employees should apply to the Executive and Judicial branches.
 Sec. 113. Amounts of COLA adjustments not paid to certain Members of Congress.
 Sec. 114. Requirement of notice of intent to proceed.
 Sec. 115. Effective date.
- #### TITLE II—LOBBYING TRANSPARENCY AND ACCOUNTABILITY ACT OF 2006
- Sec. 201. Short title.
 Subtitle A—Enhancing Lobbying Disclosure
 Sec. 211. Quarterly filing of lobbying disclosure reports.
 Sec. 212. Annual report on contributions.
 Sec. 213. Public database of lobbying disclosure information.
 Sec. 214. Disclosure by registered lobbyists of all past executive and congressional employment.
 Sec. 215. Disclosure of lobbyist travel and payments.
 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. Disclosure of paid efforts to stimulate grassroots lobbying.
 Sec. 221. Electronic filing and public database for lobbyists for foreign governments.
 Sec. 222. 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 2006

- 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 I—LEGISLATIVE TRANSPARENCY AND ACCOUNTABILITY ACT OF 2006

SEC. 101. SHORT TITLE.

This title may be cited as the “Legislative Transparency and Accountability Act of 2006”.

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

(a) IN GENERAL.—A point of order may be made by any Senator against consideration of a conference report that includes any matter not committed to the conferees by either House. The point of order shall be made and voted on separately for each item in violation of this section.

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

- (1) the matter in such conference report shall be deemed to have been struck;
 (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 not deemed to have been struck;

(B) the question shall be debatable; and
 (C) no further amendment shall be in order; and

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

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

SEC. 103. EARMARKS.

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

“RULE XLIV “EARMARKS

“1. In this rule—

“(1) the term ‘earmark’ means a provision that specifies the identity of a non-Federal entity to receive assistance and the amount of the assistance; and

“(2) the term ‘assistance’ means budget authority, contract authority, loan authority, and other expenditures, and tax expenditures or other revenue items.

“2. It shall not be in order to consider any Senate bill or Senate amendment or conference report on any bill, including an appropriations bill, a revenue bill, and an authorizing bill, unless a list of—

- “(1) all earmarks in such measure;
 “(2) an identification of the Member or Members who proposed the earmark; and
 “(3) an explanation of the essential governmental purpose for the earmark;

is available along with any joint statement of managers associated with the measure to all Members and made available on the Internet to the general public for at least 48 hours before its consideration.”.

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. 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.”.

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

Rule XXIII 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 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.”.

SEC. 106. BAN ON GIFTS FROM LOBBYISTS.

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

- (1) inserting “(A)” after “(2)”; and
(2) adding at the end the following:

“(B) This clause shall not apply to a gift from a registered lobbyist or an agent of a foreign principal.”.

SEC. 107. TRAVEL RESTRICTIONS AND DISCLOSURE.

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

“(f)(1) Before a Member, officer, or employee may accept transportation or lodging otherwise permissible under this paragraph from any person, other than a governmental entity, such Member, officer, or employee shall—

“(A) obtain a written certification from such person (and provide a copy of such certification to the Select Committee on Ethics) that—

“(i) the trip was not financed in whole, or in part, by a registered lobbyist or foreign agent;

“(ii) the person did not accept, directly or indirectly, funds from a registered lobbyist or foreign agent specifically earmarked for the purpose of financing the travel expenses;

“(iii) the trip was not planned, organized, or arranged by or at the request of a registered lobbyist or foreign agent; and

“(iv) registered lobbyists will not participate in or attend the trip;

“(B) provide the Select Committee on Ethics (in the case of an employee, from the supervising Member or officer), in writing—

“(i) a detailed itinerary of the trip; and

“(ii) a determination that the trip—

“(I) is primarily educational (either for the invited person or for the organization sponsoring the trip);

“(II) is consistent with the official duties of the Member, officer, or employee;

“(III) does not create an appearance of use of public office for private gain; and

“(iii) has a minimal or no recreational component; and

“(C) obtain written approval of the trip from the Select Committee on Ethics.

“(2) Not later than 30 days after completion of travel, approved under this subparagraph, the Member, officer, or employee shall file with the Select Committee on Ethics and the Secretary of the Senate a description of meetings and events attended during such travel and the names of any registered lobbyist who accompanied the Member, officer, or employee during the travel, except when disclosure of such information is deemed by the Member or supervisor under whose direct supervision the employee is employed to jeopardize the safety of an individual or adversely affect national security. Such information shall also be posted on the Member's official website not later than 30 days after the completion of the travel, except when disclosure of such information is deemed by the Member to jeopardize the safety of an individual or adversely affect national security.”.

(b) DISCLOSURE OF NONCOMMERCIAL AIR TRAVEL.—

(1) RULES.—Paragraph 2 of rule XXXV of the Standing Rules of the Senate, as amended by subsection (a), is amended by adding at the end the following:

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

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

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

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

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

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

(C) by adding at the end the following:

“(9) in the case of a principal campaign committee of a candidate (other than a candidate for election to the office of President or Vice President), any flight taken by the candidate (other than a flight designated to transport the President, Vice President, or a candidate for election to the office of President or Vice President) during the reporting period on an aircraft that is not licensed by the Federal Aviation Administration to operate for compensation or hire, together with the following information:

“(A) The date of the flight.

“(B) The destination of the flight.

“(C) The owner or lessee of the aircraft.

“(D) The purpose of the flight.

“(E) The persons on the flight, except for any person flying the aircraft.”.

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

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

SEC. 108. 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. 109. PUBLIC DISCLOSURE BY MEMBERS OF CONGRESS OF EMPLOYMENT NEGOTIATIONS.

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

“14. A Member shall not directly negotiate or have any arrangement concerning prospective private employment until after the election for his or her successor has been held, 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.”.

SEC. 110. 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) 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. 111. 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. 112. 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. 113. 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, 2007.

SEC. 114. 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. 115. 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 2006

SEC. 201. SHORT TITLE.

This title may be cited as the “Legislative Transparency and Accountability Act of 2006”.

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”;

(B) by striking “the semiannual period” and all that follows through “July of each year” and inserting “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 day if that day is not a business day”; and

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

(2) in subsection (b)—

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

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

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

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

(b) CONFORMING AMENDMENTS.—

(1) DEFINITION.—Section 3(10) of the 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. ANNUAL REPORT ON CONTRIBUTIONS.

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

“(d) ANNUAL REPORT ON CONTRIBUTIONS.—Not later than 45 days after the end of the quarterly period beginning on the first day of October of each year referred to in subsection (a), a lobbyist registered under section 4(a)(1), or an employee who is a lobbyist of an organization registered under section 4(a)(2), shall file a report with the Secretary of the Senate and the Clerk of the House of Representatives containing—

“(1) the name of the lobbyist;

“(2) the employer of the lobbyist;

“(3) the name of each Federal candidate or officeholder, leadership PAC, or political party committee, to whom a contribution equal to or exceeding \$200 was made within the past year, and the date and amount of such contribution; and

“(4) the name of each Federal candidate or officeholder, leadership PAC, or political party committee for whom a fundraising event was hosted, co-hosted, or otherwise sponsored, within the past year, and the date and location of the event.”.

SEC. 213. 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. 214. 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. 215. DISCLOSURE OF LOBBYIST TRAVEL AND PAYMENTS.

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 the following:

“(5) the name of each covered legislative branch official or covered executive branch official for whom the registrant provided, or directed or arranged to be provided, or the employee listed as a lobbyist directed or arranged 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—

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

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

“(C) the names of any registrant or individual employed by the registrant who traveled on any such trip;

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

“(E) the identity of any person or entity, other than the listed sponsor or sponsors of the travel, which directly or indirectly provided for payment of travel and related expenses at the request or suggestion of the registrant or the employee;

“(6) the date, recipient, and amount of funds contributed or disbursed by, or arranged by, a registrant or employee listed as a lobbyist—

“(A) to pay the costs of an event to honor or recognize a covered legislative branch official or covered executive branch official;

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

“(C) 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

“(D) 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;

except that this paragraph shall not apply to any payment or reimbursement made from funds required to be reported under section 304 of the Federal Election Campaign Act of 1971 (2 U.S.C. 434); and

“(7) the date, recipient, and amount of any gift (that under the rules of the House of Representatives or Senate counts towards

the one hundred dollar cumulative annual limit described in such rules) valued in excess of \$20 given by a registrant or employee listed as a lobbyist to a covered legislative branch official or covered executive branch official;

“(8) 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.

For purposes of paragraph (7), the term ‘gift’ means a gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item having monetary value. The term includes gifts of services, training, transportation, lodging, and meals, whether provided in kind, by purchase of a ticket, payment in advance, or reimbursement after the expense has been incurred. Information required by paragraph (5) shall be disclosed as provided in this Act not later than 30 days after the travel.”.

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 “\$100,000”.

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) provide to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Government Reform of the House of Representatives 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. DISCLOSURE OF PAID EFFORTS TO STIMULATE GRASSROOTS LOBBYING.

(a) DEFINITIONS.—Section 3 of the Act (2 U.S.C. 1602) is amended—

(1) in paragraph (7), by adding at the end of the following: “Lobbying activities include paid efforts to stimulate grassroots lobbying, but do not include grassroots lobbying.”; and

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

“(17) GRASSROOTS LOBBYING.—The term ‘grassroots lobbying’ means the voluntary efforts of members of the general public to communicate their own views on an issue to Federal officials or to encourage other members of the general public to do the same.

“(18) PAID EFFORTS TO STIMULATE GRASSROOTS LOBBYING.—

“(A) IN GENERAL.—The term ‘paid efforts to stimulate grassroots lobbying’ means any paid attempt in support of lobbying contacts on behalf of a client to influence the general public or segments thereof to contact one or more covered legislative or executive branch officials (or Congress as a whole) to urge such officials (or Congress) to take specific action with respect to a matter described in section 3(8)(A), except that such term does not include any communications by an entity directed to its members, employees, officers, or shareholders.

“(B) PAID ATTEMPT TO INFLUENCE THE GENERAL PUBLIC OR SEGMENTS THEREOF.—The term ‘paid attempt to influence the general public or segments thereof’ does not include an attempt to influence directed at less than 500 members of the general public.

“(C) REGISTRANT.—For purposes of this paragraph, a person or entity is a member of a registrant if the person or entity—

“(i) pays dues or makes a contribution of more than a nominal amount to the entity;

“(ii) makes a contribution of more than a nominal amount of time to the entity;

“(iii) is entitled to participate in the governance of the entity;

“(iv) is 1 of a limited number of honorary or life members of the entity; or

“(v) is an employee, officer, director or member of the entity.

“(19) GRASSROOTS LOBBYING FIRM.—The term ‘grassroots lobbying firm’ means a person or entity that—

“(A) is retained by 1 or more clients to engage in paid efforts to stimulate grassroots lobbying on behalf of such clients; and

“(B) receives income of, or spends or agrees to spend, an aggregate of \$25,000 or more for such efforts in any quarterly period.”.

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

(1) in the flush matter at the end of paragraph (3)(A), by adding at the end the following: “For purposes of clauses (i) and (ii), the term ‘lobbying activities’ shall not include paid efforts to stimulate grassroots lobbying.”; and

(2) by inserting after paragraph (3) the following:

“(4) FILING BY GRASSROOTS LOBBYING FIRMS.—Not later than 45 days after a grassroots lobbying firm first is retained by a client to engage in paid efforts to stimulate grassroots lobbying, such grassroots lobbying firm shall register with the Secretary of the Senate and the Clerk of the House of Representatives.”.

(c) SEPARATE ITEMIZATION OF PAID EFFORTS TO STIMULATE GRASSROOTS LOBBYING.—Section 5(b) of the Act (2 U.S.C. 1604(b)) is amended—

(1) in paragraph (3), by—

(A) inserting after “total amount of all income” the following: “(including a separate good faith estimate of the total amount of income relating specifically to paid efforts to stimulate grassroots lobbying and, within that amount, a good faith estimate of the total amount specifically relating to paid advertising)”;

(B) inserting “or a grassroots lobbying firm” after “lobbying firm”;

(2) in paragraph (4), by inserting after “total expenses” the following: “(including a good faith estimate of the total amount of expenses relating specifically to paid efforts to stimulate grassroots lobbying and, within that total amount, a good faith estimate of the total amount specifically relating to paid advertising)”;

(3) by adding at the end the following: “Subparagraphs (B) and (C) of paragraph (2) shall not apply with respect to reports relating to paid efforts to stimulate grassroots lobbying activities.”.

(d) GOOD FAITH ESTIMATES AND DE MINIMIS RULES FOR PAID EFFORTS TO STIMULATE GRASSROOTS LOBBYING.—

(1) IN GENERAL.—Section 5(c) of the Act (2 U.S.C. 1604(c)) is amended to read as follows:

“(c) ESTIMATES OF INCOME OR EXPENSES.—For purposes of this section, the following shall apply:

“(1) Estimates of income or expenses shall be made as follows:

“(A) Estimates of amounts in excess of \$10,000 shall be rounded to the nearest \$20,000.

“(B) In the event income or expenses do not exceed \$10,000, the registrant shall include a statement that income or expenses totaled less than \$10,000 for the reporting period.

“(2) Estimates of income or expenses relating specifically to paid efforts to stimulate grassroots lobbying shall be made as follows:

“(A) Estimates of amounts in excess of \$25,000 shall be rounded to the nearest \$20,000.

“(B) In the event income or expenses do not exceed \$25,000, the registrant shall include a statement that income or expenses totaled less than \$25,000 for the reporting period.”.

(2) TAX REPORTING.—Section 15 of the Act (2 U.S.C. 1610) is amended—

(A) in subsection (a)—

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

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

(iii) by adding at the end the following:

“(3) in lieu of using the definition of paid efforts to stimulate grassroots lobbying in section 3(18), consider as paid efforts to stimulate grassroots lobbying only those activities that are grassroots expenditures as defined in section 4911(c)(3) of the Internal Revenue Code of 1986.”; and

(B) in subsection (b)—

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

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

(iii) by adding at the end the following:

“(3) in lieu of using the definition of paid efforts to stimulate grassroots lobbying in

section 3(18), consider as paid efforts to stimulate grassroots lobbying only those activities that are grassroots expenditures as defined in section 4911(c)(3) of the Internal Revenue Code of 1986.”.

SEC. 221. 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. 222. EFFECTIVE DATE.

This subtitle and the amendments made by this subtitle shall take effect January 1, 2007.

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 oversight and enforcement 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) 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 (3); and

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

(c) **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.**—A registered lobbyist may not knowingly make a gift or provide travel to a Member, Delegate, Resident Commissioner, officer, or employee of Congress, unless the gift or travel may be accepted under the rules of the House of Representatives or the Senate.

“(b) **PENALTY.**—Any registered lobbyist who violates this section shall be subject to penalties provided in section 7.”.

Subtitle E—Commission to Strengthen Confidence in Congress Act of 2006

SEC. 261. SHORT TITLE.

This subtitle may be cited as the “Commission to Strengthen Confidence in Congress Act of 2006”.

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) NONGOVERNMENTAL 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, 2006; 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) 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 committees of Congress concerning such reports; and

(2) take action to appropriately disseminate such reports.

(c) 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.

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent to strike all after the enacting clause of S. 2349 and insert in lieu thereof the provisions of H.R. 4975 as engrossed by the House.

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

There was no objection.

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

The title of the Senate bill was amended so as to read: "To provide greater transparency with respect to lobbying activities, to amend the Federal Election Campaign Act of 1971 to clarify when organizations described in section 527 of the Internal Revenue Code of 1986 must register as political committees, and for other purposes."

A motion to reconsider was laid on the table.

A similar House bill (H.R. 4975) was laid on the table.

□ 1200

GENERAL LEAVE

Mr. BONILLA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 5384, and that I might include tabular material on the same.

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

There was no objection.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2007

The SPEAKER pro tempore. Pursuant to House Resolution 830 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 5384.

The Chair designates the gentleman from Wisconsin (Mr. RYAN) as Chairman of the Committee of the Whole, and requests the gentleman from Florida (Mr. MILLER) to assume the chair temporarily.

□ 1201

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5384) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2007, and for other purposes, with Mr. MILLER of Florida (Acting Chairman) in the chair.

The Clerk read the title of the bill.

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

The gentleman from Texas (Mr. BONILLA) and the gentlewoman from Connecticut (Ms. DELAURO) each will control 30 minutes.

The Chair recognizes the gentleman from Texas.

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

Mr. Chairman, I am pleased to bring before the House today the fiscal year 2007 appropriations bill for Agriculture, Rural Development, the Food and Drug Administration and Related Agencies. Before I do so, I would like to say how proud I am to be serving in my final year as chairman of the subcommittee. It has been a great privilege and a great experience.

I want to compliment my ranking member, Ms. DELAURO, for helping us get to this point today to produce a good bill for the American people. My goal every year has been to produce a bipartisan bill.

We began our hearings on the budget on February 15, and we added an additional hearing at the request of Ms. DELAURO on bird flu, which is a very important issue to people not just in this country, but around the world; and I have tried very hard to accommodate every Member who had a request for this bill. But it has been difficult. We received this year over 1,600 individual requests for specific spending from most Members of the House.

I would say that all Members can support this bill and tell their constituents that they voted to improve their lives while maintaining fiscal responsibility.

I would also like to thank all of my subcommittee members on both sides of the aisle for helping to produce this bill, and I would like to thank people who oftentimes don't get recognized for all of the hard work, sometimes on Saturday nights and Sunday mornings, that goes into putting a bill together. It is not just the Members that are

elected to serve on this subcommittee and full committee, but we have the committee staff: Martha Foley of the minority staff; Martin Delgado, the great, distinguished leader, the clerk of the subcommittee; Maureen Holohan, Leslie Barrack and Jamie Swafford of the majority staff. In addition, I would like to thank our detailee, Mike Arnold, and Walt Smith from Texas A&M back in Texas at College Station from my personal staff for working hard on this.

I also want to mention some people that I would say have never had their names mentioned before on the floor of the House, but without them we could not be here today. They are the ones that helped put this whole product together: Larry Boarman, Theo Powell, Cathy Edwards, Linda Muir and the staff of the Government Printing Office.

Mr. Chairman, we refer to this bill as the agriculture bill, but it goes so much more than assisting basic agriculture. It also supports rural and economic development, human nutrition, ag exports and land conservation, as well as the food, drug, and medical safety in this country. This bill will cover benefits to of every one of your constituents everyday, no matter what district you represent.

There are some key increases over the fiscal year 2006 spending level in the bill that include the following: \$80 million for bird flu; \$24 million for food safety; \$11 million for the Commodity Supplemental Food Program, the budget request proposed to zero out this program; \$34 million for the Farm Service Agency, salaries and expenses; \$12 million for farm operating loans; \$91 million for the Animal and Plant Health Inspection Service; and \$20 million for the FDA user-fee programs for prescription drugs, medical devices, and animal drugs.

Mr. Chairman, I will include at this point in the RECORD tabular material relating to the bill.