

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), by 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 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.”.

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

SA 5. Mr. VITTER (for himself and Mr. GRASSLEY) proposed an amendment to amendment SA 3 proposed by Mr. REID (for himself, Mr. MCCONNELL, Mrs. FEINSTEIN, Mr. BENNETT, Mr. LIEBERMAN, Ms. COLLINS, Mr. OBAMA, Mr. SALAZAR, and Mr. DURBIN) to the bill S. 1, to provide greater transparency in the legislative process; as follows:

At the appropriate place, insert the following:

SEC. ____ . APPLICATION OF FECA TO INDIAN TRIBES.

(a) CONTRIBUTIONS AND EXPENDITURES BY CORPORATIONS.—Section 316 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441b) is amended by adding at the end the following:

“(d) TREATMENT OF INDIAN TRIBES AS CORPORATIONS.—

“(1) IN GENERAL.—In this section, the term ‘corporation’ includes an unincorporated Indian tribe.

“(2) TREATMENT OF MEMBERS AS STOCKHOLDERS.—In applying this subsection, a member of an unincorporated Indian tribe shall be treated in the same manner as a stockholder of a corporation.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to any election that occurs after December 31, 2007.

SA 6. Mr. VITTER proposed an amendment to amendment SA 3 proposed by Mr. REID (for himself, Mr. MCCONNELL, Mrs. FEINSTEIN, Mr. BENNETT, Mr. LIEBERMAN, Ms. COLLINS, Mr. OBAMA, Mr. SALAZAR, and Mr. DURBIN) to the bill S. 1, to provide greater transparency in the legislative process; as follows:

At the appropriate place, insert the following:

SEC. ____ . PROHIBITION ON EMPLOYMENT OF FAMILY MEMBERS OF A CANDIDATE OR FEDERAL OFFICE HOLDER BY CERTAIN POLITICAL COMMITTEES.

(a) IN GENERAL.—Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) is amended by inserting after section 324 the following new section:

“SEC. 325. PROHIBITION ON EMPLOYMENT OF FAMILY MEMBERS OF A CANDIDATE OR FEDERAL OFFICE HOLDER BY CERTAIN POLITICAL COMMITTEES.

“(a) IN GENERAL.—It shall be unlawful for any authorized committee of a candidate or any other political committee established, maintained, or controlled by a candidate or a person who holds a Federal office to employ—

“(1) the spouse of such candidate or Federal office holder; or

“(2) any immediate family member of such candidate or Federal office holder.

“(b) IMMEDIATE FAMILY MEMBER.—For purposes of subsection (a), the term ‘immediate family member’ means a 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.”.

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

SA 7. Mr. VITTER proposed an amendment to amendment SA 3 proposed by Mr. REID (for himself, Mr. MCCONNELL, Mrs. FEINSTEIN, Mr. BENNETT, Mr. LIEBERMAN, Ms. COLLINS, Mr. OBAMA, Mr. SALAZAR, and Mr. DURBIN) to the bill S. 1, to provide greater transparency in the legislative process; as follows:

At the appropriate place, insert the following:

SEC. ____ . 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)”;

(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.”.

SA 8. Mr. BAUCUS submitted an amendment intended to be proposed by him to the bill S. 1, to provide greater transparency in the legislative process; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . PROHIBITION ON USING CHARITIES FOR PERSONAL OR POLITICAL GAIN.

(a) IN GENERAL.—Rule XXXVII of the Standing Rules of the Senate, as amended by this Act, is amended by adding at the end the following:

“15. (a) A Member of the Senate shall not use for personal or political gain any organization—

“(1) which is described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code; and

“(2) the affairs over which such Member or the spouse of such Member is in a position to exercise substantial influence.

“(b) For purposes of this paragraph, a Member of the Senate shall be considered to have used an organization described in subparagraph (a) for personal or political gain if—

“(1) a member of the family (within the meaning of section 4946(d) of the Internal

Revenue Code of 1986) of the Member is employed by the organization;

“(2) any of the Member’s staff is employed by the organization;

“(3) an individual or firm that receives money from the Member’s campaign committee or a political committee established, maintained, or controlled by the Member serves in a paid capacity with or receives a payment from the organization;

“(4) the organization pays for travel or lodging costs incurred by the Member for a trip on which the Member also engages in political fundraising activities; or

“(5) another organization that receives support from such organization pays for travel or lodging costs incurred by the Member.

“(c)(1) A Member of the Senate and any employee on the staff of a Member to which paragraph 9(c) applies shall disclose to the Secretary of the Senate the identity of any person who makes an applicable contribution and the amount of any such contribution.

“(2) For purposes of this subparagraph, an applicable contribution is a contribution—

“(A) which is to an organization described in subparagraph (a);

“(B) which is over \$200; and

“(C) of which such Member or employee, as the case may be, knows.

“(3) The disclosure under this subparagraph shall be made not later than 6 months after the date on which such Member or employee first knows of the applicable contribution.

“(4) The Secretary of the Senate shall make available to the public all disclosures filed pursuant to this subparagraph as soon as possible after they are received.

“(d)(1) The Select Committee on Ethics may grant a waiver to any Member with respect to the application of this paragraph in the case of an organization which is described in subparagraph (a)(1) and the affairs over which the spouse of the Member, but not the Member, is in a position to exercise substantial influence.

“(2) In granting a waiver under this subparagraph, the Select Committee on Ethics shall consider all the facts and circumstances relating to the relationship between the Member and the organization, including—

“(A) the independence of the Member from the organization;

“(B) the degree to which the organization receives contributions from multiple sources not affiliated with the Member;

“(C) the risk of abuse; and

“(D) whether the organization was formed prior to and separately from such spouse’s involvement with the organization.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on January 1, 2008.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FOREIGN RELATIONS

Mr. REID. 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 9, 2007, at 2:30 p.m. to hold a closed briefing on Iraq.

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet on Tuesday, January 9, 2007, at 9:30 a.m. for a

hearing titled "Ensuring Full Implementation of the 9/11 Commission's Recommendations."

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

ORDER FOR PRINTING OF TRIBUTES TO THE LATE PRESIDENT GERALD FORD

Mr. REID. Mr. President, I ask unanimous consent that tributes to the late President Gerald Ford be printed as a Senate document and that Senators have until Thursday, February 15, of this year to submit tributes to the late President.

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

EXECUTIVE NOMINATIONS

Mr. REID. Mr. President, as in executive session, I ask unanimous consent that the nominations to the Office of Inspector General, except the Office of Inspector General of the Central Intelligence Agency, be referred in each case to the committee having the primary jurisdiction over the department, agency or entity, and if and when reported in each case, then to the Committee on Homeland Security and Governmental Affairs for not to exceed 20 calendar days, except in cases when the 20-day period expires while the Senate is in recess, the committee shall have an additional 5 calendar days after the Senate reconvenes to report the nomination and that if the nomination is not reported after the expiration of that period, the nomination be automatically discharged and placed on the executive calendar.

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

TODAY IN THE SENATE

Mr. REID. Mr. President, we have had a good day today, a lot of work has been done. I commend the distinguished Senator, who is still on the floor, for being such a good manager. Her assignment as chairman of the Rules Committee comes at a very opportune time for us and a burdensome time for her. There is so much the Rules Committee is going to be required to do in the next 2 years, not the least of which is some matters that will be spun off from this bill, including campaign finance reform, which I have spoken with Senator McCONNELL about. I think he agrees that all matters relating to campaign finance reform should be referred to the Rules Committee and other committees that feel they have any jurisdiction. But the principal responsibility will be with Rules. We have to have extensive hearings on campaign finance reform, dealing with a broad range of issues—foundations, 527s, and all kinds of other things.

It has been a good day. I applaud the Senator from California, Senator FEINSTEIN, for her work.

ORDERS FOR WEDNESDAY, JANUARY 10, 2007

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 9:30 a.m. tomorrow morning, January 10, Wednesday; that following the prayer and the pledge, the Journal of the proceedings be approved to date, the morning hour be deemed to have expired, the time for the two leaders be reserved for their use later in the day, and there be a period for morning business for an hour, with Senators permitted to speak therein, with the first half hour controlled by the majority and the second half hour controlled by the minority, and that at the conclusion of morning business the Senate resume S. 1.

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

PROGRAM

Mr. REID. Mr. President, today I offered the bipartisan substitute amendment. Four amendments are pending as well. Today, I alerted Members to expect votes tomorrow. Also, I remind Members that all Members of the 110th Congress have been invited to the Supreme Court tomorrow. There is a dinner. There is no cocktail hour and no reception. The dinner will begin promptly at 6:30 tomorrow evening. I have been to these events over the years, and they are really good. We have to reach out to our separate but equal branch of Government called the judicial branch. I find all nine of those Justices to be the most interesting people. They have such a tremendous responsibility. I think it will be good conversation, with a limited speech or two. I hope freshman Senators can find it in their schedules to come. It is also for the spouses.

DISCHARGE AND REFERRAL

Mr. REID. Mr. President, I ask unanimous consent that S. 198, the Nunn-Lugar Cooperative Threat Reduction Act of 2007, be discharged from the Foreign Relations Committee and then referred to the Armed Services Committee.

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

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. REID. Mr. President, if there is nothing further to come before the Senate, I ask unanimous consent that the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 7:32 p.m., adjourned until Wednesday, January 10, 2007, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate January 9, 2007:

THE JUDICIARY

ANTHONY C. EPSTEIN, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS, VICE SUSAN REBECCA HOLMES, RETIRED.

LESLIE SOUTHWICK, OF MISSISSIPPI, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FIFTH CIRCUIT, VICE CHARLES W. PICKERING, SR., RETIRED.

JOSEPH S. VAN BOKKELEN, OF INDIANA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF INDIANA, VICE RUDY LOZANO, RETIRING.

JOHN PRESTON BAILEY, OF WEST VIRGINIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF WEST VIRGINIA, VICE FREDERICK P. STAMP, JR., RETIRED.

VALERIE L. BAKER, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE CENTRAL DISTRICT OF CALIFORNIA, VICE CONSUELO B. MARSHALL, RETIRED.

VANESSA LYNN BRYANT, OF CONNECTICUT, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF CONNECTICUT, VICE DOMINIC J. SQUATRITO, RETIRED.

CAROL A. DALTON, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS, VICE A. NOEL ANKETELL KRAMER, ELEVATED.

THOMAS M. HARDIMAN, OF PENNSYLVANIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE THIRD CIRCUIT, VICE RICHARD L. NYGAARD, RETIRED.

HEIDI M. PASICHOW, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS, VICE ANNA BLACKBURNE-RIGSBY, ELEVATED.

PETER D. KEISLER, OF MARYLAND, TO BE UNITED STATES CIRCUIT JUDGE FOR THE DISTRICT OF COLUMBIA CIRCUIT, VICE JOHN G. ROBERTS, JR., ELEVATED.

DEBRA ANN LIVINGSTON, OF NEW YORK, TO BE UNITED STATES CIRCUIT JUDGE FOR THE SECOND CIRCUIT, VICE JOHN M. WALKER, JR., RETIRED.

NORMAN RANDY SMITH, OF IDAHO, TO BE UNITED STATES CIRCUIT JUDGE FOR THE NINTH CIRCUIT, VICE STEPHEN S. TROTT, RETIRED.

MARY O. DONOHUE, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF NEW YORK, VICE FREDERICK J. SCULLIN, JR., RETIRED.

THOMAS ALVIN FARR, OF NORTH CAROLINA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF NORTH CAROLINA, VICE MALCOLM J. HOWARD, RETIRED.

NORA BARRY FISCHER, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF PENNSYLVANIA, VICE ROBERT J. CINDRICH, RESIGNED.

GREGORY KENT FRIZZELL, OF OKLAHOMA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF OKLAHOMA, VICE SVEN E. HOLMES, RESIGNED.

PHILIP S. GUTIERREZ, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE CENTRAL DISTRICT OF CALIFORNIA, VICE TERRY J. HATTER, JR., RETIRED.

MARCIA MORALES HOWARD, OF FLORIDA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF FLORIDA, VICE HARVEY E. SCHLESINGER, RETIRED.

JOHN ALFRED JARVEY, OF IOWA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF IOWA, VICE RONALD E. LONGSTAFF, RETIRED.

FREDERICK J. KAPALA, OF ILLINOIS, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF ILLINOIS, VICE PHILIP G. REINHARD, RETIRING.

SARA ELIZABETH LILOI, OF OHIO, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF OHIO, VICE LESLEY BROOKS WELLS, RETIRED.

ROSLYNN RENEE MAUSKOPF, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF NEW YORK, VICE DAVID G. TRAGER, RETIRED.

LIAM O'GRADY, OF VIRGINIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF VIRGINIA, VICE CLAUDE M. HILTON, RETIRED.

LAWRENCE JOSEPH O'NEILL, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF CALIFORNIA, VICE OLIVER W. WANGER, RETIRED.

WILLIAM LINDSAY OSTEEN, JR., OF NORTH CAROLINA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF NORTH CAROLINA, VICE WILLIAM L. OSTEEN, SR., RETIRED.

HALLI SULEYMAN OZERDEN, OF MISSISSIPPI, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF MISSISSIPPI, VICE DAVID C. BRAMLETTE, RETIRED.

MARTIN KARL REIDINGER, OF NORTH CAROLINA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF NORTH CAROLINA, VICE GRAHAM C. MULLEN, RETIRED.

JAMES EDWARD ROGAN, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE CENTRAL DISTRICT OF CALIFORNIA, VICE NORA M. MANELLA, RESIGNED.

THOMAS D. SCHROEDER, OF NORTH CAROLINA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF NORTH CAROLINA, VICE FRANK W. BULLOCK, JR., RETIRED.

BENJAMIN HALE SETTLE, OF WASHINGTON, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF WASHINGTON, VICE FRANKLIN D. BURGESS, RETIRED.

LISA GOBBEY WOOD, OF GEORGIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF GEORGIA, VICE DUDLEY H. BOWEN, JR., RETIRED.

OTIS D. WRIGHT II, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE CENTRAL DISTRICT OF CALIFORNIA, VICE GARY L. TAYLOR, RETIRED.