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## Honest Leadership and Open Government Act of 2007

**Congress:** 110 (2007–2009, Ended)

**Chamber:** Senate

**Policy Area:** Congress

**Introduced:** Jan 4, 2007

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**Latest Action:** Became Public Law No: 110-81. (Sep 14, 2007)

**Law:** 110-81 (Enacted Sep 14, 2007)

**Official Text:** <https://www.congress.gov/bill/110th-congress/senate-bill/1>

### Sponsor

**Name:** Sen. Reid, Harry [D-NV]

**Party:** Democratic • **State:** NV • **Chamber:** Senate

### Cosponsors (17 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Bennett, Robert F. [R-UT]	R · UT		Jan 4, 2007
Sen. Cantwell, Maria [D-WA]	D · WA		Jan 4, 2007
Sen. Collins, Susan M. [R-ME]	R · ME		Jan 4, 2007
Sen. Durbin, Richard J. [D-IL]	D · IL		Jan 4, 2007
Sen. Feinstein, Dianne [D-CA]	D · CA		Jan 4, 2007
Sen. Lautenberg, Frank R. [D-NJ]	D · NJ		Jan 4, 2007
Sen. Leahy, Patrick J. [D-VT]	D · VT		Jan 4, 2007
Sen. Lieberman, Joseph I. [D-CT]	ID · CT		Jan 4, 2007
Sen. Lott, Trent [R-MS]	R · MS		Jan 4, 2007
Sen. McConnell, Mitch [R-KY]	R · KY		Jan 4, 2007
Sen. Menendez, Robert [D-NJ]	D · NJ		Jan 4, 2007
Sen. Mikulski, Barbara A. [D-MD]	D · MD		Jan 4, 2007
Sen. Schumer, Charles E. [D-NY]	D · NY		Jan 4, 2007
Sen. Stabenow, Debbie [D-MI]	D · MI		Jan 4, 2007
Sen. Webb, Jim [D-VA]	D · VA		Jan 4, 2007
Sen. Brown, Sherrod [D-OH]	D · OH		Jan 8, 2007
Sen. Salazar, Ken [D-CO]	D · CO		Jan 9, 2007

### Committee Activity

*No committee referrals or activity are recorded for this bill.*

Subjects & Policy Tags

Policy Area:

Congress

Related Bills

Bill	Relationship	Last Action
110 S 192	Related bill	<b>Feb 27, 2007:</b> Committee on Commerce, Science, and Transportation Subcommittee on Surface Transportation and Merchant Marine Infrastructure, Safety and Security. Hearings held.
110 S 230	Related bill	<b>Jan 9, 2007:</b> Read twice and referred to the Committee on Homeland Security and Governmental Affairs.

**(This measure has not been amended since it was passed by the House on July 31, 2007. The summary of that version is repeated here.)**

Honest Leadership and Open Government Act of 2007 - **Title I: Closing the Revolving Door** - (Sec. 101) Amends the federal criminal code to extend from one to two years the ban on lobbying contacts by former: (1) very senior executive personnel with any Member, officer, or employee of the entity in which such person served before his or her tenure terminated; and (2) Senators with any Member, officer or employee of either chamber, or employee of any other legislative office.

Continues the one-year ban on lobbying contacts by former: (1) Members of the House of Representatives with any Member, officer, or employee of either chamber, or employee of any other legislative office; (2) elected officers of the House with any House Member, officer, or employee; and (3) Senate officers, or a Senate employee (who, for at least 60 days during the one-year period before such employee's service terminated, was paid a salary equal to or greater than 75% of a Senator's salary) with any Senator or Senate officer or employee.

Provides that the one-year ban on lobbying contacts by former legislative office employees shall apply to employees who, for at least 60 days during the one-year before such employee's service terminated, was employed in a position for which his or her salary, exclusive of any locality-based pay adjustment (currently, or any comparable adjustment pursuant to interim authority of the President), is equal to or greater than the salary for level IV of the Executive Schedule (currently, level 5 of the Senior Executive Schedule).

Excludes from such bans any contacts with the staff of the Secretary of the Senate or the Clerk of the House regarding compliance with lobbying disclosure requirements under the Lobbying Disclosure Act of 1995 (LDA).

Redefines "employee of any other legislative office of Congress" to exclude the Copyright Royalty Tribunal.

(Sec. 102) Subjects to a fine or imprisonment of up to 15 years, or both, a Member of Congress or a congressional employee who with the intent to influence, solely on the basis of partisan political affiliation, an employment decision or employment practice of any private entity: (1) takes or withholds, or offers or threatens to take or withhold, an official act; or (2) influences, or offers or threatens to influence, the official act of another.

Provides that such individual may be disqualified from holding any federal office of honor, trust, or profit.

States that nothing in such prohibition shall be construed to create any inference regarding whether such activity was a criminal or civil offense before the enactment of this Act.

(Sec. 103) Requires the Clerk of the House or the Secretary of the Senate, as appropriate, to: (1) notify former Members of Congress, officers, or congressional employees of post-employment restrictions; and (2) post the information contained in such notification on the Clerk's or Secretary's public Internet site.

(Sec. 104) Amends the Indian Self-Determination and Education Assistance Act to authorize: (1) a federal officer or employee assigned to a tribal organization or an intertribal consortium to act as agent or attorney for, and appear on behalf of, such organization or consortium in connection with any matter related to a tribal governmental activity or federal Indian program or service pending before any department, agency, court, or commission, including any matter in which the United States is a party or has a direct and substantial interest; and (2) any former federal officer or employee who is

carrying out official duties as an employee or as an elected or appointed official of a tribal organization or intertribal consortium to represent such entities in such matters.

**Title II: Full Public Disclosure of Lobbying** - (Sec. 201) Amends the LDA to require: (1) quarterly instead of semiannual filing of lobbying disclosure reports; (2) identification after each client listing on a disclosure report of whether the client is a state or local government; and (3) semiannual reports on registered lobbyists' federal election-related political contributions.

Requires the Clerk of the House and the Secretary of the Senate to report to Congress on the feasibility of requiring quarterly instead of semiannual reports on registered lobbyists' federal election-related political contributions.

(Sec. 203) Expresses the sense of Congress that after the end of the two-year period beginning on the day on which the requirement for such semiannual reports first applies, they should be made on a quarterly basis if it is practicably feasible to do so.

(Sec. 204) Amends the Federal Election Campaign Act of 1971 to require an authorized committee of a candidate, a leadership PAC, or a political party committee to include in its disclosure report after each covered period a separate schedule setting forth the name, address, and employer of each person reasonably known by the committee to be a current registered lobbyist, an individual who is listed on a LDA registration or report, or a political committee established or controlled by such a registrant or individual who provided two or more bundled contributions to the committee in an aggregate amount greater than \$15,000 (applicable threshold) during the covered period, and the aggregate amount of the bundled contributions provided by each such person during such period.

Excludes any contribution made to the committee by the person or the person's spouse in determining whether the amount of such bundled contributions exceeds the applicable threshold.

Requires the Federal Election Commission (FEC) to ensure, to the greatest extent practicable, that: (1) information about such bundled contribution is publicly available through the FEC website in a searchable, sortable, and downloadable manner; and (2) such public database is linked electronically to the websites maintained by the Secretary of the Senate and the Clerk of the House containing LDA reports and filings.

Defines "leadership PAC," with respect to a candidate for election to federal office or an individual holding federal office, as a political committee that is directly or indirectly established, financed, maintained or controlled by the candidate or the officeholder, but which is not an authorized committee of the candidate or officeholder, and is not affiliated with such an authorized committee. Excludes a political committee of a political party from the meaning of "leadership PAC."

(Sec. 205) Requires mandatory lobbyist reports to be filed electronically, in addition to any other form that the Secretary of the Senate or the Clerk of the House may require or allow. Requires them to use the same electronic software for receipt and recording of such filings.

(Sec. 206) Amends the LDA to prohibit a registered lobbyist, any registered organization that employs one or more lobbyists, and any employee listed as a registered lobbyist from making a gift or providing travel to a covered legislative branch official, if such individual or organization has knowledge that the gift or travel may not be accepted under the rules of the House or the Senate.

(Sec. 207) Revises requirements for the contents of lobbyist registrations, particularly disclosure of the identity of any organization, other than the client, that: (1) contributes over \$5,000 to the registrant or the client in a quarterly period to

fund the registrant's lobbying activities (currently, over \$10,000 toward the registrant's lobbying activities in a semiannual period); and (2) participates actively in the planning, supervision, or control of such lobbying activities (currently, in whole or in major part plans, supervises, or controls such lobbying activities).

Waives such disclosure if the organization that would be identified as affiliated with the client is listed on the client's publicly accessible Internet website as being a member of or contributor to the client, unless the organization in whole or in major part plans, supervises, or controls such lobbying activities. Provides that, if the registrant relies upon this general waiver, he or she must disclose the specific Internet address of the web page containing the information relied upon.

(Sec. 208) Amends the requirements for the registration of a lobbyist to extend from two to 20 years the look-back period during which an employee of the lobbyist may have served as a covered executive branch official or a covered legislative branch official.

(Sec. 209) Requires the Secretary of the Senate and the Clerk of the House, to the extent technically practicable, to maintain certain lobbying disclosure information in an electronic database, available to the public free of charge over the Internet.

Authorizes appropriations.

(Sec. 210) Requires the Secretary of the Senate and the Clerk of the House to make publicly available, semiannually, the aggregate number of registrants referred to the U.S. Attorney for the District of Columbia for LDA noncompliance.

Requires the U.S. Attorney to report semiannually to specified congressional committees on the aggregate number of enforcement actions taken by the Department of Justice during such period and, by case, any sentence imposed, but not the names of individuals or personally identifiable information that is not already a matter of public record.

(Sec. 211) Increases from \$50,000 to \$200,000 the civil penalty for failure to comply with LDA requirements.

Subjects anyone who knowingly and corruptly fails to comply with LDA to imprisonment for up to five years or a specified fine, or both.

(Sec. 212) Amends the Foreign Agents Registration Act (FARA) to require electronic filing of mandatory registration statements or supplements, in addition to any other form that may be required by the Attorney General.

Requires the Attorney General, to the extent technically practicable, to maintain an electronic database (in a searchable, sortable, and downloadable manner), available to the public free of charge over the Internet, that: (1) includes the information contained in registration statements and updates filed under FARA; and (2) is searchable and sortable, at a minimum, by each of the categories described in the registration statements.

Requires the Attorney General to make such electronic statements and updates available for public inspection over the Internet as soon as technically practicable after such information is filed.

(Sec. 213) Requires the Comptroller General to audit and report to Congress annually on the extent of LDA compliance or noncompliance by lobbyists, lobbying firms, and registrants through a random sampling of publicly available annual LDA lobbying registrations and reports.

(Sec. 214) Expresses the sense of Congress that: (1) the use of a family relationship by a lobbyist who is an immediate family member of a Member of Congress to gain special advantages over other lobbyists is inappropriate; and (2) the

lobbying community should develop proposals for multiple self-regulatory organizations which could provide for creation of standards, legal and ethical training, development of educational materials for the public on how to responsibly hire a lobbyist or lobby firm, standards for reasonable client fees, creation of a third-party certification program including ethics training, and disclosure to clients of fee schedule requirements and conflict of interest rules.

**Title III: Matters Relating to the House of Representatives** - (Sec. 301) Amends the Rules of the House of Representatives to add Rule XXVII (Disclosure by Members and Staff of Employment Negotiations).

Prohibits a Member, Delegate, or Resident Commissioner (Member) from directly negotiating or having any agreement of future employment or compensation until after the election for his or her successor, unless such Member files a statement about such negotiations or agreement with the Committee on Standards of Official Conduct within three business days after their commencement. Requires inclusion in such a statement of: (1) the name of the private entity or entities involved in the negotiations or agreement; and (2) the commencement date.

Requires a House officer or employee earning over 75% of the salary paid to a Member to notify the Committee, within three business days, that he or she is negotiating or has any agreement of future employment or compensation.

Requires such Member, officer, or employee to recuse himself or herself from any matter in which there is or appears to be a conflict of interest under the Rule, and to notify the Committee of such recusal. Requires such individual also to submit to the Clerk of the House, for public disclosure, the statement of disclosure for which such recusal was made.

(Sec. 302) Amends Rule XXV (Limitations on Outside Earned Income and Acceptance of Gifts) to require a Member of the House to prohibit all of his or her staff from making any lobbying contact with the Member's spouse if the spouse is a registered lobbyist or is employed or retained by a registered lobbyist to influence legislation.

(Sec. 303) Amends Rule XXIII (Code of Official Conduct) to subject other members and employees of a firm, partnership, or other business organization to the same lobbying restrictions that apply to a member or employee acting under contract as a consultant to a House committee (treated by this Rule as a House employee).

(Sec. 304) Requires the Clerk of the House, to the extent technically practicable, to: (1) post certain travel and financial disclosure reports on the public Internet site of the Clerk's Office in a searchable, sortable, and downloadable format; and (2) maintain such information for at least six years.

Permits Members of the House to omit certain personally identifiable information from the reports before such posting.

Requires the Clerk of the House to include in any informational materials about website disclosures an explanation of the procedures for protecting such personally identifiable information.

(Sec. 305) Prohibits a Member, during the dates on which the Member's national political party holds its convention to nominate a candidate for President or Vice President, from participating in an event honoring him or her, other than in his or her capacity as a candidate for such office, if such event is directly paid for by a registered lobbyist or a private entity that retains or employs such lobbyist.

**Title IV: Congressional Pension Accountability** - (Sec. 401) Amends federal civil service law regarding the Civil Service Retirement System (CSRS) and the Federal Employees' Retirement System (FERS) to exclude from retirement accounting any service as a Member of Congress of an individual finally convicted of a felony involving: (1) bribery of public officials and witnesses; (2) acting as an agent of a foreign principal while a federal public official; (3) fraud by wire, radio, or television, including as part of a scheme to deprive citizens of honest services; (4) prohibited foreign trade

practices by domestic concerns; (5) engaging in monetary transactions in property derived from specified unlawful activity; (6) tampering with a witness, victim, or an informant; (7) racketeer influenced and corrupt organizations; (8) conspiracy to commit an offense or to defraud the United States; (9) perjury; or (10) subornation of perjury. Entitles such individual, all the same, to so much of his or her lump-sum credit as is attributable to such service.

Requires, with respect to each offense, that: (1) every act or commission of the individual that is needed to satisfy the elements of the offense occurs while the individual is a Member; (2) such act or omission directly relates to the performance of the individual's official duties as a Member; and (3) the offense is committed after enactment of this Act.

Requires the Office of Personnel Management (OPM) to prescribe regulations to ensure that the authority to make any payment to the spouse or children of an individual pursuant to this title shall be available only to the extent that the application of such regulation is considered necessary and appropriate, taking into account the totality of the circumstances, including: (1) the financial needs of the spouse or children; (2) whether the spouse or children participated in a specified offense of which such individual was finally convicted; and (3) what measures, if any, may be necessary to ensure that the convicted individual does not benefit from any such payment.

Defines "Member" as the Vice President, a member of the Senate or the House of Representatives, a Delegate to the House of Representatives, and the Resident Commissioner from Puerto Rico.

**Title V: Senate Legislative Transparency and Accountability - Subtitle A: Procedural Reform** - (Sec. 511) Amends Rule XXVIII (Conference Committees; Reports; Open Meetings) of the Standing Rules of the Senate to revise procedures for disposal of points of order against consideration of: (1) new matter inserted in a conference report; or (2) the conference report when conferees violate specified requirements regarding a disagreement to an amendment in the nature of a substitute referred to them.

Requires: (1) an affirmative vote of three-fifths (60) of the Members of the Senate to waive any or all of such points of order; and (2) the same three-fifths affirmative vote to sustain an appeal of the ruling of the Chair on them. Requires all motions to waive such points of order and to sustain such appeal to be debatable collectively and limited to one hour equally divided between the Majority and Minority Leaders or their designees. Makes a motion to waive all points of order unamendable.

Makes it out of order to vote on the adoption of a conference report unless it is available to Members and the general public at least 48 hours before such vote.

Declares that a conference report is made available to the general public as of the time it is posted on a publicly accessible website controlled by a Member, committee, the Library of Congress, or other office of Congress, or the Government Printing Office (GPO), as reported to the Presiding Officer by the Secretary of the Senate.

Requires: (1) an affirmative vote of three-fifths (60) of the Members of the Senate to waive such point of order; and (2) the same three-fifths affirmative vote to sustain an appeal of the ruling of the Chair on it. Requires all motions to waive such point of order and to sustain such appeal to be debatable collectively and limited to one hour equally divided between the Majority and Minority Leaders or their designees.

Allows such point of order to be waived by joint agreement of the Majority and Minority Leaders of the Senate, upon their certification that such waiver is necessary because of a significant disruption to Senate facilities or to the availability of the Internet.

Requires the Committee on Rules and Administration to promulgate regulations to implement the requirements for public availability of conference reports.

(Sec. 512) Requires the Majority and Minority Leaders of the Senate (or their designees) to 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 such notice in writing to the appropriate leader (or designee) following the objection to a unanimous consent to proceeding to, and, or passage of, a measure or matter on their behalf; and (2) within six session days afterwards submits a similar notice for inclusion in the Congressional Record and in the applicable calendar.

Requires the Secretary of the Senate to establish, for both the Senate Calendar of Business and the Senate Executive Calendar, a separate section entitled "Notice of Intent to Object to Proceeding," containing the name of each Senator filing the notice, the measure or matter objected to, and the date the objection was filed.

Authorizes a Senator to have such an item removed from a calendar upon submitting to the Congressional Record a statement of non-objection.

(Sec. 513) Amends Rule XXVI (Committee Procedure) to require, except with respect to certain closed meetings, each committee and subcommittee to make publicly available through the Internet a video recording, audio recording, or transcript of any meeting within 21 business days after it occurs. Requires such information to be available until the end of Congress following the date of the meeting.

Authorizes the Committee on Rules and Administration to waive this requirement for inability to comply with it for technical or logistical reasons.

(Sec. 514) Revises Rule XV (Amendments and Motions) to require: (1) an amendment and any instruction accompanying a motion to recommit to be reduced to writing, read, and identical copies to be provided by the Senator offering the amendment or instruction to the desks of the Majority and Minority Leaders before being debated; and (2) a motion (currently all motions and amendments) to be reduced to writing, if desired by the Presiding Officer or by any Senator, and to be read before being debated.

(Sec. 515) Expresses the sense of the Senate that: (1) conference committees should hold regular, formal meetings of all conferees open to the public; (2) all conferees should be given adequate notice of the time and place of all such meetings; (3) all conferees should be afforded an opportunity to participate in full and complete debates of the matters that such conference committees may recommend to their respective chambers; and (4) the text of a conference report should not be changed after the Senate signature sheets have been signed by a majority of the Senate conferees.

**Subtitle B: Earmark Reform** - (Sec. 521) Adds Rule XLIV (Congressionally Directed Spending and Related Items) to the Standing Rules of the Senate.

Makes it out of order to vote on a motion to proceed to consider a bill or joint resolution reported or not reported by any committee unless the chairman of the committee of jurisdiction or the Majority Leader or his designee certifies that: (1) each congressionally directed spending item, limited tax benefit, and limited tariff benefit, if any, in such legislation or if applicable, in its committee report, has been identified through lists, charts, or other similar means including the name of each requesting Senator; and (2) that such information has been available on a publicly accessible congressional website in a searchable format at least 48 hours before such vote.

Declares the motion to proceed suspended if the point of order is sustained until the sponsor of the motion or his or her



designee has requested resumption and compliance with such requirements have been achieved.

Makes it out of order to vote on the adoption of a conference report unless the chairman of the committee of jurisdiction or the Majority Leader or his designee certifies: (1) that each congressionally directed spending item, limited tax benefit, and limited tariff benefit, if any, in the conference report, or in the joint explanatory statement, has been identified through lists, charts, or other means, including the name of each requesting Senator; and (2) that such information has been available on a publicly accessible congressional website at least 48 hours before such vote.

Requires the conference report to be set aside if such point of order is sustained.

Provides that, if during consideration of a bill or joint resolution a Senator proposes an amendment containing a congressionally directed spending item, limited tax benefit, or limited tariff benefit which was not included in such measure as placed on the calendar or as reported in its committee report (or a committee report of the Senate on a companion measure), then, as soon as practicable, the Senator shall ensure that a list of such items (and the name of any requesting Senator) is printed in the Congressional Record.

Requires a committee, if it reports a bill or joint resolution that includes congressionally directed spending items, limited tax benefits, or limited tariff benefits in such legislation or in its committee report to identify, as soon as practicable, on a publicly accessible congressional website each such item through lists, charts, or other similar means, including the name of each requesting Senator. Declares that availability on the Internet of a committee report containing such information shall satisfy such requirements.

Requires such information, made available on publicly accessible congressional websites, to be provided in a searchable format to the extent technically feasible.

Requires a Senator who requests a congressionally directed spending item, a limited tax benefit, or a limited tariff benefit in any bill or joint resolution (or an accompanying report) or in any conference report (or joint explanatory statement) to provide a written statement to the chairman and ranking member of the committee of jurisdiction, including: (1) the Senator's name; (2) in the case of a congressionally directed spending item, the name and location of the intended recipient or, if there is no specifically intended recipient, the intended location of the activity; (3) in the case of a limited tax or tariff benefit, identification of the individual or entities reasonably anticipated to benefit, to the extent known to the Senator; (4) the purpose of such congressionally directed spending item or limited tax or tariff benefit; and (5) a certification that neither the Senator nor the Senator's immediate family has a pecuniary interest in the item.

Provides that, with respect to each item included in a Senate bill or joint resolution (or accompanying report) reported by committee or considered by the Senate, or included in a conference report (or joint explanatory statement) considered by the Senate, each committee of jurisdiction shall make such certifications available for public inspection on the Internet as soon as practicable.

Requires the committee of jurisdiction for a bill, joint resolution, or conference report that contains congressionally directed spending items in any classified portion of a report accompanying the measure, to the greatest extent practicable, consistent with the need to protect national security, to include on the required list a general program description in unclassified language, funding level, and the name of the sponsor.

Allows: (1) a Senator to raise a point of order against one or more provisions of a conference report if they constitute new directed spending provisions; and (2) the Presiding Officer to sustain the point of order as to some or all of the provisions against which the Senator raised it.

Requires: (1) an affirmative vote of three-fifths (60) of the Members of the Senate to waive any or all of such points of order; and (2) the same three-fifths affirmative vote to sustain an appeal of the ruling of the Chair. Requires all motions to waive such points of order and to sustain such appeal to be debatable collectively and limited to one hour equally divided between the Majority and Minority Leaders or their designees. Makes a motion to waive all points of order unamendable.

Prohibits a Member, officer, or employee of the Senate from knowingly using his or her official position to introduce, request, or otherwise aid the progress or passage of congressionally directed spending items, limited tax benefits, or limited tariff benefits to further only such individual's pecuniary interest, only the pecuniary interest of their immediate family, or only the pecuniary interest of a limited class of persons or enterprises, when the individual or their immediate family, or enterprises controlled by them, are members of the affected class.

Requires: (1) an affirmative vote of three-fifths (60) of the Members of the Senate to waive application of certain points of order under this Rule with respect to a measure; and (2) the same three-fifths affirmative vote to sustain an appeal (limited to one only) of the ruling of the Chair. Requires all motions to waive such points of order and to sustain such appeal to be debatable collectively and limited to one hour equally divided between the Majority and Minority Leaders or their designees.

Requires: (1) an affirmative vote of three-fifths (60) of the Members of the Senate to move to waive all points of order under this Rule with respect to the pending measure or motion; (2) the motions to waive all points of order to be debatable collectively and limited to one hour equally divided between the Majority and Minority Leaders or their designees; and (3) such motions to be unamendable.

Allows certain points of order under this Rule to be waived by joint agreement of the Majority and Minority Leaders of the Senate upon their certification that such waiver is necessary because of a significant disruption to Senate facilities or to the availability of the Internet.

**Subtitle C: Revolving Door Reform** - (Sec. 531) Amends Rule XXXVII (Conflict of Interest) to prohibit a former: (1) Member, who is employed by an entity that employs or retains a registered lobbyist, from lobbying Members, officers, or employees of the Senate for two years after leaving office; or (2) employee on the staff of a Member, who is employed by an entity that employs or retains a registered lobbyist, from lobbying the Member for whom he or she worked or that Member's staff for one year after leaving that position.

Prohibits a former employee on the staff of a committee, who becomes a registered lobbyist or is employed or retained by a registered lobbyist or an entity that employs or retains a registered lobbyist, from lobbying the members of the committee for which he or she worked, or the staff of that committee, for one year after leaving his or her position.

Imposes a one-year lobbying moratorium, upon leaving such position, on an officer of the Senate or an employee on the staff of a Member or on the staff of a committee whose salary is equal to or greater than 75% of a Member's salary, and is employed at such salary for more than 60 days in a calendar year.

(Sec. 532) Prohibits a Member from negotiating or having any arrangement concerning prospective private employment until after the election for his or her successor has been held, unless such Member files a signed statement with the Secretary of the Senate, for public disclosure, regarding such negotiations and arrangements within three business days after their commencement. Requires inclusion in such a statement of: (1) the name of the private entity or entities involved; and (2) the commencement date.

Prohibits a Member from negotiating, or having any arrangement concerning, prospective employment for a job involving

lobbying activities until after a successor has been elected.

Requires a Senate employee earning over 75% of the salary paid to a Senator to notify the Select Committee on Ethics (Ethics Committee), within three business days, that he or she is negotiating or has any arrangement concerning prospective private employment.

Requires such employee to: (1) recuse himself or herself from any contact or communication with the prospective employer on issues of legislative interest to the prospective employer, as well as any legislative matter in which there is or appears to be a conflict of interest for that employee under this Rule; and (2) notify the Ethics Committee of such recusal.

(Sec. 533) Amends Rule XXIII (Privilege of the Floor) to deny floor privileges, when the Senate is in session, to former Senators and Senators-elect, Secretaries, Sergeants at Arms of the Senate, and Speakers of the House of Representatives if they: (1) are registered lobbyists or agents of a foreign principal; or (2) are in the employ of or represent any party or organization to influence, directly or indirectly, the passage, defeat, or amendment of any federal legislative proposal.

Authorizes the Committee on Rules and Administration to promulgate regulations excepting from such prohibitions any ceremonial functions and events designated by the Majority and Minority Leaders.

Denies such individuals use of the Senate athletic facilities or Member-only parking spaces.

(Sec. 534) Amends Rule XLIII (Representation by Members) to prohibit a Member, with the intent to influence solely on the basis of partisan political affiliation an employment decision or employment practice of any private entity, from: (1) taking or withholding, or offering or threatening to take or withhold, an official act; or (2) influencing, or offering or threatening to influence, the official act of another.

(Sec. 535) Requires the Secretary of the Senate to notify former Senators and Senate officers and employees of certain post-employment restrictions under Rule XXXVII.

**Subtitle D: Gift and Travel Reform** - (Sec. 541) Amends Rule XXXV (Gifts) to prohibit Members, officers, or employees from knowingly accepting gifts from lobbyists, agents of a foreign principal, or private entities that retain or employ such individuals, except in specified circumstances.

(Sec. 542) Prohibits a Member from participating, during the dates of the national party convention for the Member's political party, in an event honoring that Member, other than in his or her capacity as the party's presidential or vice presidential nominee or presumptive nominee, if the event is paid for by a registered lobbyist or a private entity that retains or employs such individual.

(Sec. 543) Declares that the market value of a ticket to an entertainment or sporting event shall be its face value, or, in the case of a ticket without a face value, the value of the ticket with the highest face value for the event. Provides that if a ticket holder can establish in advance of the event to the Ethics Committee that the ticket at issue is equivalent to another ticket with a face value, then the market value shall be set at the face value of the equivalent ticket.

Requires the ticket holder to provide written and independently verifiable information related to the primary features of the ticket, including, at a minimum: (1) the seat location; (2) access to parking; (3) availability of food and refreshments; and (4) access to venue areas not open to the public.

Authorizes the Ethics Committee to make a determination of equivalency only if such information is provided in advance of the event.

(Sec. 544) Prescribes conditions under which Members, officers, or employees of the Senate may accept reimbursement (including payment in kind) for transportation, lodging, and related expenses for travel to a meeting, speaking engagement, fact-finding trip, or similar event related to officeholder duties from an individual other than a registered lobbyist or agent of a foreign principal that is a private entity that retains or employs one or more of such individuals. Deems such reimbursement to be reimbursement to the Senate, and not a prohibited gift, if it is: (1) provided only for attendance at or participation for a one-day event (exclusive of travel time and an overnight stay); or (2) sponsored by a nonprofit tax-exempt organization.

Allows the regulations to permit a two-night stay when determined by the Ethics Committee to be practically required to participate in the one-day event but in no event may the stay exceed two nights.

Requires an employee, before accepting reimbursement, to receive advance written authorization to accept it from the Member or officer under whose direct supervision he or she works.

Requires each Member, officer, or employee that receives such reimbursement to disclose the expenses involved and (for an employee) advance authorization, and a copy of the certification to the Secretary of the Senate within 30 days after the travel is completed. Requires such disclosure to include a description of meetings and events attended.

Prohibits a Member, officer, or employee from accepting a reimbursement (including payment in kind) for transportation, lodging, or related expenses for: (1) a trip that was planned, organized, or arranged by or at the request of a registered lobbyist or agent of a foreign principal; (2) a trip on which a lobbyist accompanies the individual on any segment of the trip; or (3) all other trips allowed under this Rule on which a registered lobbyist accompanies the individual at any point throughout the trip.

Requires the Ethics Committee to issue regulations identifying de minimis activities by lobbyists or foreign agents that would not violate this Rule.

Sets forth requirements for certification to the Ethics Committee a Member, officer, or employee must meet before accepting from any source travel otherwise permissible.

Requires Members, officers or employees to obtain prior approval of the Ethics Committee for such a reimbursement, once the Committee has promulgated regulations.

Requires the Secretary of the Senate to make available to the public all advance authorizations, certifications, and disclosures filed pursuant to such travel restrictions as soon as possible upon their receipt but in no event before completion of the relevant travel.

Requires the Ethics Committee to develop and revise annually guidelines on evaluating a trip proposal and judging the reasonableness of an expense or expenditure.

Authorizes the Senate Committee on Rules and Administration to extend for 30 days the deadline for the Ethics Committee's initial guidelines.

Makes the fair market value for a (charter) flight (for which reimbursement must be made to the Senate) the pro rata share of the fair market value of the normal and usual charter fare or rental charge for a comparable plane of comparable

size, as determined by dividing such cost by the number of Members, officers, or employees of Congress on the flight.

Defines such a (charter) flight as any flight on an aircraft that is not: (1) operated or paid for by an air carrier or commercial operator certificated by the Federal Aviation Administration (FAA) and required to be conducted under air carrier safety rules; or (2) an air carrier or commercial operator certificated by an appropriate foreign civil aviation authority, in the case of travel abroad, and the flight is required to be conducted under air carrier safety rules.

Excludes from such requirements an aircraft owned or leased by a governmental entity or by a Member of Congress or a Member's immediate family member (including an aircraft owned by an entity that is not a public corporation in which the Member or Member's immediate family member has an ownership interest, provided that the Member does not use the aircraft any more than the Member's or immediate family member's proportionate share of ownership allows).

Amends Rule XXXVIII (Prohibition of Unofficial Office Accounts) to declare that the value, for reimbursement purposes, of a (charter) flight shall be the pro rata share of the fair market value.

Requires the Subcommittee on the Legislative Branch of the Senate Committee on Appropriations to consider and propose any adjustment to the Senator's Official Personnel and Office Expense Account needed in light of the enactment of this section, and any modifications of federal statutes or appropriations measures needed to accomplish such adjustments.

Declares that nothing in this section or section 541 is meant to alter treatment under law or Senate rules of expenses that are governed by the Foreign Gifts and Decorations Act or the Mutual Educational and Cultural Exchange Act.

(Sec. 545) Allows a Member, officer, or employee to accept an offer of free attendance in the Member's home state at a conference, panel discussion, dinner event, reception, or similar event, provided by an event sponsor, if: (1) the cost of meals provided is less than \$50; (2) the event is sponsored primarily by constituents of the Member (or the Member by whom the officer or employee is employed), and will be attended primarily by a group of at least five such constituents, providing no registered lobbyist attends; and (3) the Member, officer, or employee participates as a speaker or a panel participant, by presenting information related to Congress or matters before Congress, or by performing a ceremonial function appropriate to his or her official position, or attendance at the event is appropriate to the performance of the official duties or representative function of such individual.

Allows a Member, officer, or employee who attends such an event to accept a sponsor's unsolicited offer of free attendance at the event for an accompanying individual if others in attendance will generally be similarly accompanied or if such attendance is appropriate to assist in the representation of the Senate.

(Sec. 546) Requires the Secretary of the Senate to establish a publicly available website, free of charge, containing information on all officially related congressional travel (occurring on or after such date and subject to disclosure under Rule XXXV).

Requires the Secretary to maintain such information on the Secretary's Internet site for up to four years.

Authorizes appropriations.

**Subtitle E: Other Reforms** - (Sec. 551) Exempts former Members, officers, and employees now employed as lobbyists from the one-year ban on Capitol contacts with respect to any contacts with staff of the Secretary of the Senate about compliance with LDA lobbying disclosure requirements.

(Sec. 552) Requires a Member to prohibit all of his or her staff from having any official contact with the Member's spouse or immediate family member that constitutes a LDA lobbying contact if the spouse or family member is a registered lobbyist, is employed or retained by a registered lobbyist, or an entity that hires or retains a registered lobbyist to influence legislation.

Prohibits Members and employees on a Member's staff from having any lobbying contact with any spouse of a Member who is a registered lobbyist or is employed or retained by one. States that this ban shall not apply to the spouse of a Member who was serving as a registered lobbyist at least one year before the Member's most recent election or at least one year before his or her marriage to the Member.

(Sec. 553) Requires the Ethics Committee to conduct ongoing ethics training and awareness programs for Members of the Senate and Senate staff.

(Sec. 554) Requires the Ethics Committee to report annually by January 31 on: (1) the number of alleged violations of Senate rules received from any source, including the number raised by a Senator or the Ethics Committee staff; (2) the number dismissed for lack of subject matter jurisdiction or, in which, even if the complaint allegations are true, no violation of Senate rules would exist, or because they failed to provide sufficient facts as to any material violation of the Senate rules beyond mere allegation or assertion; (3) the number in which the committee staff conducted a preliminary inquiry; (4) the number that resulted in an adjudicatory review; (5) the number that the committee dismissed for lack of substantial merit; (6) the number of private or public letters of admonition issued; (7) the number of matters resulting in a disciplinary sanction; and (8) any other information deemed appropriate.

**Title VI: Prohibited Use of Private Aircraft** - (Sec. 601) Amends the Federal Election Campaign Act of 1971 to prohibit a federal election candidate or any authorized committee of such a candidate from making any expenditure for a flight on an aircraft unless: (1) the aircraft is operated by an air carrier or commercial operator certificated by the FAA and the flight is required to be conducted under air carrier safety rules or, in the case of travel abroad, by an air carrier or commercial operator certificated by an appropriate foreign civil aviation authority and the flight is required to be conducted under such rules; or (2) the candidate, the authorized committee, or other political committee pays the owner, lessee, or other person providing the airplane the pro rata share of the fair market value of such flight within a commercially reasonable time frame after the date on which the flight is taken.

Prohibits an authorized committee and a leadership PAC of a candidate for the House of Representatives from making any expenditure for a flight unless: (1) the aircraft is operated by an air carrier or commercial operator certificated by the FAA and the flight is required to be conducted under air carrier safety rules, or, in the case of travel abroad, by an air carrier or commercial operator certificated by an appropriate foreign civil aviation authority and the flight is required to be conducted under such safety rules; or (2) the aircraft is operated by a federal or state entity.

States that such requirements do not apply to a flight on an aircraft owned or leased by the candidate involved or an immediate family member (including an aircraft owned by an entity that is not a public corporation in which the candidate or an immediate family member has an ownership interest) so long as the candidate does not use the aircraft more than the proportionate share of ownership allows.

**Title VII: Miscellaneous Provisions** - (Sec. 701) Expresses the sense of Congress that any applicable restrictions on congressional officials and employees in this Act should apply to the executive and judicial branches.

(Sec. 702) Amends the Ethics in Government Act of 1978 to increase from \$10,000 to \$50,000 the civil penalty imposed on an individual who knowingly and willfully falsifies, or who knowingly or willfully fails to file or report, any financial

disclosure information required under the Act.

Makes it unlawful for any person to knowingly and willfully falsify such information or fail to file or report it.

Subjects an individual to: (1) a fine, up to one year imprisonment, or both, for falsifying such information; and (2) a fine for knowingly and willfully failing to file or report it.

(Sec. 703) Declares that nothing in this Act or the amendments made by it shall be construed to prohibit any expressive conduct protected from legal prohibition by, or any activities protected by the free speech, free exercise, or free association clauses of, the First Amendment to the Constitution.

## Actions Timeline

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- **Sep 14, 2007:** Signed by President.
- **Sep 14, 2007:** Became Public Law No: 110-81.
- **Sep 4, 2007:** Presented to President.
- **Aug 2, 2007:** House amendment to S.1 considered by Senate. (consideration: CR S10687-10719, S10723-10724)
- **Aug 2, 2007:** Cloture on the motion to concur in the House amendment invoked in Senate by Yea-Nay Vote. 80 - 17. Record Vote Number: 293. (consideration: CR S10687; text: CR S10687)
- **Aug 2, 2007:** Motion to concur in House amendment with further amendment withdrawn in Senate.
- **Aug 2, 2007:** Resolving differences -- Senate actions: Senate agreed to House amendment by Yea-Nay Vote. 83 - 14. Record Vote Number: 294.
- **Aug 2, 2007:** Senate agreed to House amendment by Yea-Nay Vote. 83 - 14. Record Vote Number: 294.
- **Aug 2, 2007:** Message on Senate action sent to the House.
- **Aug 2, 2007:** Cleared for White House.
- **Jul 31, 2007:** Mr. Conyers moved to suspend the rules and pass the bill, as amended.
- **Jul 31, 2007:** Considered under suspension of the rules. (consideration: CR H9192-9210)
- **Jul 31, 2007:** DEBATE - The House proceeded with forty minutes of debate on S. 1.
- **Jul 31, 2007:** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by the Yeas and Nays: (2/3 required): 411 - 8 (Roll no. 763).(text: CR H9192-9203)
- **Jul 31, 2007:** On motion to suspend the rules and pass the bill, as amended Agreed to by the Yeas and Nays: (2/3 required): 411 - 8 (Roll no. 763). (text: CR H9192-9203)
- **Jul 31, 2007:** Motion to reconsider laid on the table Agreed to without objection.
- **Jul 31, 2007:** Message on House action received in Senate and at desk: House amendment to Senate bill. (consideration: CR S10389-10401; text: CR S10389-10400)
- **Jul 31, 2007:** Motion to concur in House amendment made in Senate. (consideration: CR S10400)
- **Jul 31, 2007:** Cloture motion on the motion to concur in House amendment presented in Senate. (consideration: CR S10400; text: CR S10400)
- **Jul 31, 2007:** Motion to concur in House amendment with an amendment made in Senate. (consideration: CR S10400)
- **Jan 24, 2007:** Received in the House.
- **Jan 24, 2007:** Held at the desk.
- **Jan 24, 2007:** Message on Senate action sent to the House.
- **Jan 22, 2007:** Senate ordered measure printed as passed.
- **Jan 18, 2007:** Considered by Senate. (consideration: CR S737-746)
- **Jan 18, 2007:** Passed/agreed to in Senate: Passed Senate with an amendment by Yea-Nay Vote. 96 - 2. Record Vote Number: 19.(text: CR 1/23/2007 S991-1000)
- **Jan 18, 2007:** Passed Senate with an amendment by Yea-Nay Vote. 96 - 2. Record Vote Number: 19. (text: CR 1/23/2007 S991-1000)
- **Jan 17, 2007:** Considered by Senate. (consideration: CR S636-641, S647-667)
- **Jan 16, 2007:** Considered by Senate. (consideration: CR S550-571)
- **Jan 12, 2007:** Considered by Senate. (consideration: CR S485-501, S502-504)
- **Jan 12, 2007:** Cloture motion on the bill presented in Senate. (consideration: CR S503; text: CR S503)
- **Jan 11, 2007:** Considered by Senate. (consideration: CR S415-441)
- **Jan 10, 2007:** Considered by Senate. (consideration: CR S319-345)
- **Jan 9, 2007:** Measure laid before Senate by unanimous consent. (consideration: CR S250-257, S258-274)
- **Jan 8, 2007:** Sponsor introductory remarks on measure. (CR S219-220)
- **Jan 4, 2007:** Introduced in Senate
- **Jan 4, 2007:** Sponsor introductory remarks on measure. (CR S9-11)
- **Jan 4, 2007:** Introduced in the Senate. Read the first time. Ordered read the second time and Placed on Senate Legislative Calendar under General Orders. Calendar No. 1. (text of measure as introduced: CR S42-48)