

January 9, 2007

**THE REID/McCONNELL SUBSTITUTE AMENDMENT TO S. 1**

The substitute amendment offered by Leaders Reid and McConnell contains all of the ethics and lobbying reforms included in S. 1. The substitute contains the following additional improvements:

**Strengthened Disclosure of Earmarks (sec. 103):** Sharpens the definition of earmarks to ensure fuller disclosure:

- Adds new language to address the “Duke Cunningham” issue where entity is not explicitly named in the earmark, but only one entity will qualify to receive funds.
- Adds improved definition of tax earmarks (“targeted tax benefits”) and tariff earmarks (“targeted tariff benefits”).
- Adds new requirement that Members certify that they have no financial interest in the earmark.

**Eliminating “Dead of Night” Provisions in Conference Reports (sec. 104):** Adds a new point of order against any conference report that has been changed in any way after a majority of the Senate conferees have signed the report.

**Respect for the Minority in Conference Committees (sec. 105):** Expresses the Sense of the Senate that conference committees should hold public meetings, that all conferees should be invited to these meetings, and that all conferees should be afforded an opportunity to participate in full and complete debates in conference.

**Ensures Proper Valuation for Skybox Tickets (sec. 108):** Adds new provision to ensure that skybox tickets and other tickets to sporting and entertainment events are valued appropriately.

**Closes Loophole on Revolving Door (sec. 110).** Adds a new provision to narrow the current exemption in the statutory lobbying ban for legislative and executive branch staffers hired by Indian tribes.

**Limits Sitting Members from Negotiating for Lobbying Jobs (sec. 112).** Adds a new provision prohibiting sitting members of Congress from negotiating for private sector employment that involves lobbying activities, as defined under the Lobbying Disclosure Act.

**Enhanced Oversight of Staff-Level Job Negotiations (sec. 112).** Adds a new provision requiring senior staff to notify the Ethics Committee within 3 days of commencing negotiations for outside employment.

**Enhanced Fiscal Transparency in Senate Procedures (sec. 118).** Adds a new provision authored by Sens. Conrad and Gregg requiring CBO scores for all conference reports, so that Senators will know the costs of conference reports before voting on them.

**Enhanced Lobbyist Disclosure (sec. 212).** Adds a new provision requiring lobbyists to disclose contributions to Presidential libraries and inaugural committees (the underlying bill requires disclosure of contributions). Streamlines all of the new lobbyist contributions reporting requirements into quarterly filings and ensures that all lobbyists file these new reports.

**Lobbyist Certification of Compliance with Gift and Travel Rules (sec. 223).** Adds a new provision requiring lobbyists to file a quarterly certification that they have not provided, requested, or directed gifts or travel to Members or employees of Congress in violation of the gift rules.

**Increased Criminal Penalties for Corrupt Violations of the LDA.** Adds new criminal penalties for violations of the lobbying disclosure rules which are part of a broader scheme of corruption – schemes like that perpetrated by Jack Abramoff.

In addition, the substitute includes a number of technical changes to various provisions in the bill.