

110th Congress }
1st Session }

HOUSE OF REPRESENTATIVES
Rules Committee

{Report
{
{No. _____

Providing for consideration of the bill (H.R. 2317) to amend the Lobbying Disclosure Act of 1995 to require registered lobbyists to file quarterly reports on contributions bundled for certain recipients, and for other purposes and providing for the consideration of the bill (H.R. 2316) to provide more rigorous requirements with respect to disclosure and enforcement of lobbying laws and regulations, and for other purposes.

May 23, 2007. --Referred to the House Calendar and ordered to be printed

Ms. Castor, from the Committee on Rules

submitted the following

REPORT

[To accompany H. Res. _____]

The Committee on Rules, having had under consideration House Resolution ____, by a record vote of 7 to 4, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for consideration of H.R. 2317, to amend the Lobbying Disclosure Act of 1995 to require registered lobbyists to file quarterly reports on contributions bundled for certain recipients, and for other purposes, and for consideration of H.R. 2316, to provide more rigorous requirements with respect to disclosure and enforcement of lobbying laws and regulations, and for other purposes.

With respect to H.R. 2317, the resolution provides a closed rule with one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. The resolution waives all points of order against consideration of the bill except those arising under clauses 9 or 10 of rule XXI. The amendment in the nature of a substitute recommended by the Committee on the Judiciary, modified by the amendment printed in part A of this report, shall be considered as adopted and the bill, as modified, shall be considered as read. All points of order against the bill, as amended, are waived. The resolution provides one motion to recommit with or without instructions.

With respect to H.R. 2316, the resolution provides a structured rule with one hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. The resolution waives all points of order against consideration of the bill except for those arising under clauses 9 or 10 of rule XXI. The resolution considers as an original bill for the purpose of further amendment the amendment in the nature of a substitute recommended by the Committee on the Judiciary. The committee amendment shall be considered as read. The resolution waives all points of order against the committee amendment except for those arising under clauses 9 or 10 of rule XXI.

The resolution makes in order those amendments printed in part B of this report and waives all points of order against such amendments except for those arising under clauses 9 or 10 of rule XXI. The resolution provides one motion to recommit with or without instructions.

The resolution permits the Chair, during consideration of either H.R. 2316 or H.R. 2317, to postpone further consideration until a time designated by the Speaker. Finally, the resolution amends the Rules of the House governing Member and staff attendance at charitable events.

EXPLANATION OF WAIVERS

Although the rule waives all points of order against H.R. 2317 and its consideration (except for those arising under clauses 9 or 10 of rule XXI), the Committee is not aware of any points of order against the bill or its consideration. The waivers of all points of order against the bill and its consideration are prophylactic in nature.

Although the rule waives all points of order against H.R. 2316 and its consideration (except for those arising under clause 9 or 10 of rule XXI), the Committee is not aware of any points of order against the bill or its consideration. The waivers of all points of order against the bill and its consideration are prophylactic in nature.

CHANGES IN EXISTING HOUSE RULES MADE BY SECTION 4 OF THE RESOLUTION

In compliance with clause 3(g) of rule XIII of the Rules of the House of Representatives, changes in the Rules of the House made by the resolution, as reported by the Committee on Rules, are shown as follows (existing Rules proposed to be omitted are enclosed in black brackets, new matter is printed in italics, existing Rules in which no change is proposed are shown in roman):

Rules of the House of Representatives
One Hundred Tenth Congress

Rule XXV

Limitations on Outside Earned Income and Acceptance of Gifts

Gifts

5(a) * * * 3(Q) [Free attendance at a widely attended event permitted under subparagraph (4).] *Free attendance at an event permitted under subparagraph (4).*

COMMITTEE VOTES

The results of each record vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

Rules Committee Record Vote No. 199

Date: May 23, 2007

Measure: H.R. 2316

Motion By: Mr. Dreier

Summary of Motion: To grant an open rule.

Results: Defeated 4-8

Vote by Member:

MCGOVERN	NAY
HASTINGS (FL)	NAY
MATSUI	NAY
CARDOZA	
WELCH	NAY
CASTOR	NAY
ARCURI	NAY
SUTTON	NAY
DREIER	YEA
DIAZ-BALART	YEA
HASTINGS (WA)	YEA
SESSIONS	YEA
SLAUGHTER	NAY

Rules Committee Record Vote No. 200

Date: May 23, 2007

Measure: H.R. 2316

Motion By: Mr. Dreier

Summary of Motion: To make in order and provide appropriate waivers for a substitute amendment consisting of a motion to recommit offered by Mrs. Slaughter on May 3, 2006 to H.R. 4975.

Results: Defeated 4-7

Vote by Member:

MCGOVERN

HASTINGS (FL) NAY

MATSUI NAY

CARDOZA

WELCH NAY

CASTOR NAY

ARCURI NAY

SUTTON NAY

DREIER YEA

DIAZ-BALART YEA

HASTINGS (WA) YEA

SESSIONS YEA

SLAUGHTER NAY

Rules Committee Record Vote No. 201

Date: May 23, 2007

Measure: H.R. 2316

Motion By: Mr. Dreier

Summary of Motion: To make in order and provide appropriate waivers for an amendment by Rep. Dreier (CA), #41, which adds a provision passed by the House in the 109th Congress authorizing and requiring the House Inspector General to conduct random audits of lobbying disclosure filings. The amendment also authorizes the House Inspector General to refer wrongdoing by lobbyists to the Department of Justice.

Results: Defeated 4-7

Vote by Member:

MCGOVERN

HASTINGS (FL) NAY

MATSUI NAY

CARDOZA

WELCH NAY

CASTOR NAY

ARCURI NAY

SUTTON NAY

DREIER YEA

DIAZ-BALART YEA

HASTINGS (WA) YEA

SESSIONS YEA

SLAUGHTER NAY

Rules Committee Record Vote No. 202

Date: May 23, 2007

Measure: H.R. 2316

Motion By: Mr. Dreier

Summary of Motion: To make in order and provide appropriate waivers for an amendment by Rep. Flake (AZ) and Rep. Boehner (OH), #18, which would remove the exemption in the House gift rule for state and local government entities.

Results: Defeated 4-7

Vote by Member:

MCGOVERN

HASTINGS (FL) NAY

MATSUI NAY

CARDOZA

WELCH NAY

CASTOR NAY

ARCURI NAY

SUTTON NAY

DREIER YEA

DIAZ-BALART YEA

HASTINGS (WA) YEA

SESSIONS YEA

SLAUGHTER NAY

Rules Committee Record Vote No. 203

Date: May 23, 2007

Measure: H.R. 2316

Motion By: Mr. Diaz-Balart

Summary of Motion: To make in order and provide appropriate waivers for an amendment by Rep. Garrett (NJ), #19, which would make it a federal offense for persons convicted of federal, state, or local felonies to register as lobbyists.

Results: Defeated 4-7

Vote by Member:

MCGOVERN

HASTINGS (FL) NAY

MATSUI NAY

CARDOZA

WELCH NAY

CASTOR NAY

ARCURI NAY

SUTTON NAY

DREIER YEA

DIAZ-BALART YEA

HASTINGS (WA) YEA

SESSIONS YEA

SLAUGHTER NAY

Rules Committee Record Vote No. 204

Date: May 23, 2007

Measure: H.R. 2316

Motion By: Mr. Diaz-Balart

Summary of Motion: To make in order and provide appropriate waivers for an amendment by Rep. Gingrey (GA), #8, which would extend the prohibition on converting campaign dollars for personal use currently applicable to campaign committees to leadership PACs. Leadership PACs could use funds for authorized expenditures in connection with campaigns for Federal office, charitable contributions, or for transfers to a national, state, or local committee of a political party. Leadership PAC is defined as a political committee that is directly or indirectly established, maintained, or controlled by a candidate for election for Federal office or an individual holding Federal office.

Results: Defeated 4-7

Vote by Member:

MCGOVERN

HASTINGS (FL) NAY

MATSUI NAY

CARDOZA

WELCH NAY

CASTOR NAY

ARCURI NAY

SUTTON NAY

DREIER YEA

DIAZ-BALART YEA

HASTINGS (WA) YEA

SESSIONS YEA

SLAUGHTER NAY

Rules Committee Record Vote No. 205

Date: May 23, 2007

Measure: H.R. 2316

Motion By: Mr. Diaz-Balart

Summary of Motion: To make in order en bloc and provide appropriate waivers for an amendment by Rep. Issa (CA), #7, which would amend the Lobbying Disclosure Act to prohibit state, local, or other government or semi-sovereign entities, including public institutions of higher education, from providing gifts to Members, officers, or employees of the House; and an amendment by Rep. McHenry (NC), #36, which would require Members' disclosure of residential properties, including primary residences and mortgage liabilities.

Results: Defeated 4-7

Vote by Member:

MCGOVERN

HASTINGS (FL) NAY

MATSUI NAY

CARDOZA

WELCH NAY

CASTOR NAY

ARCURI NAY

SUTTON NAY

DREIER YEA

DIAZ-BALART YEA

HASTINGS (WA) YEA

SESSIONS YEA

SLAUGHTER NAY

Rules Committee Record Vote No. 206

Date: May 23, 2007

Measure: H.R. 2316

Motion By: Mr. Diaz-Balart

Summary of Motion: To make in order en bloc and provide appropriate waivers for an amendment by Rep. Flake (AZ), #38, which requires registered lobbyists to report Congressional earmarks for which they lobby; an amendment by Rep. Flake (AZ), #39, which prohibits lobbyists from lobbying for Congressional earmarks with federal funds; and an amendment by Rep. Flake (AZ), #40, which would require registered lobbyists who work for an entity that was created by earmarks to include in their annual report a statement detailing the total amount, by year, of Federal funds the entity has received since the founding of the entity, including which funds were received by such a Congressional earmark and which funds were received by a competitive grant process.

Results: Defeated 4-7

Vote by Member:

MCGOVERN

HASTINGS (FL) NAY

MATSUI NAY

CARDOZA

WELCH NAY

CASTOR NAY

ARCURI NAY

SUTTON NAY

DREIER YEA

DIAZ-BALART YEA

HASTINGS (WA) YEA

SESSIONS YEA

SLAUGHTER NAY

Rules Committee Record Vote No. 207

Date: May 23, 2007

Measure: H.R. 2316

Motion By: Mr. Diaz-Balart

Summary of Motion: To make in order en bloc and provide appropriate waivers for an amendment by Rep. Castle (DE), #21, which extends to two years the lobbying ban for former members of Congress, senior staff, and executive branch officials; an amendment by Rep. Castle (DE), #23, which requires all registered lobbyists to complete a mandatory 8-hours of ethics training, conducted by the House Committee on Standards, each Congress. Ethics training would include the code of conduct and disclosure requirements applicable to Members, officers, and employees of the House, including rules relating to acceptance of gifts (including travel and meals), and financial disclosure requirements under the Ethics in Government Act of 1978. Failure to complete ethics training each Congress would trigger penalties; and an amendment by Rep. Castle (DE), #24, which would prohibit a campaign committee or leadership PAC of a candidate or Federal office holder from making payments to a spouse or immediate family member of candidate for services provided. The amendment exempts nominal reimbursements under \$500.

Results: Defeated 4-6

Vote by Member:

MCGOVERN

HASTINGS (FL) NAY

MATSUI NAY

CARDOZA

WELCH NAY

CASTOR NAY

ARCURI NAY

SUTTON

DREIER YEA

DIAZ-BALART YEA

HASTINGS (WA) YEA

SESSIONS YEA

SLAUGHTER NAY

Rules Committee Record Vote No. 208

Date: May 23, 2007

Measure: H.R. 2316

Motion By: Mr. Sessions

Summary of Motion: To make in order en bloc and provide appropriate waivers for an amendment by Rep. Kirk (IL), #48, which addresses Members of Congress forfeiting their congressional pension should they be convicted of certain felonies. The amendment expands the number of such felonies from 3 to 22; an amendment by Rep. Shadegg (AZ), #42, which would prohibit a Member of Congress convicted of bribery from receiving his or her taxpayer-funded retirement benefits; and an amendment by Rep. Terry (NE), #14, which provides for the loss of pensions for Members of Congress convicted of current federal "white-collar" criminal offenses like bribery, solicitation of gifts, perjury, making false claims, lying to a grand jury, etc. The amendment denies pension benefits only for the period of federal service in the U.S. Congress and for offenses related to the service as a Member.

Results: Defeated 4-6

Vote by Member:

MCGOVERN

HASTINGS (FL) NAY

MATSUI NAY

CARDOZA

WELCH NAY

CASTOR NAY

ARCURI NAY

SUTTON

DREIER YEA

DIAZ-BALART YEA

HASTINGS (WA) YEA

SESSIONS YEA

SLAUGHTER NAY

Rules Committee Record Vote No. 209

Date: May 23, 2007

Measure: H.R. 2316

Motion By: Mr. Sessions

Summary of Motion: To make in order and provide appropriate waivers for an amendment by Rep. Shays (CT), #29, which establishes an Office of Public Integrity (OPI) to assist the House Ethics Committee. OPI would be a nonpartisan office comprised of professional staff who would investigate non-frivolous complaints of potential ethics violations and present its findings to the Ethics Committee for adjudication. OPI would also provide both formal and informal guidance to Members and their staff on the permissibility of conduct under House and Senate rules. Finally, OPI would provide informal guidance to registered lobbyists about reporting requirements and conduct random audits of reports.

Results: Defeated 3-6, with one member voting present

Vote by Member:

MCGOVERN

HASTINGS (FL) NAY

MATSUI NAY

CARDOZA

WELCH NAY

CASTOR NAY

ARCURI NAY

SUTTON

DREIER YEA

DIAZ-BALART YEA

HASTINGS (WA) PRES

SESSIONS YEA

SLAUGHTER NAY

Rules Committee Record Vote No. 210

Date: May 23, 2007

Measure: H.R. 2316

Motion By: Mr. Sessions

Summary of Motion: To make in order and provide appropriate waivers for an amendment by Rep. Terry (NE) and Rep. Price, Tom (GA), #43, which sets forth findings that the House Committee on Standards of Official Conduct has not provided Members of Congress with adequate and clear guidance on the definition of a congressional earmark and what constitutes a Member's financial interest in a congressional earmark. The amendment requires the Committee to publish an updated manual clearly explaining the new rules governing congressional earmark transparency and what constitutes a Member's financial interest in an earmark.

Results: Defeated 3-7, with one member voting present

Vote by Member:

MCGOVERN

HASTINGS (FL) NAY

MATSUI NAY

CARDOZA

WELCH NAY

CASTOR NAY

ARCURI NAY

SUTTON NAY

DREIER YEA

DIAZ-BALART YEA

HASTINGS (WA) PRES

SESSIONS YEA

SLAUGHTER NAY

Rules Committee Record Vote No. 211

Date: May 23, 2007

Measure: H.R. 2316

Motion By: Mr. Sessions

Summary of Motion: To make in order and provide appropriate waivers for an amendment by Rep. Wolf (VA), #15, which would make it a federal offense for former ambassadors and CIA station chiefs to act as an agent of the foreign nation where they were assigned for five years after their service as ambassador or station chief is completed.

Results: Defeated 4-7

Vote by Member:

MCGOVERN

HASTINGS (FL) NAY

MATSUI NAY

CARDOZA

WELCH NAY

CASTOR NAY

ARCURI NAY

SUTTON NAY

DREIER YEA

DIAZ-BALART YEA

HASTINGS (WA) YEA

SESSIONS YEA

SLAUGHTER NAY

Rules Committee Record Vote No. 212

Date: May 23, 2007

Measure: H.R. 2317-H.R. 2316

Motion By: Mr. McGovern

Summary of Motion: To report the rule

Results: Adopted 7-4

Vote by Member:

MCGOVERN

HASTINGS (FL) YEA

MATSUI YEA

CARDOZA

WELCH YEA

CASTOR YEA

ARCURI YEA

SUTTON YEA

DREIER NAY

DIAZ-BALART NAY

HASTINGS (WA) NAY

SESSIONS NAY

SLAUGHTER YEA

SUMMARY OF AMENDMENT IN PART A CONSIDERED AS ADOPTED

The amendment provides that the statement which a covered registered lobbyist is required to provide to the recipient must include a notification that the recipient has the right to respond to the statement to challenge and correct any information included before the registered lobbyist files the report.

SUMMARY OF AMENDMENTS IN PART B MADE IN ORDER

(summaries derived from information provided by sponsors)

- 1. Conyers (MI):** **Manager's Amendment.** This amendment would make technical corrections to the text of the bill. In addition, it would permit Members to omit personally identifiable information not required to be disclosed on the reports posted on the Internet by the Clerk. (10 minutes)
- 2. Dreier (CA):** The amendment adds language passed by the House as part of H.R. 4975 in the 109th Congress amending the post-employment restrictions contained in section 207(e) of title 18, United States Code. The amendment would direct the Clerk, in consultation with the Committee on Standards of Official Conduct, to inform a Member, officer, or employee who is subject to the post-employment restrictions on lobbying contacts contained in that section of the beginning and ending dates of the restriction. The Clerk must also inform each office of the House to which the restriction applies of the restriction. The amendment also adds a new provision directing the Clerk to place the information on its public Internet site in a format that is searchable, sortable, and downloadable. (10 minutes)
- 3. Abercrombie (HI):** This amendment places a one-year ban on flag and general officers of the Armed Services from receiving compensation from any company that does greater than \$50 million in business with the Department of Defense. This ban will take place 120 days from the enactment of the legislation. (10 minutes)
- 4. Castle (DE)/Platts (PA):** Amendment states that it is the sense of Congress that 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. (10 minutes)
- 5. Cardoza (CA):** This amendment gives judges the discretion to increase the sentence for public officials convicted of bribery, fraud, extortion or theft of public funds greater than \$10,000. If a public official was convicted of one of the enumerated crimes, a sentencing judge would have the discretion to double the length of a sentence (up to two years) for those public officials. Public officials are defined as Federal, State, or local elected officials; Presidential appointees; or a State or local official appointed by an elected state or local official. (10 minutes)

PART A – TEXT OF AMENDMENT CONSIDERED AS ADOPTED

**AMENDMENT TO H.R. 2317, AS REPORTED
OFFERED BY MR. VAN HOLLEN OF MARYLAND**

Page 3, line 23, strike “and”.

Page 4, line 4, strike the period and insert “; and”.

Page 4, insert after line 4 the following:

1 “(C) a notification that the covered recipi-
2 ent has the right to respond to the statement
3 to challenge and correct any information in-
4 cluded before the registered lobbyist files the re-
5 port under paragraph (1).”.

PART B – TEXT OF AMENDMENTS MADE IN ORDER UNDER THE RULE

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
Conyers OF Michigan, OR HIS
DESIGNEE, DEBATABLE FOR 10 MINUTES:

#27 Revised

**AMENDMENT TO H.R. 2316, AS REPORTED
OFFERED BY MR. CONYERS OF MICHIGAN**

Page 2, in the item relating to section 206 in the table of contents, strike “association” and insert “associations”.

Page 17, line 21, strike “ASSOCIATION” and insert “ASSOCIATIONS”.

Page 4, line 11, strike “this clause” and insert “this rule”.

Page 5, line 24, strike “or any” and insert “any”.

Page 5, line 24, insert “or section 872,” after “209,”.

Page 13, line 21, strike “the Act” and insert “the Lobbying Disclosure Act of 1995”.

Page 26, insert after line 2 the following:

- 1 (3) OMISSION OF PERSONALLY IDENTIFIABLE
- 2 INFORMATION.—Members of the House of Rep-
- 3 resentatives (including Delegates and Resident Com-
- 4 missioners to the Congress) shall be permitted to
- 5 omit personally identifiable information not required
- 6 to be disclosed on the reports posted on the public

1 Internet site under this section (such as home ad-
2 dress, Social Security numbers, personal bank ac-
3 count numbers, home telephone, and names of chil-
4 dren) prior to the posting of such reports on such
5 public Internet site.

6 (4) ASSISTANCE IN PROTECTING PERSONAL IN-
7 FORMATION.—The Clerk of the House of Represent-
8 atives, in consultation with the Committee on Stand-
9 ards of Official Conduct, shall include in any infor-
10 mational materials concerning any disclosure that
11 will be posted on the public Internet site under this
12 section an explanation of the procedures for pro-
13 tecting personally identifiable information as de-
14 scribed in this section.

2 AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
Dreier OF California, OR HIS
DESIGNEE, DEBATABLE FOR 10 MINUTES:

**AMENDMENT TO H.R. 2316, AS REPORTED
OFFERED BY MR. DREIER OF CALIFORNIA**

Immediately prior to section 104, add the following new section, redesignate section 104 as section 105, and conform the table of contents accordingly:

1 **SEC. 104. NOTIFICATION OF POST-EMPLOYMENT RESTRIC-**
2 **TIONS.**

3 Section 207(e) of title 18, United States Code, is
4 amended by adding at the end the following new para-
5 graph:

6 “(8) NOTIFICATION OF POST-EMPLOYMENT RE-
7 STRICTIONS.—After a Member of the House of Rep-
8 resentatives or an elected officer of the House of
9 Representatives leaves office, or after the termi-
10 nation of employment with the House of Representa-
11 tives of an employee of the House of Representatives
12 covered under paragraph (2), (3), or (4), the Clerk
13 of the House of Representatives, after consultation
14 with the Committee on Standards of Official Con-
15 duct, shall notify the Member, officer, or employee
16 of the beginning and ending date of the prohibitions
17 that apply to the Member, officer, or employee under
18 this subsection, and also notify each office of the

1 House of Representatives with respect to which such
2 prohibitions apply of those dates. The Clerk shall
3 also post the information contained in such notifica-
4 tion on the public Internet site of the Office of the
5 Clerk in a format that is searchable, sortable, and
6 downloadable.”.

Section 105 (as so redesignated) is amended by add-
ing at the end the following new subsection:

7 (d) SECTION 104.—The amendments made by sec-
8 tion 104 shall take effect on the date of enactment of this
9 Act.

3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
Abercrombie OF Hawaii, OR HIS
DESIGNEE, DEBATABLE FOR 10 MINUTES:

**AMENDMENT TO H.R. 2316, AS REPORTED
OFFERED BY MR. ABERCROMBIE OF HAWAII**

Insert the following after section 103 and redesignate the succeeding section accordingly:

1 **SEC. 104. RESTRICTIONS ON CERTAIN UNIFORMED OFFI-**
2 **CERS.**

3 Section 207 of title 18, United States Code, is
4 amended by adding at the end the following new sub-
5 section:

6 “(m) **ADDITIONAL RESTRICTIONS ON CERTAIN OFFI-**
7 **CERS OF THE ARMED FORCES.**—Any person who is a gen-
8 eral or flag officer of the Armed Forces and who, within
9 1 year after the person’s retirement or separation from
10 the Armed Forces, receives compensation from any entity
11 under contract with the Department of Defense if the con-
12 tract or contracts in effect at the time of the receipt of
13 the compensation are in amounts, in the aggregate, great-
14 er than \$50,000,000 shall be punished as provided in sec-
15 tion 216 of this title.”.

In section 105, as redesignated, add the following at
the end:

1 (d) SECTION 104.—The amendment made by section
2 104 shall apply to any individual who retires or is sepa-
3 rated from the Armed Forces more than 120 days after
4 the date of the enactment of this Act.

4. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
Castle OF Delaware, OR H is
DESIGNEE, DEBATABLE FOR 10 MINUTES:

**AMENDMENT TO H.R. 2316, AS REPORTED
OFFERED BY MR. CASTLE OF DELAWARE**

Insert the following after section 208 and redesignate the succeeding sections, and conform the table of contents, accordingly:

1 **SEC. 209. SENSE OF CONGRESS REGARDING LOBBYING BY**
2 **IMMEDIATE FAMILY MEMBERS.**

3 It is the sense of the Congress that the use of a fam-
4 ily relationship by a lobbyist who is an immediate family
5 member of a Member of Congress to gain special advan-
6 tages over other lobbyists is inappropriate.

5. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
Cardoza OF California, OR HIS
DESIGNEE, DEBATABLE FOR 10 MINUTES:

AMENDMENT TO H.R. 2316, AS REPORTED
OFFERED BY MR. CARDOZA OF CALIFORNIA

Insert after title IV the following new title and
redesignate the succeeding title accordingly:

1 **TITLE V—ADDITIONAL CRIMI-**
2 **NAL PENALTIES FOR PUBLIC**
3 **OFFICIALS**

4 **SEC. 501. CRIMINAL PENALTIES FOR PUBLIC OFFICIALS.**

5 (a) IN GENERAL.—Subchapter D of chapter 227 of
6 title 18, United States Code, is amended by adding at the
7 end the following:

8 **“§ 3587. Increased imprisonment for certain offenses**
9 **by public officials.**

10 “(a) GENERAL RULE.—In any Federal criminal case
11 in which a public official is convicted of an offense against
12 the United States—

13 “(1) consisting of conduct during the course of
14 official duty, intended to enrich that official; and

15 “(2) involving bribery, fraud, extortion, or theft
16 of public funds greater than \$10,000;

17 the sentencing judge may increase the sentence of impris-
18 onment by an amount of up to 2 years. The sentencing
19 judge may double the sentence of imprisonment that

1 would otherwise be imposed in that case: *Provided, how-*
2 *ever* that in no instance may the sentencing judge be al-
3 lowed to increase the sentence by more than 2 years.

4 “(b) DEFINITION.—In this section, the term ‘public
5 official’ means—

6 “(1) an elected official of the United States or
7 of a State or local government;

8 “(2) a presidentially-appointed official; and

9 “(3) an official appointed to a State or local
10 governmental office by an elected official of a State
11 or local government.”.

12 (b) CLERICAL AMENDMENT.—The table of sections
13 at the beginning of subchapter D of chapter 227 of title
14 18, United States Code, is amended by adding at the end
15 the following new item:

“3587. Increased imprisonment for certain offenses by public officials.”.

110th Congress
1st Session

H. RES. _____

Providing for consideration of the bill (H.R. 2317) to amend the Lobbying Disclosure Act of 1995 to require registered lobbyists to file quarterly reports on contributions bundled for certain recipients, and for other purposes and providing for the consideration of the bill (H.R. 2316) to provide more rigorous requirements with respect to disclosure and enforcement of lobbying laws and regulations, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

May 23, 2007

Ms. Castor, from the Committee on Rules, reported the following resolution; which was referred to the House Calendar and ordered to be printed.

RESOLUTION

Providing for consideration of the bill (H.R. 2317) to amend the Lobbying Disclosure Act of 1995 to require registered lobbyists to file quarterly reports on contributions bundled for certain recipients, and for other purposes and providing for the consideration of the bill (H.R. 2316) to provide more rigorous requirements with respect to disclosure and enforcement of lobbying laws and regulations, and for other purposes.

Resolved, That at any time after the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 2317) to amend the Lobbying Disclosure Act of 1995 to require registered lobbyists to file quarterly reports on contributions bundled for certain recipients, and for other purposes. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. The amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill, modified by the amendment printed in part A of the report of the Committee on Rules accompanying this resolution, shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary; and (2) one motion to recommit with or without instructions.

Sec 2. Upon the adoption of this resolution, the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2316) to provide more rigorous requirements with respect to disclosure and enforcement of lobbying laws and regulations, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived except those arising under clause 9 or 10 of rule XXI. Notwithstanding clause 11 of rule XVIII, no amendment to the committee amendment in the nature of a substitute shall be in order except those printed in part B of the report of the Committee on Rules. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived except those arising under clause 9 or 10 of rule XXI. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

Sec. 3. During consideration of H.R. 2317 or H.R. 2316 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of either bill to such time as may be designated by the Speaker.

Sec. 4. Subparagraph (3)(Q) of clause 5(a) of rule XXV is amended to read as follows:
“(Q) Free attendance at an event permitted under subparagraph (4).”