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Senate Approves Landmark Ethics Reform

Washington, DC *– The U.S. Senate tonight approved a landmark ethics reform package, the strongest such legislation since the Watergate-era. The bill (S.1 – The Legislative Transparency and Accountability Act) will next be the subject of a Conference Committee with the House, before being returned to each Chamber for final passage.*

The following is a comment from Senator Feinstein, who as chairman of the Senate Rules and Administration Committee, managed the bill on the Senate floor, followed by a summary of the bill:

"Passage of this ethics reform package is the most direct action we can take to show the American people that tighter rules and procedures are in place and that the corrupt practices of the few will not be permitted.

There are a number of major issues facing our nation – the war in Iraq; the spread of terrorism; our nation's growing debt; and the inaffordability of health care for many Americans to name but a few.

But I believe one message that was very clear in the last election, was the need for Congress to immediately take steps to restore the public's trust. Final passage of this bill will demonstrate once and for all that we care more about representing the American people than the perks of power.

In a USA TODAY/Gallup Poll last month, only 15 percent of those polled gave U.S. Senators high or very high marks for honesty. This was down from 25 percent in 2001, when members got their best score since 1976 (USA TODAY, 12/12/06).

When one reviews the scandals that were exposed last year that is not surprising. The ties between lobbyists and lawmakers must be broken.

Yes, the public has a Constitutional right to petition Congress. But that right should not be limited to those who seek special access through gifts, meals, tickets to entertainment and sporting events, and travel junkets.

The 2006 election saw the largest Congressional shift since 1994. And even with the war in Iraq on many voters minds, polls showed Americans more concerned about ethics in government than any other issue.

The stakes are high. It is imperative that we act."

S.1 – The Legislative Transparency and Accountability Act
Approved by the Senate on January 18, 2006
Summary

Gifts:

- Prohibits Members and their staff from accepting gifts from registered lobbyists or the companies or organizations that hire them.
- Prohibits Members from attending parties held in their honor at national party conventions if they are sponsored by lobbyists.
- Requires that tickets to entertainment and sporting events be valued at the market rate.

Travel:

- Prohibits Members and their staff from accepting private travel from lobbyists or the companies that hire them.
- Provides an exemption for companies or organizations that employ lobbyists if the travel is required for the Member or staff to carry out official duties and is limited to a one-day event.
- Allows 501(c)(3) organizations that have been pre-approved by the Ethics Committee to sponsor private travel.
- Requires that all trips be pre-certified by the Ethics Committee and that all disclosure forms be made available to the public on the Internet.

Charter Planes:

- Requires that Members and candidates for Federal election pay fair market value for charter plane trips and disclose all flights taken, including the date of the flight, the destination, owner of the aircraft, purpose of the travel and charter rate paid.

Revolving Door:

- Revokes floor privileges and other privileges such as the use of the Members' gym and parking for former Members who are now registered lobbyists.
- Prohibits Members from engaging in any Congressional lobbying activity for two years after they complete their Congressional tenure.
- Prohibits senior staff (those making 75 % or more of a Member's salary) from lobbying the Senate for one year after they leave Senate employment.

Employment Negotiations:

- Requires Members to disclose any negotiations they engage in to secure future employment before their successor is elected and prohibits them from seeking employment as a registered lobbyist before they leave office.

K Street Project:

- Clarifies that it is illegal for Members or their staff to attempt to influence private sector employment decisions in exchange for political access.

Lobbying by Family Members:

- Prohibits Senate spouses from lobbying any Senate office, and Members' other immediate family from lobbying the Member's office.

Lobbying Disclosure:

- Requires registered lobbyists to file quarterly reports of their activities, including campaign contributions in excess of $200, whether they are given directly by the lobbyist to the candidate, raised at a fundraiser or collected from several sources and bundled together.
- All information must be disclosed electronically and used to create a searchable Internet database that will be available to the public.
- Also increases criminal penalties for failing to comply with lobbying disclosure requirements.

Earmark Disclosure:

- Requires that all earmarks, limited tax benefits and limited tariff benefits included in bills, joint resolutions, committee reports and conference reports be disclosed, along with the name of the Member who sponsored them, and that the information be posted publicly on the Internet for at least 48 hours before consideration on the Senate floor.
- Requires Members who request earmarks, limited tax benefits and limited tariff benefits to provide the appropriate committee with the name and address of the intended recipient and the purpose of the earmark.
- Prohibits Members, their immediate family and their staff from financially benefiting from an earmark that the Member introduces or requests.

Classified Earmarks:

- Requires that earmarks contained in classified portions of reports accompanying bills, resolutions or conference reports be disclosed in unclassified language along with a general program description, funding level and the name of the sponsor of that earmark.

Out of Scope Earmarks:

- A 60 vote point of order can be made against any provision, including earmarks, in a conference report that was not committed to the conferees by either House.

Conference Report Consideration:

- All conference reports must be posted on the Internet for at least 48 hours prior to their consideration. Also requires a cost estimate from the Congressional Budget Office to be available at the time of consideration.

Senate Procedure:

- Expresses the Sense of the Senate that conference committees should be held regularly, that all conferees should be allowed to debate the matters of the conference and that conferences should be open to the public.
- Requires Senators to identify holds they place on legislation.
- Requires that Committee transcripts or audio recordings be made publicly available within 14 days.

Congressional Pensions:

- Revokes Congressional pensions from Members who are convicted of crimes that involve bribery of public officials, conspiracy to defraud the United States and perjury.

Controller General:

- Requires the Controller General to annually audit lobbying registration and reports.

Member and Staff Ethics Training:

- Requires new Senators and staff to complete ethics training held by the Ethics Committee.

Annual Ethics Committee Reports:

- The House and Senate Ethics Committees will be required to publish an annual report that describes their activities over the course of the previous year.

Governmental Reform Commission:

- Establishes a 10-person, bipartisan commission that will be selected by leaders of the House and Senate to study Congressional ethics requirements and to make recommendations on potential improvements.