

The New Honest Leadership and Open Government Act of 2007 (S. 1)

Bill Section	Section Area	Current Law	Bill Requirements
Title 1 – Closing the Revolving Door 101	Former Members Lobbying Restrictions/“Cooling off” Period	A member of Congress must wait one year before they can lobby Congress	A Senator must now wait two years before lobbying Congress. A Representative still must wait one year before lobbying Congress. Senate staff is also required to wait one year before lobbying any Senate office.
102	Ending the K Street Project	No specific mention of “influencing” the hiring practices of outside companies	No member of Congress can influence the hiring of a person on a partisan basis of any private entity or is subject to a fine or imprisonment.
103	Notifying Members of Post-Congressional Restrictions	N/A	The Secretary of the Senate/Clerk of the House is responsible for notifying members leaving Congress of their post-Congressional job restrictions, and may post these on the Internet.
104	Tribal Work Exception	N/A	Members or Executive Branch officials representing a tribal organization or intertribal consortium are exempt from certain lobbying provisions.
105	Effective Dates of Provisions 101-104	N/A	Section 101 is effective for a member after the adjournment of the first session of the 110 th Congress. Section 102 is effective upon passage. Section 103 is effective 60 days after enactment for the notification requirement, and the Internet provision is in effect as of January 1, 2008. Section 104 is effective upon passage.
Title II – Full Public Disclosure of Lobbying 201	Quarterly Filing of Lobbying Reports	Lobbying reports are filed semiannually within 45 days after the end of 6 months.	Lobbying reports must now be filed quarterly, and the reports must be filed within 20 days of the end of the quarter.
202	Disclosure of State Government Lobbying	N/A	The lobbying report now must include whether a client is a state or local government, or any entity controlled by a state or local government.
203	Reporting of Lobbyists’ Campaign Contributions	N/A	Twice a year lobbyists are required to disclose any contribution over \$200 to any Federal candidate, PAC, or party organization; and money spent on an event honoring a member or given to a presidential library. The disclosure would also include a certification that the lobbyist has read the Rules of the Senate and House and has not violated those rules.
204	Bundling Disclosure	N/A	This section amends the Federal Election Campaign Act of 1971 to require a candidate’s PAC to disclose the name of a person who has bundled 2

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			or more contributions over \$15,000 (not including those contributions made by the bundler). The FEC should disclose all reported bundled contributions on their website.
205	Electronic Filing of Lobbying Disclosure Report	There is no requirement that the semiannual lobbying report be filed online.	This section requires the House and Senate to use the same software to allow the Lobbying Disclosure Act to be filed over the Internet.
206	Gift and Travel Prohibitions	Members and staff are not allowed to accept any one gift valued over \$50 or any combination over \$100 in a year.	Members and staff are prohibited from accepting gifts or privately financed travel from lobbyists except as specified by each chamber's rules. The rules currently abolish the \$50 gift rule and place restrictions on who can finance Congressional travel and for how long (see ASAE summary of House Rules regarding gifts and travel).
207**	Disclosure of Funds from Coalitions and Associations	N/A	Associations or coalitions that receive over \$5,000 in a quarter from other associations or coalitions for lobbying purposes must disclose these donations on their lobbying disclosure report or post on their website.
208	Lobbyists' Disclosing Executive Branch Employment	The LDA of 1995 required a lobbyist to disclose employment in the Executive Branch over the past two years.	This section requires a lobbyist to disclose any employment within the Executive Branch within the past 20 years.
209	Public's Ability to View Lobbying Disclosure	Lobbying disclosure reports were available to the public through each chamber's respective administrative offices.	This section allows for the Secretary of the Senate and the Clerk of the House to post lobbying disclosure reports on the Internet.
210	Reporting of Violations	The respective chambers' administrative offices notify a lobbyist of noncompliance with this act.	The section requires making public periodically the number of violations of this act and the Attorney General for DC must report to Congress semiannually the number of enforcement actions taken regarding this bill.
211	Penalties for Violations of the Law	A fine of no more than \$50,000 will be charged to a lobbyist violating the law.	The fine for violation increases to \$200,000 and adds jail time of up to 5 years.
212	Electronic Access to Foreign Government Lobbying Registration	N/A	All lobbying disclosures for foreign governments are to be available online for free under the Attorney General's office.
213	Comptroller General's Annual Audit of Lobbying	N/A	The Comptroller General's office is to randomly sample registered lobbyists to determine if they comply with lobbying disclosure requirements. These

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	Records		results will be reported to Congress annually. This section also allows the Comptroller General's office to request information directly from the registered lobbyists used in the study.
214	Sense of Congress Resolutions	N/A	Congress disparages using family to circumvent lobbying requirements and feels the lobbying community should create a standard of conduct for the industry.
215	Enactment Dates	N/A	Except where otherwise specified, these provisions will be enacted January 1, 2008
Title III – Matter Relating to the House 301	Members and Staff Disclosing Employment Negotiations	The House Rules do not address this.	This section creates House Rule XXVII, which states that any House Member may not be hired or negotiate employment with an outside entity until their successor is elected or they file a statement with the Ethics Committee. They are prohibited from voting on anything that is or can be perceived to be a conflict of interest. Highly paid staff (75% of the member's salary) also falls under these rules.
302	Prohibiting Lobbying by a Spouse	The House Rules do not address this	All staff within a member's office are prohibited from making a "lobbying contact" with a member's spouse if that spouse is a lobbyist.
303	Prohibiting Lobbying Firms from Serving as Legal Council for House Offices	A lawyer who is a consultant for a House member may not lobby the office who employs them but may lobby Congress on matters not related to their contracted cause.	This section amends the House Rules, extending the prohibition on the individual in the original rule to the entire firm.
304	Travel Disclosure Reports on the Internet	The House Rules do not address this	The Clerk of the House must post all travel disclosure forms filed in the office, with certain personal information redacted.
305	Ending Lobbyist Parties at Political Conventions	The House Rules do not address this	A lobbyist may not hold a party honoring a Member at that Member's party's convention to nominate a presidential candidate.
306	Explaining House's Right to Set Rules	N/A	The House has a right to create and change its own rule.
Title IV – Congressional Pension Accountability 401	Removing Right to Pension for Convicted Members	N/A	Members who commit a crime listed in this section (bribery, perjury, etc.) lose their right to a Congressional pension.
Title V – Senate	Conference Report Reforms	Provisions not included in either bill during a	In addition to strengthening the language regarding adding or removing provisions in conference, this section adds to Senate Rule XXVIII a

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Legislative Transparency Subtitle A – Procedural Reform 511		conference committee may not be added to a bill, and anything in both bills may not be struck from the bill.	requirement that all conference reports be made available publicly 48 hours before it is put to a vote. This may be waived by a vote of three-fifths of the members of the Senate.
512	Ending of Anonymous Hold	Although not in any formal rules, tradition dictated that a Senator could anonymously place a “hold” on a bill. A hold basically prevented the bill from being considered.	Any Senator wishing to prevent proceeding on legislation must submit a notice of such in writing to be placed in the Congressional Record. Their intent to prevent proceeding will also be included in the Senate calendar. Intent to allow consideration must also be done in writing.
513	Public Records of Committee Hearings	Committees are required to have hearings open to the public except in certain situations.	In addition to public hearings, committees must also print a public record of their meetings 21 business days after that meeting. This includes posting it on their website.
514	Motions to Recommit	Rule XV of the Senate states that all motions and amendments may be read before being debated.	This section amends Rule XV to allow a written version of a motion or amendment to be submitted to the Secretary of the Senate, Majority Leader and Minority Leader.
515	Sense of the Senate Regarding Conference Committees	N/A	The Senate expresses its desire that conference committees should be held under rules to allow for timely consideration.
Subtitle B – Earmark Reform 521	Identifying Senators who Insert Funding Requests	The Senate Rules do not address this	Rule XLIV is created, which requires all bills to have a list of members who inserted money requests into the bill. The Senator requesting the earmark must submit in writing to the chairman or ranking member of the appropriate committee their name, the beneficiary of the earmark, and that they cannot benefit from the earmark.
Subtitle C – Revolving Door Reform 531	Former Senators’ Lobbying Restrictions	Former Senators may not lobby the Senate for one year, according to Senate Rule XXXVII.	The prohibition in Senate Rule XXXVII is extended to two years. The prohibition is also extended to highly paid staff (those who make 75% of a member’s salary).
532	Members and Staff Disclosing Employment Negotiations	The Senate Rules do not address this	This section amends Senate Rule XXXVII preventing Senators from being hired or negotiating employment with an outside entity until their successor is elected or they file a statement with the Ethics Committee. They are prohibited from voting on anything that is or can be perceived to

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			be a conflict of interest. Highly paid staff (75% of the member's salary) also falls under this rule.
533	Prohibiting Former Senators/Now Lobbyists From the Senate Floor	Senate Rule XXIII lists the persons allowed on the Senate floor.	Senate Rules XXIII is amended to prohibit former Senators, Senate officers, and Speakers of the House who are registered lobbyists from Senate floor privileges, the Senate gym, and Senate parking spaces.
534	Ending the K Street Project	The Senate Rules do not address this	No Senator can influence the hiring of a person on a partisan basis of any private entity.
535	Notifying Members of Post-Congressional Restrictions	The Senate Rules do not address this	The Secretary of the Senate shall notify Senators leaving Congress of restrictions on post-Congressional employment.
Subtitle D – Gift and Travel Reform 541	Gift Ban	A Senator or staff is prevented from receiving a gift of more than \$50 or gifts in a year totaling \$100. This excludes gifts from family, events as an official duty of the member, awards, etc.	Senate Rule XXXV is modified to prohibit a gift of any cost from a lobbyist, except in the existing Senate Rules.
	Ending Lobbyist Parties at Political Conventions	The Senate Rules do not address this	A lobbyist may not hold a party honoring a member at that member's party's convention to nominate a presidential candidate.
543	Defining the Cost of a Ticket	The Senate Rules do not address this	Senate Rule XXXV is amended to define the price of a ticket to a sporting or entertainment event as the face value of the ticket. If the ticket does not have a cost listed, the price is set as the highest face value of any ticket at that event unless the Ethics Committee decides otherwise. The Ethics Committee may also determine a price beforehand based on location in venue, parking costs, and food costs.
544	Privately Funded Travel Restrictions	Prior approval is required for Senators wishing to travel when the travel is sponsored by an outside group.	Included in the prohibition on funding private travel is an organization that employs lobbyists. Funding travel for a member is allowed if the trip is for one day or is paid for by a 501(c)3 organization. Before the trip, the member and sponsoring organization must file paperwork with the Ethics Committee. The Ethics Committee sets the guidelines for how travel is to be conducted and what constitutes reasonable expenses for reimbursement. Members must reimburse corporate flights at the charter rate.
545	Constituent Events	Events in the district fall under the gift requirements.	A Senator may attend an event in their home state if the meal cost is less than \$50, the event is sponsored by constituents, at least 5 constituents will be present, none of the attendees shall be a lobbyist, the Senator must participate in the event in some way, and the event is within their official

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			duties.
546	Creating a Website to Track Privately Funded Travel	The Senate Rules do not address this	The Secretary of the Senate will create a website that will contain information on Senators' privately funded travel.
Subtitle E – Other Reforms 551	Allowing for Lobbyists to Comply with LDA requirements	N/A	Senate Rule XXXVII is amended such that a former Senator or Senate staffer may contact the Secretary of the Senate's office to comply with the Lobbying Disclosure Act.
552	Prohibiting Lobbying by a Spouse	The Senate Rules do not address this	Senate Rule XXXVII is amended to prohibit a Senator or Senator staffer to make a lobbying contact with the Senator's spouse or any Senators' spouse if that spouse became a lobbyist after that Senator was elected or were married.
553	Ethics Training for Senators and Staff	The Senate Rules do not address this	The Ethics Committee will hold staff trainings to allow Senators and staff to comply with the new ethics requirements. New Senators and staff shall complete training within 60 days of beginning employment or 165 days after the enactment of S.1.
554	Ethics Committee's Annual Report on Violations	The Senate Rules do not address this	The Ethics Committee is required to annually present a report to Congress on the number of LDA violations by members and the outcome of investigations.
555	Explaining Senate's Right to Set Rules	The Senate Rules do not address this	The Senate has a right to establish its own rules.
Title VI – Prohibited Use of Private Aircraft 601	Restrictions on Using Campaign Funds for Air Travel	N/A	All candidates (including current lawmakers) for federal office may not take reduced rate flights on corporate aircraft. House members are prohibited from flying on any private aircraft. Privately owned aircraft and aircraft owned by a family member are permitted.
Title VII – Miscellaneous 701	New Reforms and Other Branches	N/A	Congress feels that their reforms should apply to the Executive and Judicial Branches
702	Falsification of Reporting	The Ethics in Government Act of 1978 requires Executive Branch officials to report income	This section amends the Ethics in Government Act to strengthen the penalties for not reporting by including imprisonment and an increased fine.
703	Respect for the First Amendment	N/A	This section simply states that nothing in the bill should be used to prohibit First Amendment rights.

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**Section 207 text is below:

(a) In General-

(1) DISCLOSURE- Section 4(b)(3) of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1603(b)(3)) is amended--

(A) by amending subparagraph (A) to read as follows:

`(A) contributes more than \$5,000 to the registrant or the client in the quarterly period to fund the lobbying activities of the registrant; and'; and

(B) by amending subparagraph (B) to read as follows:

`(B) actively participates in the planning, supervision, or control of such lobbying activities;'.

(2) UPDATING OF INFORMATION- Section 5(b)(1) of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1604(b)(1)) is amended by inserting `, including information under section 4(b)(3)' after `initial registration'.

(b) No Donor or Membership List Disclosure- Section 4(b) of The Lobbying Disclosure Act of 1995 (2 U.S.C. 1603(b)) is amended by adding at the end the following:

`No disclosure is required under paragraph (3)(B) 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. If a registrant relies upon the preceding sentence, the registrant must disclose the specific Internet address of the web page containing the information relied upon. Nothing in paragraph (3)(B) shall be construed to require the disclosure of any information about individuals who are members of, or donors to, an entity treated as a client by this Act or an organization identified under that paragraph.'.

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