

Mikulski, Benjamin L. Cardin, Dick Durbin, Ted Kennedy.

CLOTURE MOTION

Mr. REID. Mr. President, I now send to the desk a cloture motion on the substitute amendment, amendment No. 3.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close the debate on the Reid substitute amendment No. 3 to Calendar No. 1, S. 1 Transparency in the Legislative Process.

Harry Reid, Dianne Feinstein, Joseph Lieberman, Tom Carper, Ken Salazar, Robert Menendez, Patty Murray, Jon Tester, Jack Reed, Joe Biden, Debbie Stabenow, Daniel K. Akaka, Barbara Mikulski, Benjamin L. Cardin, Dick Durbin, Ted Kennedy.

CLOTURE MOTION

Mr. REID. Mr. President, finally, I send to the desk a cloture motion on the bill.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close the debate on S. 1 Transparency in the Legislative Process, as amended.

Harry Reid, Dianne Feinstein, Joseph Lieberman, Tom Carper, Ken Salazar, Robert Menendez, Patty Murray, Jon Tester, Jack Reed, Joe Biden, Debbie Stabenow, Daniel K. Akaka, Benjamin L. Cardin, Dick Durbin, Ted Kennedy, Evan Bayh.

Mr. REID. Mr. President, I ask unanimous consent that the live quorum with respect to each cloture motion be waived and that Monday, January 15, count as the intervening day with respect to the cloture motion on amendment No. 4.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENTS NOS. 54, 43, AND 56 TO AMENDMENT NO. 3, EN BLOC

Mr. REID. Mr. President, I ask unanimous consent that the pending amendment be set aside, and I ask that it be in order to call up amendments on behalf of other Senators en bloc, and that after reporting they be laid aside:

Amendment No. 54 to amendment No. 3 for Senator FEINGOLD; amendment No. 43 to amendment No. 3 for Senator LIEBERMAN; and amendment No. 56 to amendment No. 3 for Mr. CASEY.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for Mr. FEINGOLD, proposes an amendment numbered 54.

The Senator from Nevada [Mr. REID], for Mr. LIEBERMAN, proposes an amendment numbered 43.

The Senator from Nevada [Mr. REID], for Mr. CASEY, proposes an amendment numbered 56.

The amendments are as follows:

AMENDMENT NO. 54

(Purpose: To prohibit lobbyists and entities that retain or employ lobbyists from throwing lavish parties honoring Members at party conventions)

On page 11, line 2, strike "Paragraph" and insert "(a) IN GENERAL.—Paragraph".

On page 11, between lines 8 and 9, insert the following:

(b) NATIONAL PARTY CONVENTIONS.—Paragraph (1)(d) of rule XXXV of the Standing Rules of the Senate is amended by adding at the end the following:

"5. A Member may not participate in an event honoring that Member at a national party convention if such event is paid for by any person or entity required to register pursuant to section 4(a) of the Lobbying Disclosure Act of 1995, or any individual or entity identified as a lobbyist or a client in any current registration or report filed under such Act."

AMENDMENT NO. 43

(Purpose: To require disclosure of earmark lobbying by lobbyists)

At the appropriate place, insert the following:

SEC. ____ . DISCLOSURE OF LOBBYING ON EARMARKS.

(a) REPORTS.—Section 4(b)(5)(B) of the Act (2 U.S.C. 1603(b)(5)(B)) is amended by adding immediately following "activities" the following: ", including earmarks, targeted tax benefits, and targeted tariff benefits as defined in section 103 of the Legislative Transparency and Accountability Act of 2007, and the legislation that contains the earmark, targeted tax benefit, or targeted tariff benefit, including the bill number, if known."

(b) DISCLOSURES.—Section 5(b)(2)(A) of the Act (2 U.S.C. 1604(b)(2)(A)) is amended to read—

"(A) a list of the specific issues upon which a lobbyist employed by the registrant engaged in lobbying activities, including—

"(i) to the maximum extent practicable, a list of bill numbers and references to specific executive branch actions; and

"(ii) each earmark, limited tax benefit, or targeted tariff benefit as defined in section 103 of the Legislative Transparency and Accountability Act of 2007 for which the registrant engaged in lobbying activities, and the legislation that contains the earmark, targeted tax benefit, or targeted tariff benefit, including the bill number, if known;"

AMENDMENT NO. 56

(Purpose: To eliminate the K Street Project by prohibiting the wrongful influencing of a private entity's employment decisions or practices in exchange for political access or favors)

At the appropriate place, insert the following:

SEC. ____ . WRONGFULLY INFLUENCING A PRIVATE ENTITY'S EMPLOYMENT DECISIONS OR PRACTICES.

(a) IN GENERAL.—Chapter 11 of title 18, United States Code, is amended by adding at the end the following:

"§ 226. Wrongfully influencing a private entity's employment decisions by a Member of Congress

"Whoever, being a Senator or Representative in, or a Delegate or Resident Commissioner to, the Congress or an employee of either House of Congress, with the intent to influence 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; shall be fined under this title or imprisoned for not more than 15 years, or both, and may be disqualified from holding any office of honor, trust, or profit under the United States."

(b) NO INFERENCE.—Nothing in section 226 of title 18, United States Code, as added by this section, shall be construed to create any inference with respect to whether the activity described in section 226 of title 18, United States Code, was already a criminal or civil offense prior to the enactment of this Act, including sections 201(b), 201(c), and 216 of title 18, United States Code.

(c) CHAPTER ANALYSIS.—The chapter analysis for chapter 11 of title 18, United States Code, is amended by adding at the end the following:

"226. Wrongfully influencing a private entity's employment decisions by a Member of Congress."

MEASURE PLACED ON THE CALENDAR—H.R. 3

Mr. REID. I understand that H.R. 3 is at the desk and ready for its second reading.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 3) to amend the Public Health Service Act to provide for human embryonic stem cell research.

Mr. REID. I object to any further proceedings at this time.

The PRESIDING OFFICER. Objection is heard. The bill will be placed on the calendar.

MEASURE READ THE FIRST TIME—S. 287

Mr. REID. I understand S. 287, introduced earlier today by Senator KENNEDY and others, is at the desk. I ask for its first reading.

The PRESIDING OFFICER. The clerk will report the bill by title.

A bill (S. 287) to prohibit the use of funds for an escalation of United States military forces in Iraq above the numbers existing as of January 9, 2007.

Mr. REID. I now ask for its second reading but object to my own request.

The PRESIDING OFFICER. Objection is heard. The bill will receive its second reading on the next legislative day.

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WEBB. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 44, AS MODIFIED

Mr. WEBB. Mr. President, I ask unanimous consent that the Durbin