

Rhetoric vs. Reality: The Ethics and Lobbying Reform Bill

Provision	Senate-Passed Bill	Reality of Final Bill
Allows a Point of Order Against New Earmarks Added in Conference Reports	YES	Yes. For the first time ever, the bill allows points of order against new earmarks added in conference reports.
Prohibits Senators and staff from promoting earmarks from which they or their families would receive a direct financial benefit	YES	Yes. The landmark Democratic reform bill requires every Senator that requests an earmark to <u>certify</u> that neither they nor their immediate family members would benefit.
Allows the Senate parliamentarian, not the Majority Leader, to determine if a bill complies with earmark disclosure rules	YES	Yes. The Parliamentarian always rules on points of order, not the Majority Leader.

<p>Prohibits consideration of bills and joint resolutions if earmarks are not disclosed</p>	<p>YES</p>	<p>Yes. The landmark Democratic reform bill prohibits consideration of any bills and joint resolutions, until earmarks have been disclosed for 48 hours.</p>
<p>Requires earmarks attached to a conference report to be publicly available on the Internet 48 hours before action on the conference report</p>	<p>YES</p>	<p>Yes. The landmark Democratic reform bill would require earmarks be posted 48 hours before a vote on the report, allowing time to debate and to raise points of order.</p>
<p>Requires 67 votes to suspend the earmark disclosure rule</p>	<p>YES</p>	<p>Yes. It takes 67 votes to suspend any Senate Rule.</p>
<p>Requires 60 votes to sustain an appeal to suspend the earmark disclosure rule.</p>	<p>NO</p>	<p>Yes. The landmark Democratic reform bill added a 60 vote requirement to sustain an appeal. The Senate-passed bill required only 51 votes to overturn the Chair and suspend the earmark disclosure rule.</p>

Requires a full day's notice prior to attempting to suspend the earmark disclosure rule

YES

Yes. It takes a full day's notice to suspend any Senate Rule. Any Senate rule can also be suspended at any time under unanimous consent.

Requires all earmark certifications by Senators to be posted on the Internet.

YES

Yes. The bill requires all earmark financial interest certifications by Senators be posted on the Internet.