

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Colorado [Mr. BROWN] for Mr. SIMPSON, for himself, and Mr. CRAIG, proposes an amendment numbered 3098.

Mr. BROWN. Madam President, I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 2, after line 10, insert the following:

(7) In section 18, strike "contract, loan, or any other form" and insert "or loan".

(8) In section 12(b)(1), strike "7" and insert "6".

Mr. SIMPSON. Madam President, I rise, along with Senator CRAIG, to offer an amendment to H.Con.Res. 116, the resolution to make technical corrections to the recently-passed lobbying reform legislation, S. 1060. We understand that our amendment is acceptable to the managers of the lobbying reform legislation, Senators LEVIN and COHEN, and we are grateful to each of them for their cooperation.

In explaining our technical amendment, we note that three versions of the Simpson-Craig lobbying reform amendment have passed the Senate. The first was our amendment to S. 1060, banning all forms of Federal fund transfers, including contracts, to organizations described in Internal Revenue Code section 501(c)(4) who also engage in lobbying activities. Part of the rationale for this amendment was that those organizations should not simultaneously enjoy the benefits of exemption from taxation, unlimited expenditures on lobbying, and Federal funding support.

However, learning of a quirk in the legislative history of 501(c)(4) organizations, we found that many insurance companies are still technically organized as 501(c)(4) organizations, even though they are now fully taxable. Many of these, along with other health care providers that are also 501(c)(4) organizations, handle Federal contracts under Medicare, the Federal employees health system, and CHAMPUS. We believe that our colleagues would concur that such groups lie outside the scope of the intended reach of a cutoff of grant money to organizations which enjoy the benefits of 501(c)(4) status.

It is for this reason that we redrafted our amendment, during consideration of the Treasury-Postal appropriations bill, to correct for this and to exclude contracts from the prohibition on Federal funding assistance. That amendment passed the Senate by voice vote on July 24 of this year.

The third version of this provision to pass the Senate was included in a broader version of grants reform, which was the Simpson-Craig amendment to the provision authored by Representatives ISTOOK, MCINTOSH, and EHRlich that the House had included in House Joint Resolution 115, the second FY

1996 continuing resolution. In the language in that amendment affecting 501(c)(4) organizations, we also took out the ban on contracts and other forms of funding, other than grants.

Mr. CRAIG. Senator SIMPSON has pointed out the important fact that versions of the Simpson-Craig lobbying reform amendment have been approved by the Senate three times this year. I commend Senator SIMPSON on his leadership in this area and am happy that the Simpson-Craig amendment, along with the rest of the lobbying reform bill, is on the verge of being signed into law.

The first version of our amendment, added to S. 1060, had a scope and impact on some insurance and health care providers, uniquely classified as 501(c)(4) organizations, that the authors and the Senate never intended. This problem was corrected in the second and third versions of the Simpson-Craig amendment. Therefore, the Senate twice approved the very change in our 501(c)(4) organizations language that we are proposing again today.

For reasons totally unrelated to this change, the House of Representatives struck the second and third, perfected, Simpson-Craig lobbying reform amendments from the Treasury-Postal bill and the continuing resolution. The House was seeking, instead, to promote its broader Istook-McIntosh-Ehrlich language. However, even in that House language, 501(c)(4) organizations were never barred from receiving contracts.

So, Madam President, the intent of the Senate is clear throughout the evolution of floor votes on three bills, and the intent of the House is clear in two floor votes on a related provision. Neither body intends that all 501(c)(4) organizations who lobby should be barred from receiving Federal contracts. But because the earliest version of either body's position on lobbying and grant reform was the one preserved in S. 1060 as cleared by the House, the clear intent of both bodies on 501(c)(4) organizations is not reflected in that bill.

That is all we are proposing in our technical amendment today, that this technical corrections resolution adjust S. 1060 to reflect the clear intent of both the Senate and the House, as expressed in the relevant votes taken in both bodies.

Mr. SIMPSON. The Senator from Idaho [Mr. CRAIG] is correct. While we are pleased that the House passed lobbying reform legislation with the original Simpson-Craig language intact, we also believe that Congress would want to take the opportunity, in the form of this technical corrections resolution, to acknowledge the unique status of certain 501(c)(4) organizations, as we did in our redrafted amendment to the Treasury-Postal appropriations bill and the second continuing resolution. We therefore submit our amendment to eliminate the terms "contracts" and "any other form" to the Senate, trusting that the correcting language will more closely conform to the intentions

of the Congress in passing our original amendment.

Mr. CRAIG. There is one additional provision in our amendment, at the request of the bill's managers, to simplify and expedite the process of handling this resolution. This provision would correct, in section 12(b)(1) of the bill, a cross-reference to the definition for representation of a foreign entity. This same change was already made in section 12(c), and the change in section 12(b)(1) simply makes it consistent and correct, clerically.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 3098) was agreed to.

Mr. BROWN. I ask unanimous consent that the concurrent resolution be considered and agreed to, as amended, and the motion to reconsider be laid upon the table, and that any statements relating to the concurrent resolution appear at the appropriate place in the RECORD.

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

So the concurrent resolution (H. Con. Res. 116), as amended, was agreed to.

CORRECTION OF ENROLLMENT OF S. 1060

Mr. FORD. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Senate Concurrent Resolution 36, a concurrent resolution introduced earlier today by Senator LEVIN; that the resolution be read and adopted; that the motion to reconsider be laid upon the table.

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

So the concurrent resolution (S. Con. Res. 36) was agreed to, as follows:

S. CON. RES. 36

Resolved by the Senate (the House of Representatives concurring). That in the enrollment of the bill S. 1060, to provide for the disclosure of lobbying activities to influence the Federal Government, and for other purposes, the Secretary of the Senate shall make the following corrections:

(1) In section 6(8), strike "6" and insert "7".

(2) In section 9(7), insert "and" after the semicolon, in section 9(8), strike "; and" and insert a period, and strike paragraph (9) of section 9.

(3) In section 12(c), strike "7" and insert "6".

(4) In section 15(a)(2), strike "8" and insert "7".

(5) In section 15(b)(1), strike "5(a)(2)," and in section 15(b)(2), strike "8" and insert "7".

(6) In section 24(b), strike "13, 14, 15, and 16" and insert "9, 10, 11, and 12".

(7) In section 12(b)(1), strike "7" and insert in lieu thereof "6".

AMENDING THE CLEAN AIR ACT

Mr. BROWN. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 325 just received from the House.