

**SEC. 116. PROHIBITION ON FINANCIAL GAIN FROM EARMARKS BY MEMBERS, IMMEDIATE FAMILY OF MEMBERS, STAFF OF MEMBERS, OR IMMEDIATE FAMILY OF STAFF OF MEMBERS.**

Rule XXXVII of the Standing Rules of the Senate is amended by adding at the end the following:

"15. (a) No Member shall use his official position to introduce, request, or otherwise aid the progress or passage of a congressional earmark that will financially benefit or otherwise further the pecuniary interest of such Member, the spouse of such Member, the immediate family member of such Member, any employee on the staff of such Member, the spouse of an employee on the staff of such Member, or immediate family member of an employee on the staff of such Member.

"(b) For purposes of this paragraph—

"(1) the term 'immediate family member' means the son, daughter, stepson, stepdaughter, son-in-law, daughter-in-law, mother, father, stepmother, stepfather, mother-in-law, father-in-law, brother, sister, stepbrother, or stepsister of a Member or any employee on the staff (including staff in personal, committee and leadership offices) of a Member; and

"(2) the term 'congressional earmark' means—

"(A) a provision or report language included primarily at the request of a Member, Delegate, Resident Commissioner, or Senator providing, authorizing or recommending a specific amount of discretionary budget authority, credit authority, or other spending authority for a contract, loan, loan guarantee, grant, loan authority, or other expenditure with or to an entity, or targeted to a specific State, locality or Congressional district, other than through a statutory or administrative formula-driven or competitive award process;

"(B) any revenue-losing provision that—

"(i) provides a Federal tax deduction, credit, exclusion, or preference to 10 or fewer beneficiaries under the Internal Revenue Code of 1986; and

"(ii) contains eligibility criteria that are not uniform in application with respect to potential beneficiaries of such provision;

"(C) any Federal tax provision which provides one beneficiary temporary or permanent transition relief from a change to the Internal Revenue Code of 1986; and

"(D) any provision modifying the Harmonized Tariff Schedule of the United States in a manner that benefits 10 or fewer entities."

#### ORDER OF PROCEDURE

Mr. REID. Mr. President, I ask unanimous consent that there be a full hour of morning business following my remarks.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. Mr. President, also, we are going to take up the minimum wage bill this afternoon. I hope we can finish it this week. There are a lot of things going on. There is a conference going on someplace outside the boundary of the United States. We have a lot of work to do. We are going to have votes throughout this bill. It will be a little complicated because of cloture being involved, but I will be meeting with the Republican leader later today, and we will talk about ways we can move forward on this minimum wage legislation, perhaps in a more timely fashion.

Again, it would be nice to finish the bill this week. It will be difficult to do, but we would like to work it out so that we won't have a series of votes on Friday.

#### RECOGNITION OF THE REPUBLICAN LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

#### GETTING STARTED

Mr. MCCONNELL. Once again, I thank Senators BENNETT and FEINSTEIN for their efforts last week on the lobbying reform bill. I think the 96-to-2 vote Thursday night pretty well sums up the broad bipartisan support we had for this important legislation.

With regard to the minimum wage, I encourage Members on our side to come to the floor today not only to debate the package but to also offer their amendments. I hope we can have a full, constructive debate as Members offer their various proposals to the bill.

Let me ask my friend, the majority leader, did he indicate that the first vote will probably be before the policy luncheons?

Mr. REID. Yes.

Mr. MCCONNELL. As the majority leader indicated, we have a number of different interruptions this week, not the least of which is the State of the Union tomorrow night, which will truncate the amount of time we have on the floor. I think the best way to get started is for Members to come over and offer their amendments, get them in the queue, and let's get started.

I yield the floor.

#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

#### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business until 2 p.m., with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Arizona is recognized.

#### THE PRESIDENT'S NEW STRATEGY IN IRAQ

Mr. KYL. Mr. President, I wish to address recent changes in the situation in Iraq and the possibility that resolutions of disapproval to the President's new strategy will be offered in the near future—a possibility which I believe would be very dangerous to the success of our military efforts.

I will make three points this afternoon.

The first is that it is important for us to give the newly announced strategy of the President an opportunity to succeed. That makes sense not only because everyone recognized that the President needed to announce a new strategy—he has done that, and it seems to me he should be accorded that courtesy—but also because, from a military standpoint, it is the only thing that makes sense.

The key to the new strategy announced by the President is not the addition of new troops. We have had far more in terms of numbers of troops in Iraq than the increase that will be provided by this latest plan. No, the primary change in the strategy is the actions of the Iraqi Government—in particular, Prime Minister al-Maliki's commitment to begin doing things we wanted him to do a long time ago but which he was unwilling to do—to hold people after being arrested rather than releasing them on the streets, to allow curfews and checkpoints to work, to allow the control of the Mahdi army, which is under the leadership of Sadr, the Shiite leader in Iraq, who has confronted al-Maliki and his government.

It appears this new strategy is beginning to work even after only a few days of its announcement. People have asked: Can we trust al-Maliki? The answer is that no one knows. But actions speak louder than words. Apparently, he has made good—at least initially—on his commitment to confront the Mahdi army and to stop Sadr and that army from continuing the sectarian violence against Sunnis in Baghdad. Apparently, there have been a lot of arrests made, and the United States is going to be able to now conduct the type of hold operations, after they have cleared an area, that would be necessary to create stability for an ultimate peace in Iraq.

So the first point is we do need to give this new strategy a chance to succeed. The very early returns suggest that it just might be having that effect.

In addition, it is important for us to be able to regain control of the Anbar Province. Almost a third of the western part of Iraq is under attack by al-Qaida and other terrorists who mean to create their own little fiefdom—called a caliphate—in that part of the country. Clearly, we cannot allow al-Qaida to have a terrorist base in Iraq. The additional battalion of marines who are committed to clearing this area is critical to the stability in Iraq and the defeat of the terrorists there.

The second reason we should give this strategy a chance is that the non-binding resolution which has already been offered and will apparently be brought before the Senate within a week or so is wrong for two reasons: First of all, it presents no credible alternative, and secondly, it is dangerous. It presents no credible alternative, just mere criticism. Albeit in a nonbinding way, it is still criticism without any kind of an alternative.