

105TH CONGRESS  
2D SESSION

# H. R. 3174

To amend the Federal Election Campaign Act of 1971 to require electronic preservation and filing of reports filed with the Federal Election Commission by certain persons, to require such reports to be made available through the Internet, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 5, 1998

Mr. WHITE (for himself, Mr. HASTINGS of Washington, Mr. FRANKS of New Jersey, Mrs. MALONEY of New York, and Mr. NETHERCUTT) introduced the following bill; which was referred to the Committee on House Oversight

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## A BILL

To amend the Federal Election Campaign Act of 1971 to require electronic preservation and filing of reports filed with the Federal Election Commission by certain persons, to require such reports to be made available through the Internet, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Electronic Campaign  
5       Disclosure Act of 1998”.

1 **SEC. 2. MANDATORY ELECTRONIC PRESERVATION AND FIL-**  
2 **ING OF FEDERAL ELECTION COMMISSION RE-**  
3 **PORTS; ACCESS THROUGH INTERNET SITE.**

4 (a) ELECTRONIC FILING THROUGH THE INTER-  
5 NET.—Section 304(a)(11) of the Federal Election Cam-  
6 paign Act of 1971 (2 U.S.C. 434(a)(11)) is amended to  
7 read as follows:

8 “(11)(A) Through a competitive bidding process, the  
9 Commission shall establish a public Internet site not later  
10 than January 1, 1999, with the following features:

11 “(i) Any person filing a report required by this  
12 Act may post the report directly on the site.

13 “(ii) Any member of the public may obtain the  
14 reports posted on the site (together with any other  
15 information the Commission may make available  
16 through the site) at any time.

17 “(iii) Any information in a report posted on the  
18 site shall be subject to the same prohibition on sale  
19 and use as information from a report or statement  
20 under paragraph (4).

21 “(iv) All information posted on the site shall be  
22 integrated in a manner which permits users to  
23 search the information across categories and  
24 sources.

25 “(B)(i) The Commission shall permit each person re-  
26 quired to file a report under this Act to file the report

1 by posting it directly on the Internet site established under  
2 subparagraph (A), or by filing it by such electronic method  
3 as the Commission may designate to enable the Commis-  
4 sion to post the report on such site immediately upon re-  
5 ceipt.

6 “(ii) The Commission shall require a person to file  
7 a report under this Act in accordance with the methods  
8 described in clause (i) during an election cycle if the aggre-  
9 gate amount of contributions or expenditures reported  
10 previously by the person during the cycle exceeds \$25,000.

11 “(C) The Commission shall provide for one or more  
12 methods (other than requiring a signature on the report  
13 being filed) for verification of reports filed in accordance  
14 with the methods described in subparagraph (B)(i). Any  
15 verification under the preceding sentence shall be treated  
16 for all purposes (including penalties for perjury) in the  
17 same manner as a verification by signature.

18 “(D) As used in this paragraph, the term “report”  
19 means, with respect to the Commission, a report, designa-  
20 tion, or statement required by this Act to be filed with  
21 the Commission.”.

22 (b) REQUIRING COMMISSION TO MAKE SOFTWARE  
23 AVAILABLE.—Section 311(a) of such Act (2 U.S.C.  
24 438(a)) is amended—

1           (1) by striking “and” at the end of paragraph  
2           (9);

3           (2) by striking the period at the end of para-  
4           graph (10) and inserting “; and”; and

5           (3) by adding at the end the following new  
6           paragraph:

7           “(11) through competitive bidding, obtain and  
8           provide for computer software required to carry out  
9           section 304(a)(11).”.

10          (c) INTERNET DEFINED.—Section 301 of such Act  
11       (2 U.S.C. 431) is amended by striking paragraph (19) and  
12       inserting the following new paragraph:

13          “(19) The term ‘Internet’ means the international  
14       computer network of both Federal and non-Federal inter-  
15       operable packet-switched data networks.”.

16       **SEC. 3. REQUIRING REPORTING OF ALL CONTRIBUTIONS**  
17                               **OF \$100 OR MORE WITHIN 10 DAYS OF RE-**  
18                               **CEIPT.**

19          Section 304 of the Federal Election Campaign Act  
20       of 1971 (2 U.S.C. 434) is amended by adding at the end  
21       the following new subsection:

22          “(d)(1) If a political committee is required under sub-  
23       section (a)(11)(B)(ii) to file reports under this Act elec-  
24       tronically during an election cycle, the committee shall file  
25       a report with the Commission listing each contribution of

1 \$100 or more received by the committee during the cycle  
 2 after the date on which such subsection first applies to  
 3 the committee. The committee shall file such report not  
 4 later than 10 days after receipt, and shall include the iden-  
 5 tification of the contributor, the date of receipt and  
 6 amount of the contribution, and (in the case of an author-  
 7 ized committee of a candidate) the name of the candidate  
 8 and the office sought by the candidate.

9 “(2) The report required under this paragraph shall  
 10 be in addition to all other reports required under this  
 11 Act.”.

12 **SEC. 4. EXPANDING TYPES OF CONTRIBUTIONS TO PRIN-**  
 13 **CIPAL CAMPAIGN COMMITTEES SUBJECT TO**  
 14 **EXPEDITED REPORTING; SHORTENING DEAD-**  
 15 **LINE FOR REPORTING TO WITHIN 24 HOURS**  
 16 **OF RECEIPT.**

17 Section 304(a)(6) of the Federal Election Campaign  
 18 Act of 1971 (2 U.S.C. 434(a)(6)) is amended—

19 (1) by redesignating subparagraph (B) as sub-  
 20 paragraph (C); and

21 (2) by inserting after subparagraph (A) the fol-  
 22 lowing new subparagraph:

23 “(B) In the case of a principal campaign committee  
 24 which is required under subsection (a)(11)(B)(ii) to file  
 25 reports under this Act electronically during an election

1 cycle, subparagraph (A) shall apply with respect to any  
2 contribution received by the committee after the date on  
3 which such subsection first applies to the committee as  
4 if—

5 “(i) the reference to ‘\$1,000’ were a reference  
6 to ‘\$100’;

7 “(ii) the reference to ‘20th day’ were a ref-  
8 erence to ‘90th day’; and

9 “(iii) the reference in the second sentence to  
10 ‘48 hours’ were a reference to ‘24 hours’.”.

11 **SEC. 5. ELECTION CYCLE DEFINED.**

12 Section 301 of the Federal Election Campaign Act  
13 of 1971 (2 U.S.C. 431) is amended by striking paragraph  
14 (19) and inserting the following new paragraph:

15 “(19) The term ‘election cycle’ means—

16 “(A) in the case of a candidate or the author-  
17 ized committees of a candidate, the term beginning  
18 on the day after the date of the most recent general  
19 election for the specific office or seat which such  
20 candidate seeks and ending on the date of the next  
21 general election for such office or seat; or

22 “(B) for all other persons, the term beginning  
23 on the first day following the date of the last general  
24 election and ending on the date of the next general  
25 election.”.

1   **SEC. 6. EFFECTIVE DATE.**

2           The amendments made by this Act shall apply with  
3   respect to elections occurring after January 1999.

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