

PROVIDING FOR FURTHER CONSIDERATION OF H.R. 2183,
THE BIPARTISAN CAMPAIGN INTEGRITY ACT OF 1997

JUNE 4, 1998.—Referred to the House Calendar and ordered to be printed

Mr. LINDER, from the Committee on Rules,
submitted the following

REPORT

[To accompany H. Res. 458]

The Committee on Rules, having had under consideration House Resolution 458, by a non-record vote, report the same to the House with the recommendation that the resolution be adopted.

BRIEF SUMMARY OF PROVISIONS OF RESOLUTION

The resolution provides for further consideration of H.R. 2183, the “Bipartisan Campaign Integrity Act of 1997”.

The rule waives all points of order against the amendments printed in this report, if offered by the Member designated in this report. The rule also provides that the amendments be considered as read.

SUMMARY OF PERFECTING AMENDMENTS MADE IN ORDER TO H.R. 2183,
THE “BIPARTISAN FRESHMAN” CAMPAIGN REFORM BILL

(listed in alphabetical order, not in order for consideration)

Calvert: Amends Schaffer, White. Limits the amount of contributions to a congressional candidate from individuals not residing in the district or state involved to an aggregate level of not more than the aggregate level of contributions received from residents of the district or state; fines any candidate who knowingly and willfully accepts contributions in excess of the limitations an amount equal to 200% of the amount accepted in excess.

Campbell: Amends Schaffer, White. Extends “paycheck protection” to require corporations, national banks and labor unions to get separate, prior, written, voluntary authorization to spend any money on political activities. Non-profit groups would be exempt from this provision.

Capps: Amends Hutchinson/Allen. Expands the definition of express advocacy to include "issue ads" that feature explicit references to a Federal candidate. Also tightens the definition of coordination and cooperation with respect to independent expenditures and increases frequency of the disclosure of independent expenditures.

Cook: Amends White. Requires mandatory electronic filing and requires the FEC to post filings on Internet within 24 hours.

Cox No. 49: Amends Schaffer, White. Bans campaign contributions by non-citizens.

Cox No. 50: Amends Campbell, Hutchinson/Allen, Schaffer, White. Bans solicitation of soft money by Presidential candidates receiving public funding.

Cox No. 51: Amends Schaffer, White. Establishes a penalty for violation of the prohibition against foreign contributions.

Cox No. 52: Amends Campbell, Obey No. 4, Doolittle No. 5, Farr, Hutchinson/Allen, Schaffer, Snowbarger, White. Prohibits fundraising on federal property.

Cox No. 53: Amends Campbell, Hutchinson/Allen, Schaffer, White. Prohibits conspiracy to violate presidential campaign spending limits.

Cox No. 54: Amends Schaffer, White. Bans soft money from foreign nationals.

Cox No. 55: Amends Schaffer, White. Prohibits certain defenses to violation of foreign contribution ban.

Cox No. 56: Amends all substitutes. Prohibits solicitation to obtain access to Air Force One, Air Force Two, the White House, the Vice President's residence, Marine One and Marine Two.

DeLay No. 13: Amends Campbell, Obey No. 4, Hutchinson/Allen, Shays/Meehan, Tierney. Expresses the sense of Congress that Federal law clearly demonstrates that "controlling legal authority" prohibits the use of Federal property to raise campaign funds.

DeLay No. 14: Amends Campbell, Obey No. 4, Hutchinson/Allen, Shays/Meehan, Tierney. Expresses the sense of Congress that Attorney General Reno should apply immediately for the appointment of an independent counsel to investigate alleged criminal conduct relating to the financing of the 1996 Federal elections.

Doolittle No. 61: Amends Farr, Tierney, Shays/Meehan, Obey No. 4, Hutchinson/Allen, Bass, Campbell. Prohibits states from providing voting materials in any language other than English.

Doolittle No. 62: Amends Farr, Tierney, Shays/Meehan, Obey No. 4, Bass, Hutchinson/Allen, Campbell. Allows states to require proof of citizenship prior to voting.

Doolittle No. 74: Amends Bass, Campbell, Farr, Hutchinson/Allen, Shays/Meehan, Tierney. Terminates taxpayer financing of presidential election campaigns and eliminates the Presidential Campaign Fund.

Gillmor No. 37: Amends White. Every voter shall be entitled to the same rights and opportunities to contribute individually and collectively to political campaigns.

Gillmor No. 38: Amends White. Assures that all Americans be allowed equal rights to participate in the political process.

Goodlatte: Amends all substitutes. Reforms the Motor Voter law to combat the wave of illegal voter registration and voting fraud

that has compromised several recent elections. Similar to H.R. 2076.

Hefley No. 33: Amends Schaffer, White. Prohibits “quid pro quo” given with respect to transportation on Air Force One for any contributor to any political party.

Hefley No. 34: Amends Schaffer, White. If Air Force One is used for any type of political fundraising, U.S. taxpayers will be reimbursed for all costs incurred.

Horn: Amends Hutchinson/Allen. Allows the principle campaign committee of a candidate for the House or Senate to send campaign mailings at the reduced postal rate now provided to party committees with a limit equal to two mailings per household in the candidate’s district or state.

Kaptur No. 71: Amends Shays/Meehan. Prohibits contributions and expenditures by multi-candidate political committees or separate segregated funds sponsored by foreign-controlled corporations and associations; defines “foreign-owned corporation” as a corporation with at least 50% of the ownership interest controlled by persons other than citizens or nationals of the U.S.; prohibits certain election-related activities of foreign nationals; and establishes a Clearinghouse of political activities information within the FEC.

Kaptur No. 73: Amends Shays/Meehan. Provides that if any provisions of the bill is found unconstitutional by the Supreme Court, the House of Representatives shall proceed to consider a joint resolution proposing a Constitutional Amendment to set reasonable limits on expenditures in support or in opposition to the nomination or election of any person to Federal office.

Klug: Amends Campbell. Amends the Internal Revenue Code of 1986 to terminate payments from the President Campaign Fund for presidential nominating conventions of national political parties.

LaTourette/Moran: Amends Hutchinson/Allen. Sense of the Congress that an amendment to the Constitution should be adopted to overturn *Buckley v. Valeo*, thus giving Congress the ability to set limits on contributions and expenditures with respect to any Federal election or ballot measure. Each state should be permitted to set limits on contributions and expenditures with respect to all non-Federal elections and ballot measures in the state.

Maloney (NY) No. 8: Amends Schaffer, White. Permanently reauthorizes appropriations for the FEC, authorizing \$36,504,000 for the FEC for FY 1999 and such funds as may be necessary for all successive years.

Maloney (NY) No. 9: Amends Schaffer, White. Requires greater disclosure from individuals and organizations who conduct telephone polls. It would require anyone conducting a poll to disclose to each respondent (at the end of the interview) the identity of the individual or organization sponsoring the poll. In addition, it would require any organization, which conducts poll of more than 1,200 people and does not publicly disclose the results, to report to the FEC the cost and funding sources of the poll, as well as the number of households contacted and the specific questions asked.

Maloney (NY) No. 10: Amends Bass, Campbell, Doolittle No. 5, Hutchinson/Allen, Schaffer, Shays/ Meehan, Snowbarger, Tieney. Creates a 12-member commission, with three members appointed

by the Speaker of the House, the Minority Leader of the House, the Majority Leader of the Senate, and the Minority Leader of the Senate, to recommend changes in current campaign finance law. The commission would submit recommendations, approved by at least 9 of the 12 members, within 180 days after the 105th Congress adjourns sine die, and the recommendations would be considered under procedures similar to those used for consideration of the Base Closure and Realignment Commission.

Maloney (NY) No. 11: Amends Campbell, Obey No. 4, Doolittle No. 5, Farr, Hutchinson/Allen, Schaffer, Snowbarger, White. Expands the Pendleton Act by: prohibiting the solicitation of receipt of any political contribution on federal property; clarifying that solicitation by telephone is prohibited under the Pendleton Act; expanding the reach of the Act to prohibit the solicitation of “soft-money”, eliminating the current exemption under the Act given to congressional offices; and requiring that any individual who receives a contribution on federal property return the contribution and report the return of the contribution to the FEC.

Maloney (NY) No. 12: Amends Campbell, Obey No. 4, Doolittle No. 5, Farr, Hutchinson/Allen, Schaffer, Snowbarger, White. Same as Maloney No. 11, except it does not include the provision that “eliminates the current exemption under the Act given to congressional offices”.

McIntosh: Amends all substitutes. Expands 5 U.S.C. chapter 73 to prohibit political activities by employees of local governments and non-governmental entities that receive federal funding, and to prohibit the use of facilities, vehicles, and office equipment owned or leased by such governments and other entities for political purposes.

Miller (FL) No. 35: Amends Shays/Meehan. Amends the LM-2 form, which is required annually by all unions with annual receipts over \$200,000 to the DoL’s Office of Labor and Management Standards.

Miller (FL) No. 36: Amends Schaffer. Same as Miller No. 35.

Northup No. 28: Amends Bass, Campbell, Hutchinson/Allen, Shays/Meehan, Tierney. Requires the taxpayer to pay the three dollar Presidential Check-off contribution rather than have the designation come out of the Treasury’s funds.

Paul No. 68: Amends Bass, Campbell, Farr, Obey No. 4, Shays/Meehan, Tierney. Sets ballot petition signature limits and ballot petition time limitations. Also, petition signatures may not be imposed by states for candidates whose respective parties received a minimum of 1% of the votes cast in the most recent federal election for President or Senate in that state.

Paul No. 69: Amends Campbell. Requires recipients of federal matching campaign funds to agree in writing not to participate in debates to which every other candidate for that office whom either qualifies for federal funds or is on the ballot in a minimum of 40 states, are not invited.

Paxon: Amends Bass, Campbell, Obey No. 4, Farr, Hutchinson/Allen, Shays/Meehan, Tierney. Requires unions to report financial activity under labor laws by functional category and requires reports to be posted on the Internet.

Peterson (PA): Amends Bass, Campbell, Obey No. 4, Farr, Hutchinson/Allen, Shays/Meehan, Tierney. Requires the Commissioner of Social Security to establish a voluntary pilot program to determine voter eligibility by testing citizenship. The pilot program will be for use by local and state officials and will initially be established in California, New York, Texas, Florida, and Illinois.

Salmon: Amends all substitutes. Requires the President to make available, via the Internet, the name of any non-Government person who is a passenger on an aircraft designated as Air Force One or Air Force Two no later than 30 days after the date that person is a passenger. The President may disclose the same information to the chairman and ranking member of the Permanent Select Committee on Intelligence if there are national security concerns.

Shays/Meehan No. 2: Amends Schaffer, White. Bans soft money.

Shays/Meehan No. 3: Amends Campbell, Doolittle No. 5, Hutchinson, Schaffer, Snowbarger, White. Bans soft money, strengthens the definition of express advocacy, provides for direct review by the Supreme Court for Constitutional issues, and includes a severability clause.

Shays/Meehan No. 4: Amends Campbell, Doolittle No. 5, Hutchinson/Allen, Schaffer, Snowbarger, White. Strengthens the definition of express advocacy, provides for direct review by the Supreme Court for Constitutional issues, and includes a severability clause.

Shays/Meehan No. 5: Amends Campbell, Obey No. 4, Doolittle No. 5, Farr, Hutchinson/Allen, Snowbarger, Tierney, White. Codifies the "Beck" decision.

Slaughter: Amends Bass, Campbell, Obey No. 4, Doolittle No. 5, Hutchinson/Allen, Schaffer, Shays/Meehan, Snowbarger, White. Expresses the sense of Congress that broadcasting stations and cable operators should make available meaningful amounts of free television time to candidates for federal office; and that free television time should be used for programming consisting of unedited segments in which the candidate speaks directly to the camera.

Smith, Linda No. 23: Amends Shays/Meehan. Extends the codification of the Beck decision to include union members.

Smith, Linda No. 24: Amends Bass, Hutchinson/Allen. Codifies and extends the Beck decision to include union members.

Smith, Linda No. 25: Amends Campbell, Obey No. 4, Farr, Hutchinson/Allen, Snowbarger, White. Clarifies current prohibitions on raising campaign funds in federal office buildings to include raising soft money and include solicitations made from the White House.

Smith, Nick: Amends Schaffer, White. Requires radio, TV, and cable operators to report to the FEC the identity of political (including issue advocacy, candidate advocacy, and candidate information) advertisers as well as the cost, duration, and any other appropriate information regarding the advertisements.

Snowbarger No. 59: Amends White, Schaffer. Adds stiffer penalties for those candidates and campaigns that willfully and knowingly violate the law.

Snowbarger No. 60: Amends White, Schaffer. Increases the budget authorization of the FEC to aid investigation and oversight of our elections.

Thomas: Amends Shays/Meehan. Prohibits political party officials from raising funds to influence labor union elections.

Traficant: Amends all substitutes. Amends House rules to make in order, at any time after the fifth legislative day following the date on which a Member is convicted of knowingly accepting a foreign campaign contribution, a motion to expel the Member from the House of Representatives. The motion will be highly privileged, with no amendments or motions to reconsider allowed.

Whitfield No. 40: Amends White. Requires that any court reviewing the constitutionality of this Act must use strict scrutiny—the provision must carry out a compelling governmental interest in the least restrictive manner possible.

Whitfield No. 42: Amends White. Requires the FEC to issue rules and prescribe forms that would have the least restrictive effect on the rights of free speech and association. Upon review by a court, any actions by the FEC that do not conform to these principles must be found unlawful and be set aside.

Whitfield No. 43: Amends Campbell, Hutchinson/Allen, Schaffer, Snowbarger, White. Bans any coordination of spending on issue advocacy by Presidential campaigns that have agreed to abide by the limits on spending required to receive public financing.

Whitfield No. 44: Amends Bass, Campbell, Obey No. 4, Farr, Hutchinson/Allen, Shays/Meehan, Tierney, White. Provides that any constitutional challenge to this Act would be heard by a three judge panel and advanced on the docket where possible. It also grants an appeal to the Supreme Court.

Wicker No. 30: Amends Bass, Campbell, Obey No. 4, Farr, Hutchinson/Allen, Shays/Meehan, Tierney. Prohibits the use of White House meals or accommodations in exchange for any money or other thing of value in support of any political party or the campaign for electoral office of any candidate.

Wicker No. 31: Amends Bass, Campbell, Obey No. 4, Farr, Hutchinson/Allen, Shays/Meehan, Tierney. Allows states to require an individual to produce a valid photographic identification before receiving a ballot for voting in an election for Federal office.

PERFECTING AMENDMENTS MADE IN ORDER UNDER THE RULE FOR
H.R. 2183 TO

a. The amendment in the nature of a substitute offered by Representative White

Calvert	Gillmor No. 38	Shays/Meehan No. 4
Campbell	Goodlatte	Shays/Meehan No. 5
Cook	Hefley No. 33	Slaughter
Cox No. 49	Hefley No. 34	Smith, Linda No. 25
Cox No. 50	Maloney (NY) No. 8	Smith, Nick
Cox No. 51	Maloney (NY) No. 9	Snowbarger No. 59
Cox No. 52	Maloney (NY) No. 11	Snowbarger No. 60
Cox No. 53	Maloney (NY) No. 12	Traficant
Cox No. 54	McIntosh	Whitfield No. 40
Cox No. 55	Salmon	Whitfield No. 42
Cox No. 56	Shays/Meehan No. 2	Whitfield No. 43
Gillmor No. 37	Shays/Meehan No. 3	Whitfield No. 44

b. The amendment in the nature of a substitute offered by Representative Shays and Representative Meehan

Cox No. 56	Kaptur No. 73	Salmon
DeLay No. 13	Maloney (NY) No. 10	Slaughter
DeLay No. 14	McIntosh	Smith, Linda No. 23
Doolittle No. 61	Miller (FL) No. 35	Thomas
Doolittle No. 62	Northup No. 28	Traficant
Doolittle No. 74	Paul No. 68	Whitfield No. 44
Goodlatte	Paxon	Wicker No. 30
Kaptur No. 71	Peterson (PA)	Wicher No. 31

c. The amendment in the nature of a substitute offered by Representative Bass

Cox No. 56	McIntosh	Slaughter
Doolittle No. 61	Northup No. 28	Smith, Linda No. 24
Doolittle No. 62	Paul No. 68	Traficant
Doolittle No. 74	Paxon	Whitfield No. 44
Goodlatte	Peterson (PA)	Wicker No. 30
Maloney (NY) No. 10	Salmon	Wicker No. 31

d. The amendment in the nature of a substitute offered by Representative Farr

Cox No. 52	Maloney (NY) No. 12	Smith, Linda No. 25
Cox No. 56	McIntosh	Traficant
Doolittle No. 61	Paul No. 68	Whitfield No. 44
Doolittle No. 62	Paxon	Wicker No. 30
Doolittle No. 74	Peterson (PA)	Wicker No. 31
Goodlatte	Salmon	
Maloney (NY) No. 11	Shays/Meehan No. 5	

e. The amendment in the nature of a substitute offered by Representative Snowbarger

Cox No. 52	Maloney (NY) No. 12	Shays/Meehan No. 5
Cox No. 56	McIntosh	Slaughter
Goodlatte	Salmon	Smith, Linda No. 25
Maloney (NY) No. 10	Shays/Meehan No. 3	Traficant
Maloney (NY) No. 11	Shays/Meehan No. 4	Whitfield No. 43

f. The amendment in the nature of a substitute offered by Representative Obey No. 4

Cox No. 52	Maloney (NY) No. 11	Shays/Meehan No. 5
Cox No. 56	Maloney (NY) No. 12	Slaughter
DeLay No. 13	McIntosh	Smith, Linda No. 25
DeLay No. 14	Paul No. 68	Traficant
Doolittle No. 61	Paxon	Whitfield No. 44
Doolittle No. 62	Peterson (PA)	Wicker No. 30
Goodlatte	Salmon	Wicker No. 31

g. The amendment in the nature of a substitute offered by Representative Campbell

Cox No. 50	Maloney (NY) No. 10	Shays/Meehan No. 4
Cox No. 52	Maloney (NY) No. 11	Shays/Meehan No. 5
Cox No. 53	Maloney (NY) No. 12	Slaughter
Cox No. 56	McIntosh	Smith, Linda No. 25
DeLay No. 13	Northup No. 28	Traficant
DeLay No. 14	Paul No. 68	Whitfield No. 43
Doolittle No. 61	Paul No. 69	Whitfield No. 44
Doolittle No. 62	Paxon	Wicker No. 30
Doolittle No. 74	Peterson (PA)	Wicker No. 31
Goodlatte	Salmon	
Klug	Shays/Meehan No. 3	

h. The amendment in the nature of a substitute offered by Representative Tierney

Cox No. 56	Maloney (NY) No. 10	Shays/Meehan No. 5
DeLay No. 13	McIntosh	Traficant
DeLay No. 14	Northup No. 28	Whitfield No. 44
Doolittle No. 61	Paul No. 68	Wicker No. 30
Doolittle No. 62	Paxon	Wicker No. 31
Doolittle No. 74	Peterson (PA)	
Goodlatte	Salmon	

i. The amendment in the nature of a substitute offered by Representative Schaffer, Bob

Calvert	Goodlatte	Salmon
Campbell	Hefley No. 33	Shays/Meehan No. 2
Cox No. 49	Hefley No. 34	Shays/Meehan No. 3
Cox No. 50	Maloney (NY) No. 8	Shays/Meehan No. 4
Cox No. 51	Maloney (NY) No. 9	Slaughter
Cox No. 52	Maloney (NY) No. 10	Smith, Nick
Cox No. 53	Maloney (NY) No. 11	Snowbarger No. 59
Cox No. 54	Maloney (NY) No. 12	Snowbarger No. 60
Cox No. 55	McIntosh	Traficant
Cox No. 56	Miller (FL) No. 36	Whitfield No. 43

j. The amendment in the nature of a substitute offered by Representative Doolittle No. 5

Cox No. 52	Maloney (NY) No. 12	Shays/Meehan No. 5
Cox No. 56	McIntosh	Slaughter
Goodlatte	Salmon	Traficant
Maloney (NY) No. 10	Shays/Meehan No. 3	
Maloney (NY) No. 11	Shays/Meehan No. 4	

k. The amendment in the nature of a substitute offered by Representative Hutchinson and Representative Allen

Capps	Horn	Shays/Meehan No. 4
Cox No. 50	LaTourette/Moran (VA)	Shays/Meehan No. 5
Cox No. 52	Maloney (NY) No. 10	Slaughter
Cox No. 53	Maloney (NY) No. 11	Smith, Linda No. 24
Cox No. 56	Maloney (NY) No. 12	Smith, Linda No. 25
DeLay No. 13	McIntosh	Traficant
DeLay No. 14	Northup No. 28	Whitfield No. 43
Doolittle No. 61	Paxon	Whitfield No. 44
Doolittle No. 62	Peterson (PA)	Wicker No. 30
Doolittle No. 74	Salmon	Wicker No. 31
Goodlatte	Shays/Meehan No. 3	

THE AMENDMENTS AGAINST WHICH ALL POINTS OF ORDER ARE WAIVED BY THE RESOLUTION ACCOMPANYING THIS REPORT AND WHICH MAY BE OFFERED TO SPECIFIED AMENDMENTS IN THE NATURE OF A SUBSTITUTE MADE IN ORDER UNDER H. RES. 442 ARE AS FOLLOWS

1. AMENDMENTS BY REPRESENTATIVE CALVERT OF CALIFORNIA OR A DESIGNEE TO ANY OF THE FOLLOWING AMENDMENTS IN THE NATURE OF A SUBSTITUTE: AMENDMENT NUMBERED 16 BY REPRESENTATIVE WHITE, OR AMENDMENT NUMBERED 12 BY REPRESENTATIVE BOB SCHAFFER

Add at the end the following new title:

TITLE _____—RESTRICTIONS ON NONRESIDENT FUNDRAISING

SEC. ____ 01. LIMITING AMOUNT OF CONGRESSIONAL CANDIDATE CONTRIBUTIONS FROM INDIVIDUALS NOT RESIDING IN DISTRICT OR STATE INVOLVED.

(a) IN GENERAL.—Section 315 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a) is amended by adding at the end the following new subsection:

“(i)(1) A candidate for the office of Senator or the office of Representative in, or Delegate or Resident Commissioner to, the Congress may not accept contributions with respect to an election from persons other than local individual residents totaling in excess of the aggregate amount of contributions accepted from local individual residents (as determined on the basis of the information reported under section 304(d)).

“(2) In determining the amount of contributions accepted by a candidate for purposes of this subsection, the amounts of any contributions made by a political committee of a political party shall be allocated as follows:

“(A) 50 percent of such amounts shall be deemed to be a contribution from local individual residents.

“(B) 50 percent of such amounts shall be deemed to be contributions from persons other than local individual residents.

“(3) As used in this subsection, the term ‘local individual resident’ means—

“(A) with respect to an election for the office of Senator, an individual who resides in the State involved; and

“(B) with respect to an election for the office of Representative in, or Delegate or Resident Commissioner to, the Congress, an individual who resides in the congressional district involved.”.

(b) REPORTING REQUIREMENTS.—Section 304 of such Act (2 U.S.C. 434) is amended by adding at the end the following new subsection:

“(d) Each principal campaign committee of a candidate for the Senate or the House of Representatives shall include the following information in the first report filed under subsection (a)(2) which covers the period which begins 19 days before an election and ends 20 days after the election:

“(1) The total contributions received by the committee with respect to the election involved from local individual residents (as defined in section 315(i)(3)), as of the last day of the period covered by the report.

“(2) The total contributions received by the committee with respect to the election involved from all persons, as of the last day of the period covered by the report.”.

(c) PENALTY FOR VIOLATION OF LIMITS.—Section 309(d) of such Act (2 U.S.C. 437g(d)) is amended by adding at the end the following new paragraph:

“(4)(A) Any candidate who knowingly and willfully accepts contributions in excess of any limitation provided under section 315(i) shall be fined an amount equal to the greater of 200 percent of the

amount accepted in excess of the applicable limitation or (if applicable) the amount provided in paragraph (1)(A).

“(B) Interest shall be assessed against any portion of a fine imposed under subparagraph (A) which remains unpaid after the expiration of the 30-day period which begins on the date the fine is imposed.”.

2. AMENDMENT BY REPRESENTATIVE CAMPBELL OF CALIFORNIA OR A DESIGNEE TO ANY OF THE FOLLOWING AMENDMENTS IN THE NATURE OF A SUBSTITUTE: AMENDMENT NUMBERED 16 BY REPRESENTATIVE WHITE, OR AMENDMENT NUMBERED 12 BY REPRESENTATIVE BOB SCHAFFER

Add at the end the following new title:

**TITLE ____ —ENSURING VOLUNTARINESS
OF CONTRIBUTIONS OF CORPORATIONS,
UNIONS, AND OTHER MEMBERSHIP
ORGANIZATIONS**

SEC. ____ 01. PROHIBITING INVOLUNTARY USE OF FUNDS OF EMPLOYEES OF CORPORATIONS AND OTHER EMPLOYERS AND MEMBERS OF UNIONS AND ORGANIZATIONS FOR POLITICAL ACTIVITIES.

(a) IN GENERAL.—Section 316 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441b) is amended by adding at the end the following new subsection:

“(c)(1)(A) Except with the separate, prior, written, voluntary authorization of the individual involved, it shall be unlawful—

“(i) for any national bank or corporation described in this section (other than a corporation exempt from Federal taxation under section 501(c) of the Internal Revenue Code of 1986) to collect from or assess a stockholder or employee any portion of any dues, initiation fee, or other payment made as a condition of employment which will be used for political activity in which the national bank or corporation is engaged; and

“(ii) for any labor organization described in this section to collect from or assess a member or nonmember any portion of any dues, initiation fee, or other payment which will be used for political activity in which the labor organization is engaged.

“(B) An authorization described in subparagraph (A) shall remain in effect until revoked and may be revoked at any time. Each entity collecting from or assessing amounts from an individual with an authorization in effect under such subparagraph shall provide the individual with a statement that the individual may at any time revoke the authorization.

“(2)(A) Prior to the beginning of any 12-month period (as determined by the corporation), each corporation to which paragraph (1) applies shall provide each of its shareholders with a notice containing the following:

“(i) The proposed aggregate amount for disbursements for political activities by the corporation for the period.

“(ii) The individual’s applicable percentage and applicable pro rata amount for the period.

“(iii) A form that the individual may complete and return to the corporation to indicate the individual’s objection to or approval of the disbursement of amounts for political activities during the period.

“(B) It shall be unlawful for a corporation to which subparagraph (A) applies to make disbursements for political activities during the 12-month period described in such subparagraph in an amount greater than the sum of the applicable pro rata amounts for such period of all shareholders who return the form described in subparagraph (A)(iii) to the corporation prior to the beginning of the period and indicate their approval of such disbursements.

“(C) In this paragraph, the following definitions shall apply:

“(i) The term ‘applicable percentage’ means, with respect to a shareholder of a corporation, the amount (expressed as a percentage) equal to the number of shares of the corporation (within a particular class or type of stock) owned by the shareholder at the time the notice described in subparagraph (A) is provided, divided by the aggregate number of such shares owned by all shareholders of the corporation at such time.

“(ii) The term ‘applicable pro rata amount’ means, with respect to a shareholder for a 12-month period, the product of the shareholder’s applicable percentage for the period and the proposed aggregate amount for disbursements for political activities by the corporation for the period, as specified in the notice provided under subparagraph (A).

“(3) For purposes of this subsection, the term ‘political activity’ means any activity carried out for the purpose of influencing (in whole or in part) any election for Federal office, influencing the consideration or outcome of any Federal legislation or the issuance or outcome of any Federal regulations, or educating individuals about candidates for election for Federal office or any Federal legislation, law, or regulations.”

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to amounts collected or assessed on or after the date of the enactment of this Act.

3. AMENDMENT BY REPRESENTATIVE CAPPS OF CALIFORNIA OR A DESIGNEE TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE NUMBERED 8 BY REPRESENTATIVE HUTCHINSON AND REPRESENTATIVE ALLEN

Strike titles III and IV and insert the following:

TITLE III—INDEPENDENT AND COORDINATED EXPENDITURES; EXPANDING DISCLOSURE OF INFORMATION

Subtitle A—Independent and Coordinated Expenditures

SEC. 301. DEFINITIONS.

(a) **DEFINITION OF INDEPENDENT EXPENDITURE.**—Section 301 of the Federal Election Campaign Act (2 U.S.C. 431) is amended by striking paragraph (17) and inserting the following:

“(17) **INDEPENDENT EXPENDITURE.**—

“(A) **IN GENERAL.**—The term ‘independent expenditure’ means an expenditure by a person—

“(i) for a communication that is express advocacy; and

“(ii) that is not provided in coordination with a candidate or a candidate’s agent or a person who is coordinating with a candidate or a candidate’s agent.”.

(b) **DEFINITION OF EXPRESS ADVOCACY.**—Section 301 of the Federal Election Campaign Act of 1971 (2 U.S.C. 431) is amended by adding at the end the following:

“(20) **EXPRESS ADVOCACY.**—

“(A) **IN GENERAL.**—The term ‘express advocacy’ means a communication that advocates the election or defeat of a candidate by—

“(i) containing a phrase such as ‘vote for’, ‘re-elect’, ‘support’, ‘cast your ballot for’, ‘(name of candidate) for Congress’, ‘(name of candidate) in 1999’, ‘vote against’, ‘defeat’, ‘reject’, or a campaign slogan or words that in context can have no reasonable meaning other than to advocate the election or defeat of 1 or more clearly identified candidates;

“(ii) referring to 1 or more clearly identified candidates in a paid advertisement that is transmitted through radio or television within 60 calendar days preceding the date of an election of the candidate and that appears in the State in which the election is occurring, except that with respect to a candidate for the office of Vice President or President, the time period is within 60 calendar days preceding the date of a general election; or

“(iii) expressing unmistakable and unambiguous support for or opposition to 1 or more clearly identified candidates when taken as a whole and with limited reference to external events, such as proximity to an election.

“(B) **VOTING RECORD AND VOTING GUIDE EXCEPTION.**—The term ‘express advocacy’ does not include a printed communication that—

“(i) presents information in an educational manner solely about the voting record or position on a campaign issue of 2 or more candidates;

“(ii) that is not made in coordination with a candidate, political party, or agent of the candidate or party; or a candidate’s agent or a person who is coordinating with a candidate or a candidate’s agent;

“(iii) does not contain a phrase such as ‘vote for’, ‘re-elect’, ‘support’, ‘cast your ballot for’, ‘(name of candidate) for Congress’, ‘(name of candidate) in 1999’, ‘vote against’, ‘defeat’, or ‘reject’, or a campaign slogan or words that in context can have no reasonable meaning other than to urge the election or defeat of 1 or more clearly identified candidates.”.

(c) DEFINITION OF EXPENDITURE.—Section 301(9)(A) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(9)(A)) is amended—

(1) in clause (i), by striking “and” at the end;

(2) in clause (ii), by striking the period at the end; and

(3) by adding at the end the following:

“(iii) a payment for a communication that is express advocacy; and

“(iv) a payment made by a person for a communication that—

“(I) refers to a clearly identified candidate;

“(II) is provided in coordination with the candidate, the candidate’s agent, or the political party of the candidate; and

“(III) is for the purpose of influencing a Federal election (regardless of whether the communication is express advocacy).”.

SEC. 302. CIVIL PENALTY.

Section 309 of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g) is amended—

(1) in subsection (a)—

(A) in paragraph (4)(A)—

(i) in clause (i), by striking “clause (ii)” and inserting “clauses (ii) and (iii)”; and

(ii) by adding at the end the following:

“(iii) If the Commission determines by an affirmative vote of 4 of its members that there is probable cause to believe that a person has made a knowing and willful violation of section 304(c), the Commission shall not enter into a conciliation agreement under this paragraph and may institute a civil action for relief under paragraph (6)(A).”; and

(B) in paragraph (6)(B), by inserting “(except an action instituted in connection with a knowing and willful violation of section 304(c))” after “subparagraph (A)”; and

(2) in subsection (d)(1)—

(A) in subparagraph (A), by striking “Any person” and inserting “Except as provided in subparagraph (D), any person”; and

(B) by adding at the end the following:

“(D) In the case of a knowing and willful violation of section 304(c) that involves the reporting of an independent expenditure, the violation shall not be subject to this subsection.”.

SEC. 303. REPORTING REQUIREMENTS FOR CERTAIN INDEPENDENT EXPENDITURES.

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

- (1) in subsection (c)(2), by striking the undesignated matter after subparagraph (C);
- (2) by redesignating paragraph (3) of subsection (c) as subsection (f); and
- (3) by inserting after subsection (c)(2) (as amended by paragraph (1)) the following:

“(d) TIME FOR REPORTING CERTAIN EXPENDITURES.—

“(1) EXPENDITURES AGGREGATING \$1,000.—

“(A) INITIAL REPORT.—A person (including a political committee) that makes or contracts to make independent expenditures aggregating \$1,000 or more after the 20th day, but more than 24 hours, before the date of an election shall file a report describing the expenditures within 24 hours after that amount of independent expenditures has been made.

“(B) ADDITIONAL REPORTS.—After a person files a report under subparagraph (A), the person shall file an additional report within 24 hours after each time the person makes or contracts to make independent expenditures aggregating an additional \$1,000 with respect to the same election as that to which the initial report relates.

“(2) EXPENDITURES AGGREGATING \$10,000.—

“(A) INITIAL REPORT.—A person (including a political committee) that makes or contracts to make independent expenditures aggregating \$10,000 or more at any time up to and including the 20th day before the date of an election shall file a report describing the expenditures within 48 hours after that amount of independent expenditures has been made.

“(B) ADDITIONAL REPORTS.—After a person files a report under subparagraph (A), the person shall file an additional report within 48 hours after each time the person makes or contracts to make independent expenditures aggregating an additional \$10,000 with respect to the same election as that to which the initial report relates.

“(3) PLACE OF FILING; CONTENTS.—A report under this subsection—

“(A) shall be filed with the Commission; and

“(B) shall contain the information required by subsection (b)(6)(B)(iii), including the name of each candidate whom an expenditure is intended to support or oppose.”.

SEC. 305. COORDINATION WITH CANDIDATES.

(a) DEFINITION OF COORDINATION WITH CANDIDATES.—

(1) SECTION 301(8).—Section 301(8) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(8)) is amended—

(A) in subparagraph (A)—

- (i) by striking “or” at the end of clause (i);
- (ii) by striking the period at the end of clause (ii) and inserting “; or”; and
- (iii) by adding at the end the following:
 - “(iii) anything of value provided by a person in coordination with a candidate for the purpose of influencing a Federal election, regardless of whether the value being provided is a communication that is express advocacy, in which such candidate seeks nomination or election to Federal office.”; and

(B) by adding at the end the following:

“(C) The term ‘provided in coordination with a candidate’ includes—

“(i) a payment made by a person in cooperation, consultation, or concert with, at the request or suggestion of, or pursuant to any general or particular understanding with a candidate, the candidate’s authorized committee, or an agent acting on behalf of a candidate or authorized committee;

“(ii) a payment made by a person for the production, dissemination, distribution, or republication, in whole or in part, of any broadcast or any written, graphic, or other form of campaign material prepared by a candidate, a candidate’s authorized committee, or an agent of a candidate or authorized committee (not including a communication described in paragraph (9)(B)(i) or a communication that expressly advocates the candidate’s defeat);

“(iii) a payment made by a person based on information about a candidate’s plans, projects, or needs provided to the person making the payment by the candidate or the candidate’s agent who provides the information with the intent that the payment be made;

“(iv) a payment made by a person if, in the same election cycle in which the payment is made, the person making the payment is serving or has served as a member, employee, fundraiser, or agent of the candidate’s authorized committee in an executive or policymaking position;

“(v) a payment made by a person if the person making the payment has served in any formal policy making or advisory position with the candidate’s campaign or has participated in formal strategic or formal policymaking discussions with the candidate’s campaign relating to the candidate’s pursuit of nomination for election, or election, to Federal office, in the same election cycle as the election cycle in which the payment is made;

“(vi) a payment made by a person if, in the same election cycle, the person making the payment retains the professional services of any person that has provided or is providing campaign-related services in the same election cycle to a candidate in connection with the candidate’s pursuit of nomination for election, or

election, to Federal office, including services relating to the candidate's decision to seek Federal office, and the person retained is retained to work on activities relating to that candidate's campaign;

“(vii) a payment made by a person who has engaged in a coordinated activity with a candidate described in clauses (i) through (vi) for a communication that clearly refers to the candidate and is for the purpose of influencing an election (regardless of whether the communication is express advocacy);

“(viii) direct participation by a person in fundraising activities with the candidate or in the solicitation or receipt of contributions on behalf of the candidate;

“(ix) communication by a person with the candidate or an agent of the candidate, occurring after the declaration of candidacy (including a pollster, media consultant, vendor, advisor, or staff member), acting on behalf of the candidate, about advertising message, allocation of resources, fundraising, or other campaign matters related to the candidate's campaign, including campaign operations, staffing, tactics, or strategy; or

“(x) the provision of in-kind professional services or polling data to the candidate or candidate's agent.

“(D) For purposes of subparagraph (C), the term ‘professional services’ includes services in support of a candidate's pursuit of nomination for election, or election, to Federal office such as polling, media advice, direct mail, fundraising, or campaign research.

“(E) For purposes of subparagraph (C), all political committees established and maintained by a national political party (including all congressional campaign committees) and all political committees established and maintained by a State political party (including any subordinate committee of a State committee) shall be considered to be a single political committee.”.

(2) SECTION 315(a)(7).—Section 315(a)(7) (2 U.S.C. 441a(a)(7)) is amended by striking subparagraph (B) and inserting the following:

“(B) a thing of value provided in coordination with a candidate, as described in section 301(8)(A)(iii), shall be considered to be a contribution to the candidate, and in the case of a limitation on expenditures, shall be treated as an expenditure by the candidate.

(b) MEANING OF CONTRIBUTION OR EXPENDITURE FOR THE PURPOSES OF SECTION 316.—Section 316(b)(2) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441b(b)) is amended by striking “shall include” and inserting “includes a contribution or expenditure, as those terms are defined in section 301, and also includes”.

Subtitle B—Expanding Disclosure of Campaign Finance Information

SEC. 311. REQUIRING MONTHLY FILING OF REPORTS.

(a) **PRINCIPAL CAMPAIGN COMMITTEES.**—Section 304(a)(2)(A)(iii) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(a)(2)(A)(iii)) is amended to read as follows:

“(iii) monthly reports, which shall be filed no later than the 20th day after the last day of the month and shall be complete as of the last day of the month, except that, in lieu of filing the reports otherwise due in November and December of the year, a pre-general election report shall be filed in accordance with clause (i), a post-general election report shall be filed in accordance with clause (ii), and a year end report shall be filed no later than January 31 of the following calendar year.”

(b) **OTHER POLITICAL COMMITTEES.**—Section 304(a)(4) of such Act (2 U.S.C. 434(a)(4)) is amended to read as follows:

“(4)(A) In a calendar year in which a regularly scheduled general election is held, all political committees other than authorized committees of a candidate shall file—

“(i) monthly reports, which shall be filed no later than the 20th day after the last day of the month and shall be complete as of the last day of the month, except that, in lieu of filing the reports otherwise due in November and December of the year, a pre-general election report shall be filed in accordance with clause (ii), a post-general election report shall be filed in accordance with clause (iii), and a year end report shall be filed no later than January 31 of the following calendar year;

“(ii) a pre-election report, which shall be filed no later than the 12th day before (or posted by registered or certified mail no later than the 15th day before) any election in which the committee makes a contribution to or expenditure on behalf of a candidate in such election, and which shall be complete as of the 20th day before the election; and

“(iii) a post-general election report, which shall be filed no later than the 30th day after the general election and which shall be complete as of the 20th day after such general election.

“(B) In any other calendar year, all political committees other than authorized committees of a candidate shall file a report covering the period beginning January 1 and ending June 30, which shall be filed no later than July 31 and a report covering the period beginning July 1 and ending December 31, which shall be filed no later than January 31 of the following calendar year.”

(c) **CONFORMING AMENDMENTS.**—(1) Section 304(a) of such Act (2 U.S.C. 434(a)) is amended by striking paragraph (8).

(2) Section 309(b) of such Act (2 U.S.C. 437g(b)) is amended by striking “for the calendar quarter” and inserting “for the month”.

SEC. 312. MANDATORY ELECTRONIC FILING FOR CERTAIN REPORTS.

(a) **IN GENERAL.**—Section 304(a)(11)(A) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(a)(11)(A)) is amended by striking the period at the end and inserting the following: “, except that

the Commission shall require the reports to be filed and preserved by such means, format, or method, unless the aggregate amount of contributions or expenditures (as the case may be) reported by the committee in all reports filed with respect to the election involved (taking into account the period covered by the report) is less than \$50,000.”

(b) PROVIDING STANDARDIZED SOFTWARE PACKAGE.—Section 304(a)(11) of such Act (2 U.S.C. 434(a)(11)) is amended—

(1) by redesignating subparagraph (C) as subparagraph (D); and

(2) by inserting after subparagraph (B) the following new subparagraph:

“(C) The Commission shall make available without charge a standardized package of software to enable persons filing reports by electronic means to meet the requirements of this paragraph.”

SEC. 313. WAIVER OF “BEST EFFORTS” EXCEPTION FOR INFORMATION ON OCCUPATION OF INDIVIDUAL CONTRIBUTORS.

Section 302(i) of the Federal Election Campaign Act of 1971 (2 U.S.C. 432(i)) is amended—

(1) by striking “(i) When the treasurer” and inserting “(i)(1) Except as provided in paragraph (2), when the treasurer”; and

(2) by adding at the end the following new paragraph:

“(2) Paragraph (1) shall not apply with respect to information regarding the occupation or the name of the employer of any individual who makes a contribution or contributions aggregating more than \$200 during a calendar year (as required to be provided under subsection (c)(3)).”

TITLE IV—SEVERABILITY; CONSTITUTIONALITY; EFFECTIVE DATE; REGULATIONS

SEC. 401. SEVERABILITY.

If any provision of this Act or amendment made by this Act, or the application of a provision or amendment to any person or circumstance, is held to be unconstitutional, the remainder of this Act and amendments made by this Act, and the application of the provisions and amendment to any person or circumstance, shall not be affected by the holding.

SEC. 402. REVIEW OF CONSTITUTIONAL ISSUES.

An appeal may be taken directly to the Supreme Court of the United States from any final judgment, decree, or order issued by any court ruling on the constitutionality of any provision of this Act or amendment made by this Act.

SEC. 403. EFFECTIVE DATE.

Except as otherwise provided in this Act, this Act and the amendments made by this Act take effect January 1, 1999.

SEC. 404. REGULATIONS.

The Federal Election Commission shall prescribe any regulations required to carry out this Act and the amendments made by this

Act not later than 180 days after the date of the enactment of this Act.

4. AMENDMENT BY REPRESENTATIVE COOK OF UTAH OR A DESIGNEE TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE NUMBERED 16 BY REPRESENTATIVE WHITE

Add at the end the following new title:

TITLE _____—EXPEDITED AVAILABILITY OF FEC REPORTS

SEC. ____01. PROMOTING EXPEDITED AVAILABILITY OF FEC REPORTS.

(a) MANDATORY ELECTRONIC FILING.—Section 304(a)(11)(A) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(a)(11)(A)) is amended by striking “permit reports required by” and inserting “require reports under”.

(b) REQUIRING REPORTS TO BE PUBLICLY AVAILABLE WITHIN 24 HOURS OF RECEIPT.—Section 304 of such Act (2 U.S.C. 434(a)) is amended by adding at the end the following new subsection:

“(d)(1) The Commission shall make the information contained in the reports submitted under this section available on the Internet and publicly available at the offices of the Commission as soon as practicable (but in no case later than 24 hours) after the information is received by the Commission.

“(2) In this subsection, the term ‘Internet’ means the international computer network of both Federal and non-Federal interoperable packet-switched data networks.”.

SEC. ____02. EFFECTIVE DATE.

The amendments made by this title shall apply with respect to reports for periods beginning on or after January 1, 1999.

5. AMENDMENT BY REPRESENTATIVE COX OF CALIFORNIA OR A DESIGNEE TO ANY OF THE FOLLOWING AMENDMENTS IN THE NATURE OF A SUBSTITUTE: AMENDMENT NUMBERED 16 BY REPRESENTATIVE WHITE, OR AMENDMENT NUMBERED 12 BY REPRESENTATIVE BOB SCHAFER

Add at the end the following new title:

TITLE _____—BAN ON CAMPAIGN CONTRIBUTIONS BY NONCITIZENS

SEC. ____01. BAN ON CAMPAIGN CONTRIBUTIONS BY NONCITIZENS.

Section 319 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441e) is amended—

(1) by striking the heading and inserting the following: “CONTRIBUTIONS AND DONATIONS BY NONCITIZENS”; and

(2) by striking subsection (a) and inserting the following:

“(a) PROHIBITION.—It shall be unlawful for—

“(1) a noncitizen, directly or indirectly, to make—

“(A) a donation of money or other thing of value, or to promise expressly or impliedly to make a donation, in connection with a Federal, State, or local election to a political committee or a candidate for Federal office, or

“(B) a contribution or donation to a committee of a political party; or

“(2) a person to solicit, accept, or receive a contribution or donation described in paragraph (1) from a noncitizen.”.

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6. AMENDMENT BY REPRESENTATIVE COX OF CALIFORNIA OR A DESIGNEE TO ANY OF THE FOLLOWING AMENDMENTS IN THE NATURE OF A SUBSTITUTE: AMENDMENT NUMBERED 16 BY REPRESENTATIVE WHITE, AMENDMENT NUMBERED 2 BY REPRESENTATIVE CAMPBELL, AMENDMENT NUMBERED 12 BY REPRESENTATIVE BOB SCHAFFER, OR AMENDMENT NUMBER 8 BY REPRESENTATIVE HUTCHINSON AND REPRESENTATIVE ALLEN

Add at the end the following new title:

**TITLE ____—BAN ON SOLICITATION OF
SOFT MONEY BY PRESIDENTIAL CANDIDATES RECEIVING PUBLIC FUNDING**

SEC. ____01. ENFORCEMENT OF SPENDING LIMIT ON PRESIDENTIAL AND VICE PRESIDENTIAL CANDIDATES WHO RECEIVE PUBLIC FINANCING.

(a) IN GENERAL.—Section 9003 of the Internal Revenue Code of 1986 (26 U.S.C. 9003) is amended by adding at the end the following new subsection:

“(f) ILLEGAL SOLICITATION OF SOFT MONEY.—No candidate for election to the office of President or Vice President may receive amounts from the Presidential Election Campaign Fund under this chapter or chapter 96 unless the candidate certifies that the candidate shall not solicit any funds for the purposes of influencing such election, including any funds used for an independent expenditure under the Federal Election Campaign Act of 1971, unless the funds are subject to the limitations, prohibitions, and reporting requirements of the Federal Election Campaign Act of 1971.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply with respect to elections occurring on or after the date of the enactment of this Act.

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7. AMENDMENT BY REPRESENTATIVE COX OF CALIFORNIA OR A DESIGNEE TO ANY OF THE FOLLOWING AMENDMENTS IN THE NATURE OF A SUBSTITUTE: AMENDMENT NUMBERED 16 BY REPRESENTATIVE WHITE, OR AMENDMENT NUMBERED 12 BY REPRESENTATIVE BOB SCHAFFER

Add at the end the following new title:

TITLE ____—PENALTY FOR VIOLATION OF FOREIGN CONTRIBUTION BAN

SEC. ____01. PENALTY FOR VIOLATION OF PROHIBITION AGAINST FOREIGN CONTRIBUTIONS.

(a) IN GENERAL.—Section 319 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441e) is amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by inserting after subsection (a) the following new subsection:

“(b) Any person who violates subsection (a) shall be sentenced to a term of imprisonment which may not be less than 5 years or more than 20 years, fined in an amount not to exceed \$1,000,000, or both.”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to violations occurring on or after the date of the enactment of this Act.

8. AMENDMENT BY REPRESENTATIVE COX OF CALIFORNIA OR A DESIGNEE TO ANY OF THE FOLLOWING AMENDMENTS IN THE NATURE OF A SUBSTITUTE: AMENDMENT NUMBERED 16 BY REPRESENTATIVE WHITE, AMENDMENT NUMBERED 7 BY REPRESENTATIVE FARR, AMENDMENT NUMBERED 14 BY REPRESENTATIVE SNOWBARGER, AMENDMENT NUMBERED 4 BY REPRESENTATIVE OBEY, AMENDMENT NUMBERED 2 BY REPRESENTATIVE CAMPBELL, AMENDMENT NUMBERED 5 BY REPRESENTATIVE DOOLITTLE, AMENDMENT NUMBERED 12 BY REPRESENTATIVE BOB SCHAFFER, OR AMENDMENT NUMBERED 8 BY REPRESENTATIVE HUTCHINSON AND REPRESENTATIVE ALLEN

Add at the end the following new title:

TITLE ____—PROHIBITING FUNDRAISING ON FEDERAL PROPERTY

SEC. ____01. PROHIBITION AGAINST POLITICAL FUNDRAISING ON FEDERAL PROPERTY.

Section 607 of title 18, United States Code, is amended by striking subsection (a) and inserting the following:

“(a) PROHIBITION.—It shall be unlawful for any persons to solicit or receive a donation of money or other thing of value for a political committee or a candidate for Federal, State, or local office from a person who is located in a room or building, including but not limited to the White House, occupied in the discharge of official duties by an officer or employee of the United States. An individual who is an officer or employee of the Federal Government, including the President, Vice President, and Members of Congress, shall not solicit a donation of money or other thing of value for a political committee or candidate for Federal, State, or local office, while in any room or building, including but not limited to the White House, oc-

cupied in the discharge of official duties by an officer or employee of the United States, from any person.”.

9. AMENDMENT BY REPRESENTATIVE COX OF CALIFORNIA, OR A DESIGNEE TO ANY OF THE FOLLOWING AMENDMENTS IN THE NATURE OF A SUBSTITUTE: AMENDMENT NUMBERED 16 BY REPRESENTATIVE WHITE, AMENDMENT NUMBERED 2 BY REPRESENTATIVE CAMPBELL, AMENDMENT NUMBERED 12 BY REPRESENTATIVE BOB SCHAFFER, OR AMENDMENT NUMBERED 8 BY REPRESENTATIVE HUTCHINSON AND REPRESENTATIVE ALLEN

Add at the end the following new title:

**TITLE ___—PROHIBITING CONSPIRACY
TO VIOLATE PRESIDENTIAL CAM-
PAIGN SPENDING LIMITS**

**SEC. ___01. CONSPIRACY TO VIOLATE PRESIDENTIAL CAMPAIGN
SPENDING LIMITS.**

(a) IN GENERAL.—Section 9003 of the Internal Revenue Code of 1986 (26 U.S.C. 9003) is amended by adding at the end the following new subsection:

“(g) PROHIBITING CONSPIRACY TO VIOLATE LIMITS.—

“(1) VIOLATION OF LIMITS DESCRIBED.—If a candidate for election to the office of President or Vice President who receives amounts from the Presidential Election Campaign Fund under chapter 95 or 96 of the Internal Revenue Code of 1986, or the agent of such a candidate, seeks to avoid the spending limits applicable to the candidate under such chapter or under the Federal Election Campaign Act of 1971 by soliciting, receiving, transferring, or directing funds from any source other than such Fund for the direct or indirect benefit of such candidate’s campaign, such candidate or agent shall be fined not more than \$1,000,000, or imprisoned for a term of not more than 3 years, or both.

“(2) CONSPIRACY TO VIOLATE LIMITS DEFINED.—If two or more persons conspire to violate paragraph (1), and one or more of such persons do any act to effect the object of the conspiracy, each shall be fined not more than \$1,000,000, or imprisoned for a term of not more than 3 years, or both.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply with respect to elections occurring on or after the date of the enactment of this Act.

10. AMENDMENT BY REPRESENTATIVE COX OF CALIFORNIA OR A DESIGNEE TO ANY OF THE FOLLOWING AMENDMENTS IN THE NATURE OF A SUBSTITUTE: AMENDMENT NUMBERED 16 BY REPRESENTATIVE WHITE, OR AMENDMENT NUMBER 12 BY REPRESENTATIVE BOB SCHAFFER

Add at the end the following new title:

**TITLE _____ —BAN ON SOFT MONEY OF
FOREIGN NATIONALS**

SEC. ____01. BAN ON DISBURSEMENTS OF SOFT MONEY BY FOREIGN NATIONALS.

(a) PROHIBITION ON DISBURSEMENTS BY FOREIGN NATIONALS FOR POLITICAL PARTIES AND INDEPENDENT EXPENDITURES.—Section 319 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441e) is amended—

(1) in the heading, by striking “CONTRIBUTIONS” and inserting “DISBURSEMENTS”;

(2) in subsection (a), by striking “contribution” each place it appears and inserting “disbursement”; and

(3) in subsection (a), by striking the semicolon and inserting the following: “, including any disbursement to a political committee of a political party and any disbursement for an independent expenditure;”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to disbursements made on or after the date of the enactment of this Act.

11. AMENDMENT BY REPRESENTATIVE COX OF CALIFORNIA OR A DESIGNEE TO ANY OF THE FOLLOWING AMENDMENTS IN THE NATURE OF A SUBSTITUTE: AMENDMENT NUMBERED 16 BY REPRESENTATIVE WHITE, OR AMENDMENT NUMBER 12 BY REPRESENTATIVE BOB SCHAFFER

Add at the end the following new title:

TITLE _____ —PROHIBITING CERTAIN DEFENSES TO VIOLATION OF FOREIGN CONTRIBUTION BAN

SEC. ____01. PROHIBITING USE OF WILLFUL BLINDNESS AS DEFENSE AGAINST CHARGE OF VIOLATING FOREIGN CONTRIBUTION BAN.

(a) IN GENERAL.—Section 319 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441e) is amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by inserting after subsection (a) the following new subsection:

“(b) It shall not be a defense to a violation of subsection (a) that the defendant did not know that the contribution originated from a foreign national if the defendant was aware of a high probability that the contribution originated from a foreign national.”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to violations occurring on or after the date of the enactment of this Act.

12. AMENDMENT BY REPRESENTATIVE COX OF CALIFORNIA OR A DESIGNEE TO ANY OF THE AMENDMENTS IN THE NATURE OF A SUBSTITUTE MADE IN ORDER UNDER H. RES. 442

Add at the end the following new title:

TITLE _____—PROHIBITING SOLICITATION TO OBTAIN ACCESS TO CERTAIN GOVERNMENT PROPERTY

SEC. ____01. PROHIBITION AGAINST ACCEPTANCE OR SOLICITATION TO OBTAIN ACCESS TO CERTAIN GOVERNMENT PROPERTY.

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

“§ 226. Acceptance or solicitation to obtain access to certain government property

“Whoever solicits or receives anything of value in consideration of providing a person with access to Air Force One, Marine One, Air Force Two, Marine Two, the White House, or the Vice President’s residence, shall be fined under this title, or imprisoned not more than one year, or both.”

(b) CLERICAL AMENDMENT.—The table of sections for chapter 11 of title 18, United States Code, is amended by adding at the end the following new item:

“226. Acceptance or solicitation to obtain access to certain government property.”.

13. AMENDMENT BY REPRESENTATIVE DELAY OF TEXAS OR A DESIGNEE TO ANY OF THE FOLLOWING AMENDMENTS IN THE NATURE OF A SUBSTITUTE: AMENDMENT NUMBERED 13 BY REPRESENTATIVE SHAYS AND REPRESENTATIVE MEEHAN, AMENDMENT NUMBERED 4 BY REPRESENTATIVE OBEY, AMENDMENT NUMBERED 2 BY REPRESENTATIVE CAMPBELL, AMENDMENT NUMBERED 15 BY REPRESENTATIVE TIERNEY, OR AMENDMENT NUMBERED 8 BY REPRESENTATIVE HUTCHINSON AND REPRESENTATIVE ALLEN

Add at the end the following new title:

TITLE _____—SENSE OF CONGRESS REGARDING FUNDRAISING ON FEDERAL PROPERTY

SEC. ____01. SENSE OF CONGRESS REGARDING APPLICABILITY OF CONTROLLING LEGAL AUTHORITY TO FUNDRAISING ON FEDERAL PROPERTY.

(a) FINDINGS.—Congress finds the following:

(1) On March 2, 1997, the Washington Post reported that Vice President Gore “played the central role in soliciting millions of dollars in campaign money for the Democratic Party during the 1996 election” and that he was known as the administration’s “solicitor-in-chief”.

(2) The next day, Vice President Gore held a nationally televised press conference in which he admitted making numerous calls from the White House in which he solicited campaign contributions.

(3) The Vice President said that there was “no controlling legal authority” regarding the use of government telephones and properties for the use of campaign fundraising.

(4) Documents that the White House released reveal that Vice President Gore made 86 fundraising calls from his White House office, and these new records reveal that Vice President Gore made 20 of these calls at taxpayer expense.

(5) Section 641 of title 18, United States Code, (prohibiting the conversion of government property to personal use) clearly prohibits the use of government property to raise campaign funds.

(6) On its face, the conduct to which Vice President Gore admitted appears to be a clear violation of section 607 of title 18, United States Code, which makes it unlawful for “any person to solicit...any (campaign) contribution...in any room or building occupied in the discharge of official (government) duties”.

(b) SENSE OF CONGRESS.—It is the sense of Congress that Federal law clearly demonstrates that “controlling legal authority” prohibits the use of Federal property to raise campaign funds.

14. AMENDMENT BY REPRESENTATIVE DELAY OF TEXAS OR A DESIGNEE TO ANY OF THE FOLLOWING AMENDMENTS IN THE NATURE OF A SUBSTITUTE: AMENDMENT NUMBERED 13 BY REPRESENTATIVE SHAYS AND REPRESENTATIVE MEEHAN, AMENDMENT NUMBERED 4 BY REPRESENTATIVE OBEY, AMENDMENT NUMBERED 2 BY REPRESENTATIVE CAMPBELL, AMENDMENT NUMBERED 15 BY REPRESENTATIVE TIERNEY, OR AMENDMENT NUMBERED 8 BY REPRESENTATIVE HUTCHINSON AND REPRESENTATIVE ALLEN

Add at the end the following new title:

TITLE ___—SENSE OF CONGRESS REGARDING APPOINTMENT OF INDEPENDENT COUNSEL

SEC. ___01. SENSE OF CONGRESS REGARDING APPOINTMENT OF INDEPENDENT COUNSEL TO INVESTIGATE CLINTON ADMINISTRATION.

(a) FINDINGS.—Congress finds as follows:

(1) The Independent Counsel Act (chapter 40 of title 28, United States Code) was designed to avoid even the appearance of impropriety in the consideration of allegations of misconduct by high-level Executive Branch officials.

(2) Section 591(a)(1) of title 28, United States Code, requires the Attorney General of the United States to conduct a preliminary investigation whenever the Attorney General finds specific and credible evidence that a covered person “may have violated any Federal criminal law ...”.

(3) Under the statute (28 U.S.C. 591(b)), the President is a covered person.

(4) The bribery statute (chapter 11 of title 18, United States Code) prohibits Federal officials, including the President, from receiving any benefit in return for any official action.

(5) Numerous published reports describe circumstances that suggest that President Clinton may have received campaign contributions in return for official government actions he took on behalf of the contributors.

(6) Any such scheme may also violate other statutes including the following sections of title 18, United States Code: section 371 (conspiracy to defraud the United States), section 600 (promising of government benefits in return for political support), section 872 (extortion by government officials), and sections 1341, 1343, and 1346 (mail and wire fraud by defrauding the United States of honest services).

(7) On February 13, 1997, the Washington Post reported that the Department of Justice had obtained intelligence information that the government of the People's Republic of China had sought to direct contributions from foreign sources to the Democratic National Committee ("DNC") before the 1996 presidential campaign.

(8) In March 1995, Johnny Chung, a Democratic National Committee trustee and a businessman from Torrance, California, brought six officials of the government of the People's Republic of China and its state-owned companies, including Hongye Zheng, Chairman of the China Council for the Promotion of International Trade, and Yang Zanzhong, President of China Petro-Chemical Corp., to hear the President give his regular Saturday radio address.

(9) On March 8, 1995, Johnny Chung came to the First Lady's office in the White House seeking various favors for the officials, including admission to the radio address.

(10) Aides to Mrs. Clinton, Margaret Williams and Evan Ryan, suggested that Mr. Chung could get the favors if he helped Mrs. Clinton with her debts to the DNC for holiday parties.

(11) The next day, Mr. Chung gave Ms. Williams a check for \$50,000, and received a lunch in the White House mess, a picture with Mrs. Clinton, and admission to the radio address for himself and the officials. *Id.* Records indicate that on Friday, March 17, 1995, Mr. Chung donated \$50,000 to the Democratic National Committee and on April 12, 1995, he donated an additional \$125,000.

(12) In commenting on the solicitation in the White House by the First Lady's aides, Mr. Chung said, "I see the White House is like a subway: You have to put in coins to open the gates."

(13) On February 6, 1996, Wang Jun attended a coffee at the White House with President Clinton. Mr. Wang is the head of the state-owned company, China International Trade and Investment Corp. ("CITIC"), a \$21,000,000,000 conglomerate, and its subsidiary Poly Technologies. Poly Technologies is the primary arms dealing company for the Chinese military. Mr. Wang gained access to the coffee through Charles Yah Lin

Trie, an old Arkansas friend of President Clinton and Democratic Party fund-raiser.

(14) After the Wang visit came to public attention, President Clinton said he remembered “literally nothing” about the meeting, but he conceded that it was “clearly inappropriate.”

(15) Mr. Trie had a number of interesting sources of funds. Among other things, in the spring of 1996, Mr. Trie delivered suspicious donations totaling \$789,000 to the President’s legal defense fund.

(16) Mr. Trie made the donations on three dates: March 21, 1996, \$460,000; April 24, 1996, \$179,000; and May 17, 1996, \$150,000. These donations have now been returned. Recent reports reveal that most of this money came from members of a Taiwan-based religious sect, Suma Ching Hai. President and Mrs. Clinton knew about these suspicious donations at the time, and they concurred in efforts to conceal them until after the election. Notwithstanding that knowledge, President Clinton continued to grant favors to Mr. Trie.

(17) On April 19, 1996, President Clinton appointed Mr. Trie to the Commission on U.S. Pacific Trade and Investment Policy. On April 26, President Clinton signed a letter to Mr. Trie relating to U.S. policy in putting carriers in the Taiwan Straits.

(18) During 1995 and 1996, Mr. Trie received a series of wire transfers in amounts of \$50,000 and \$100,000 from the Chinese government’s state-owned bank, the Bank of China.

(19) Recent Senate testimony reveals that Mr. Trie received \$1,400,000 in wire transfers from abroad from 1994 through 1996. At least \$220,000 of this money has been traced into the treasury of the DNC.

(20) Of the total Mr. Trie received from overseas, \$905,000 came from Ng Lap Seng, a Macao-based businessman who was Trie’s partner and who was also known as Mr. Wu. Mr. Ng is an adviser to the Chinese Communist government. Although he is a foreign national who cannot legally make donations to U.S. campaigns, he gave money through two employees to attend a dinner for big contributors with President Clinton on February 16, 1995.

(21) Returning to Mr. Wang’s visit to the coffee with President Clinton, just four days before the meeting, Mr. Wang’s arms trading company received special permission to import 100,000 assault weapons, along with millions of bullets, into the United States despite the assault weapons ban.

(22) On the day of the coffee, Democratic fund-raiser Ernest G. Green, another Arkansas friend of the President’s, delivered a \$50,000 donation to the Democratic National Committee. Mr. Green, a managing director at Lehman Brothers, had never before given such a large contribution to the Democratic Party. Mr. Wang used a letter of invitation written by Mr. Green to obtain a visa for Mr. Wang’s trip to the White House for coffee. After delivering the check, Mr. Green met with Mr. Wang before Mr. Wang went to the White House.

(23) Several lengthy reports in the Chicago Tribune and the Washington Post detail the depths of Mr. Wang's international arms dealing activities.

(24) Beginning in the summer of 1994, Federal agents began an undercover sting investigation of Poly's efforts to smuggle weapons into the United States. On March 8, 1996, just a month after Mr. Wang's visit with President Clinton, the President of Poly's U.S. subsidiary, Robert Ma, sold his house in Atlanta and fled the country.

(25) On March 18, 1996, Federal agents surreptitiously seized a Poly shipment of 2,000 AK-47 assault rifles in Oakland, California. These weapons had left China on February 18 aboard a vessel belonging to another state-owned company, the Chinese Ocean Shipping Company ("COSCO"). *Id.* In May, Federal agents hastily shut down the operation when they learned that the Chinese had been tipped to its existence. The stories indicate that the Department is currently investigating to determine the source of the leak.

(26) Smuggling the weapons into the United States has not harmed the fortunes of COSCO. In April 1996, with the support of the Clinton Administration, COSCO signed a lease with the City of Long Beach, California to rent a now defunct navy base in Long Beach, California. In addition, the Clinton Administration has allowed COSCO's ships access to our most sensitive ports with one day's notice rather than the usual four, and it has given COSCO a \$138,000,000 loan guarantee to build ships in Alabama. The Administration has made all of these concessions since the coffee with Mr. Wang. That COSCO participated in the shipment of illegal arms does not appear to have dampened the Administration's enthusiasm in any of these matters.

(27) These circumstances strongly suggest that there was a quid pro quo, and that the contributions from Mr. Chung, Mr. Green, and Mr. Trie, may have come from the Chinese government in return for the various government favors described. The President met directly with the Chinese officials whom Mr. Chung and Mr. Trie brought to the White House, and he knew about the suspicious circumstances of Mr. Trie's donations. If the President knew about a quid pro quo, he may have violated section 201 of title 18, United States Code, and the other statutes cited above.

(28) Mr. Chung has admitted that a large portion of the money he raised for the Democrats originated with the People's Liberation Army in China. He has identified the conduit as a Chinese aerospace executive, based in Hong Kong, who is also the daughter of General Liu Huaqing, who was China's top military commander at the time.

(29) Closely related to the allegations concerning the government of the People's Republic of China are the allegations relating to the Lippo Group.

(30) The Lippo Group ("Lippo") is a multi-billion dollar real estate and financial conglomerate based in Indonesia. The Riady family, an ethnic Chinese family living in Indonesia, owns and controls Lippo. The patriarch of the Riady family is

Mochtar Riady. His son, James, has known President Clinton since the late 1970s when he interned with an investment bank in Little Rock, Arkansas. Since President Clinton began his first presidential campaign in 1991, members of the Riady family and Lippo's subsidiaries and executives have contributed more than \$475,000 to the Democratic Party and its candidates. Lippo and the Riady family have numerous business interests in China and Hong Kong.

(31) In the early 1980s, John Huang, the former Commerce Department official at the center of this controversy, worked for Lippo in Little Rock at the Worthen Bank, in which Lippo had a large stake. In 1986, Mr. Huang moved to Los Angeles to help run the Lippo Bank, which has had a number of problems with banking regulators. In that role, he became Lippo's chief representative in the United States.

(32) Mr. Huang began raising illegal contributions for the Democratic Party as early as 1992. The recent Senate Governmental Affairs Committee hearings revealed that in August 1992 Huang gave a \$50,000 contribution to the DNC through Hip Hing Holdings, a U.S.-based Lippo subsidiary. He then requested and received reimbursement for the contribution from Lippo's Indonesian headquarters. Senator Lieberman said, "Here's a clear trail of foreign money coming into United States elections."

(33) Maria L. Haley, a presidential aide, recommended Mr. Huang for a job at the Commerce Department in October 1993. In January 1994 while he was still an employee of Lippo, Mr. Huang received a top-secret security clearance without a full background check.

(34) On July 18, 1994, he became principal deputy assistant secretary for international economic policy in the Department of Commerce. He received a \$780,000 severance payment from Lippo. David J. Rothkopf, the deputy undersecretary of commerce, and Jeffrey Garten, the undersecretary, expressed misgivings about Mr. Huang's suitability for the job. In recent Senate testimony, Mr. Garten said that Mr. Huang was "totally unqualified" for the job and that "he should not be involved in China at all." Mr. Rothkopf has said his complaints were to no avail and that he "got the distinct impression that this was a done deal. But it was unclear to me at what level it was done." The Riadys have apparently boasted to friends that they placed Huang in the job.

(35) The Commerce Department now acknowledges that Mr. Huang attended 109 meetings at which classified information might have been discussed. Phone records show that Mr. Huang made at least 70 calls to Lippo during his tenure at the Commerce Department, many of which occurred near the time of the briefings. He had contacts with officials of the Chinese Embassy. Mr. Huang also maintained an office at a private investment firm with Arkansas and Asian ties, Stephens, Inc., where he made numerous phone calls and received faxes and packages during his Commerce tenure.

(36) Mr. Huang began to raise money illegally before he even left the Commerce Department, and the DNC attributed these

donations to his wife. In mid-1995, he expressed an interest in going to the DNC to raise funds. DNC Chairman Don Fowler did not think that the move was necessary and took no action.

(37) In September 1995, the President and his closest adviser, Bruce Lindsey, met with Mr. Huang, James Riady, and C. Joseph Giroir, a former law partner of Mrs. Clinton's who was close to the Riadys, regarding Mr. Huang's desire to move to the DNC. The President has acknowledged that he had a role in recommending Mr. Huang for the DNC job, and other former Clinton aides with ties to Asia, including Mr. Giroir, apparently mounted a concerted campaign to bring about Mr. Huang's job there. In December 1995, Mr. Huang moved to the DNC with the title finance vice chairman. After Mr. Huang left, his Commerce Department position was eliminated. *Id.* Strangely, however, Mr. Huang kept his security clearance long after he left the Commerce Department.

(38) At the DNC, Mr. Huang embarked on an unusual fund-raising drive in which he raised \$3,400,000. Of that amount, the DNC has identified \$1,600,000 as being illegal, improper, or sufficiently suspect that it will be sent back to donors. Many of these donations came from fictitious donors and, in at least one case, a dead person. One of the most egregious examples is the \$450,000 donated by Arief and Soraya Wiriadinata. Until December 1995 when they left the country, this couple lived in a modest townhouse in Northern Virginia. Mr. Wiriadinata was a landscape architect, and Mrs. Wiriadinata was a homemaker. Despite these modest circumstances, the couple wrote 23 separate checks to the DNC totaling \$425,000 from November 9, 1995 until June 7, 1996. However, Mrs. Wiriadinata is the daughter of Hashim Ning, a partner of the Riadys in owning Lippo. Democratic Party officials had concerns about the legality of Mr. Huang's activities as early as July 1996, but they did not remove him from his job.

(39) The Wiriadinatas are not the only conduit through which Lippo money apparently benefited the Clintons. Existing Independent Counsel Kenneth Starr is reportedly investigating whether payments that Lippo made to Webster Hubbell were made to buy his silence in the Whitewater investigation. These payments reportedly included paying for a vacation the Hubbell family took to Bali in the summer of 1994.

(40) One possible quid pro quo for this Lippo money is the possibility that Lippo bought Mr. Huang's position in the Commerce Department as well as the accompanying access to classified information. In addition, during September 1996, the President announced that he was designating 1.7 million acres of Utah wilderness as a national monument. This designation abruptly halted plans to mine the world's largest deposit of clean-burning "super compliance coal." The President made this move with virtually no consultation with people in the affected area of Utah. The second largest deposit of this kind of coal lies in Indonesia, and critics suggest that the designation was made as a reward to Lippo.

(41) If there was a quid pro quo for Mr. Huang's position at the Department of Commerce, his access to classified informa-

tion, the designation of the national monument, or all three, then there may have been a violation of section 201 of title 18, United States Code, and the other statutes mentioned above. The President's direct involvement includes his participation in the September 1995 meeting at which Mr. Huang expressed his desire to go to the DNC and his participation in the designation of the national monument.

(42) On February 20, 1997, the Wall Street Journal reported that a Miami computer executive with close ties to the government of Paraguay had a number of dealings with the White House.

(43) The computer executive, Mark Jimenez, is a native of the Philippines, and he is a legal resident of the United States. His company, Future Tech International, sells computer parts in Latin America, including Paraguay. He apparently has close ties to the government of Paraguay. Since 1993, Mr. Jimenez and his employees have given over \$800,000 to the Democratic Party, the Clinton-Gore campaign, and other private initiatives linked to President Clinton, like the effort to restore the President's birthplace. Mr. Jimenez has visited the White House at least twelve times since April 1994, and on at least seven of these occasions, he met personally with President Clinton.

(44) The timing of some of these donations strongly suggests that there was a quid pro quo. From February through April 1996, Mr. Jimenez and various officials of the government of Paraguay met in the White House with presidential adviser and former chief of staff, Mack McLarty regarding threats to the government of Paraguay. On March 1, the State Department recommended that Paraguay no longer receive American foreign aid because it had not done enough to stop drug smuggling. President Clinton then issued a waiver allowing the continued aid despite the State Department's finding.

(45) On April 22, the military of Paraguay attempted a coup against the President of Paraguay, Carlos Wasmosy. The White House allowed President Wasmosy to take refuge in the American embassy in Asuncion and took other steps to support him. The same day, Mr. Jimenez gave \$100,000 to the Democratic National Committee.

(46) In addition, during February 1996, Mr. Jimenez attended one of the now famous White House coffees. Ten days later, he gave another \$50,000 to the Democratic National Committee. On September 30, 1996, Mr. Jimenez arranged for a White House tour for a number of business friends who were attending a meeting of the International Monetary Fund. The same day, he sent \$75,000 to the Democratic National Committee. The close coincidence of Mr. Jimenez's contributions with the favors he received is highly suspicious. The President's direct involvement includes his calling President Wasmosy to assure him of American support with respect to the coup attempt and his direct participation in the coffee in question. If there was a quid pro quo involved, these incidents may violate section 201, of title 18, United States Code, and the other statutes cited above.

(47) In February, the Washington Post reported that on September 4, 1995, First Lady Hillary Clinton stopped over in Guam on the way to the International Women's Conference in Beijing, China. She ended her visit with a shrimp cocktail buffet hosted by Guam's governor, Carl T. Gutierrez, a Democrat. Three weeks later, a Guam Democratic Party official arrived in Washington with more than \$250,000 in campaign contributions. Within six additional months, Governor Gutierrez and a small group of Guam businessmen had produced an additional \$132,000 for the Clinton-Gore reelection campaign and \$510,000 in soft money for the Democratic National Committee.

(48) In December 1996, the Administration circulated a memo that would have granted a long sought reversal of the Administration's position on labor and immigration issues in a way that was very favorable to businesses in Guam. The story gave the following reason for this shift: Some officials also attribute the administration's support for the reversal to the money raised for the president's reelection campaign. One senior U.S. official said "the political side" of her agency had informed her that the administration's shift was linked to campaign contributions. "We had always opposed giving Guam authority over its own immigration," the official said. "But when that \$600,000 was paid, the political side switched." United States officials from three other agencies added that they too had been told that the policy shift was linked to money.

(49) Various published reports discussed below indicate that the President was intimately involved in the details of fund-raising for his reelection. As President, he ultimately controls the Administration's policy. Thus, if these assertions prove true, a reasonable mind could reach the conclusion that the President knew about and condoned a direct quid pro quo for these policy changes. If he did so, such a quid pro quo would violate section 201 of title 18, United States Code, and the other statutes.

(50) At least three criminal statutes address the use of the White House for political purposes. Section 600 of title 18, United States Code, prohibits the promising of any government benefit in return for any kind of political support or activity. Section 607 of title 18, United States Code, prohibits the solicitation or receipt of contributions for Federal campaigns in Federal buildings. Section 641 of title 18, United States Code, prohibits the conversion of government property to personal use.

(51) During January 1995, President Clinton authorized a plan under which the Democratic National Committee would hold fund-raising coffees and sleepovers in the White House. During 1995 and 1996, the White House held 103 of the coffees. To quote the New York Times, "[t]he documents [released by the White House] themselves make explicit that the coffees were fund-raising vehicles * * * [they] also make clear that the Democratic National Committee was virtually being run out of the Clinton White House despite the President's initial efforts after the election to draw a distinction between his own campaign organization and the committee." The Los Angeles

Times said: "The result [of the coffees] was not only lucrative, according to some involved, but occasionally bizarre—sometimes the political equivalent of the bar scene in the film 'Star Wars.' The president and vice president were surrounded by rotating casts of rich strangers with unknown motives or backgrounds, including some from faraway places who didn't speak the same language."

(52) These reports indicate that Democratic Party fundraising staff have said in interviews that they directly sold access to the President and Vice President at the coffees. The New York Times quoted a Democratic fund-raiser's response to a White House denial that there was a requirement for a coffee participant to make a contribution as: "I don't understand why they continue to deny the obvious." The Los Angeles Times quoted a fund-raiser as saying: "I can't count the number of times I heard, 'Tell them they can come to a coffee with the President for \$50,000.' It was routine. In fact, when [staffers] said, 'This is all I can raise,' they were told, 'Keep selling the coffees.'"

(53) In short, these reports make it obvious that the coffees, which President Clinton directly authorized, were nothing but fundraising events. According to the New York Times, the Democratic National Committee raised \$27,000,000 from 350 people who attended White House coffees.

(54) President Clinton also entertained 938 overnight guests in the White House during his first term. This, too, became a means of fund-raising. When the original plan to hold coffees was suggested to the President, he not only approved it, but also originated the idea of the overnight visits. On the memo suggesting the plan, he wrote, "Ready to start overnights right away * * * get other names at 100,000 or more, 50,000 or more." The New York Times reports that these guests donated \$10,210,840 to the Democratic Party from 1992 through 1996. The New York Times said about the President's notation: "The memorandum to Mr. Clinton and the response from the President show Mr. Clinton's direct involvement in authorizing the fund-raising practices that are now under scrutiny by Congressional and Justice Department investigators."

(55) At least one document the White House has recently released strongly suggests that President Clinton made telephone solicitations from the White House. The document, written by Vice President Gore's deputy chief of staff, David Strauss, contained the notation, "BC made 15 to 20 calls, raised 500K." Other documents indicate that presidential adviser Harold Ickes also proposed that President Clinton make fund-raising calls. President Clinton has said that he cannot remember whether he made the calls. If President Clinton made these calls from the White House, he may have violated section 607 of title 18, United States Code.

(56) The circumstances of the coffees, the sleepovers, and the possible telephone calls strongly suggest that the President may have violated the following provisions of title 18, United States Code: (1) Section 600 (by promising government access in return for campaign contributions). (2) Section 607 (by solici-

iting campaign contributions in Federal buildings). (3) Section 641 (by converting Federal property, the White House, to his own private use).

(57) Under the independent counsel statute (28 U.S.C. 591(b)(1)), the Vice President is a covered person. Based on published reports, the Attorney General has sufficient grounds to investigate whether Vice President Gore may have violated Federal criminal law.

(58) On April 29, 1996, Vice President Gore attended a fundraiser at the Hsi Lai Buddhist Temple in Hacienda Heights, California. This fund-raiser, organized by John Huang, brought in \$140,000 for the Democratic National Committee. When the event first came to public attention, the Vice President claimed that the event was intended as "community outreach" and that "[i]t was not billed as a fund-raiser" and "no money was offered or collected or raised". The Vice President made this claim notwithstanding reports that checks changed hands at the event and that virtually everyone else involved thought the event was an explicit fund-raiser.

(59) In January 1997, the Vice President admitted that he knew the event was "a finance-related event." A month later, documents released by the White House revealed that the Vice President's staff had referred to the event as a fund-raiser in making inquiries to the National Security Council staff about the appropriateness of the event. The National Security Council advised that he should proceed with "great, great caution", but the Vice President proceeded to go forward with the fundraiser. This event is apparently now under investigation by a Federal grand jury.

(60) Hsi Lai Temple, if it is like most religious organizations, is a tax-exempt organization under section 501(c) of the Internal Revenue Code. If that is so, it may not "participate in, or intervene in (including the publishing or distributing of statements), any political campaign on behalf of (or in opposition to) any candidate for public office." (section 501(c)(3) of the Internal Revenue Code of 1986). By holding such an obviously political event, the Temple violated its tax exempt status, and Vice President Gore actively and enthusiastically participated in that violation. That action may violate section 371 of title 18, United States Code, as a conspiracy to defraud the United States by interfering with the functions of the Internal Revenue Service, and section 7201 of the Internal Revenue Code of 1986, as an evasion of the income tax.

(61) On March 2, 1997, the Washington Post reported that Vice President Gore "played the central role in soliciting millions of dollars in campaign money for the Democratic Party during the 1996 election" and that he was known as the administration's "solicitor-in-chief". The next day, Vice President Gore held a nationally televised press conference in which he admitted making numerous calls from the White House in which he solicited campaign contributions. He said that he made these phone calls with a DNC credit card. His spokesman later clarified that the card that he used belonged to the Clinton-Gore reelection campaign (statement of Vice Presi-

dential Communications Director Lorraine Voles, dated March 5, 1997). The use of the Clinton-Gore credit card suggests that the solicitations were for “hard money” which goes to campaigns rather than “soft money” which goes to parties.

(62) Documents that the White House has only recently released reveal that Vice President Gore made 86 fundraising calls from his White House Office. More disturbingly, these new records reveal that Vice President Gore made twenty of these calls at taxpayer expense. This use of taxpayer resources for private political uses may violate section 641 of title 18, United States Code, (converting government property to personal use).

(63) On its face, the conduct to which Vice President Gore admitted appears to be a clear violation of section 607 of title 18, United States Code. Section 607 of such title makes it unlawful for “any person to solicit * * * any [campaign] contribution * * * in any room or building occupied in the discharge of official [government] duties * * * ”.

(64) Recent reports have completely undermined these two claims with respect to the calls that Vice President Gore made. The Washington Post on September 3, 1997, reported that at least \$120,000 of the money he solicited from his office was “hard money.” As the story notes, “The [hard] money came from at least eight of 46 donors the vice president telephoned from his White House office to ask for contributions to the Democratic National Committee, according to records released by Gore’s office.” The American people should be are deeply troubled by the length of time it took for these records, which have apparently been under Vice President Gore’s control, to come to public light. With respect to the second claim, no person has made any claim that Vice President Gore made these calls from any place other than his office, an area clearly covered under section 607 of title 18, United States Code, as a “room or building occupied in the discharge of official [government] duties.”

(65) The Washington Post also asserted that Vice President Gore made the telephone solicitations “with an urgency and directness that several large Democratic donors said they found heavy-handed and inappropriate.” The story quoted two donors as follows: “Another donor recalled Gore phoning and saying, ‘I’ve been tasked with raising \$2,000,000 by the end of the week, and you’re on my list.’ The donor, a well-known business figure who declined to allow his name to be used, gave about \$100,000 to the DNC. The donor said he felt pressured by the Vice President’s sales pitch. ‘It’s revolting,’ said the donor, a longtime Gore friend and supporter. Yet another major business figure and donor who was solicited by Gore, and who refused to be identified, said, ‘There were elements of a shake-down in the call. It was very awkward. For a Vice President, particularly this Vice President who has real power and is the heir apparent, to ask for money gave me no choice. I have so much business that touches on the Federal Government—the Telecommunications Act, tax policy, regulations galore.’ The

donor said he immediately sent a check for \$100,000 to the DNC.”

(66) Although the Vice President may legally solicit campaign contributions, it is not legal to exert pressure based on government actions. The bribery statute (section 201(b)(2) of title 18, United States Code) provides that a public official may not “directly or indirectly, corruptly demand[], [or] seek[], * * * anything of value personally or for any other person or entity, in return for: (A) being influenced in the performance of any official act; * * *” In addition, section 872 of title 18, United States Code, prohibits government officials from engaging in acts of extortion. Through the use of untoward pressure, the Vice President may have violated these statutes.

(67) Sufficient specific and credible evidence exists to warrant a preliminary investigation under the independent counsel statute.

(68) The fund-raising disclosures have blown up into the biggest scandal in the United States since Watergate.

(69) This situation is paralyzing the President, preoccupying Congress and fueling public cynicism about our political system.

(b) SENSE OF CONGRESS.—It is the sense of Congress that Attorney General Reno should apply immediately for the appointment of an independent counsel to investigate alleged criminal conduct relating to the financing of the 1996 Federal elections.

15. AMENDMENT BY REPRESENTATIVE DOOLITTLE OF CALIFORNIA OR A DESIGNEE TO ANY OF THE FOLLOWING AMENDMENTS IN THE NATURE OF A SUBSTITUTE: AMENDMENT NUMBERED 13 BY REPRESENTATIVE SHAYS AND REPRESENTATIVE MEEHAN, AMENDMENT NUMBERED 1 BY REPRESENTATIVE BASS, AMENDMENT NUMBERED 7 BY REPRESENTATIVE FARR, AMENDMENT NUMBERED 4 BY REPRESENTATIVE OBEY, AMENDMENT NUMBERED 2 BY REPRESENTATIVE CAMPBELL, AMENDMENT NUMBERED 15 BY REPRESENTATIVE TIERNEY, AMENDMENT NUMBERED 8 BY REPRESENTATIVE HUTCHINSON AND REPRESENTATIVE ALLEN

Add at the end the following new title:

TITLE _____—PROHIBITING BILINGUAL VOTING MATERIALS

SEC. ____01. PROHIBITING USE OF BILINGUAL VOTING MATERIALS.

(a) PROHIBITION.—

(1) IN GENERAL.—No State may provide voting materials in any language other than English.

(2) VOTING MATERIALS DEFINED.—In this subsection, the term “voting materials” means registration or voting notices, forms, instructions, assistance, or other materials or information relating to the electoral process, including ballots.

(b) CONFORMING AMENDMENTS.—The Voting Rights Act of 1965 is amended—

(1) by striking section 203 (42 U.S.C. 1973aa–1a);

(2) in section 204 (42 U.S.C. 1973aa-2), by striking “, or 203”; and

(3) in section 205 (42 U.S.C. 1973aa-3), by striking “, 202, or 203” and inserting “or 202”.

16. AMENDMENT BY REPRESENTATIVE DOOLITTLE OF CALIFORNIA OR A DESIGNEE TO ANY OF THE FOLLOWING AMENDMENTS IN THE NATURE OF A SUBSTITUTE: AMENDMENT NUMBERED 13 BY REPRESENTATIVE SHAYS AND REPRESENTATIVE MEEHAN, AMENDMENT NUMBERED 1 BY REPRESENTATIVE BASS, AMENDMENT NUMBERED 7 BY REPRESENTATIVE FARR, AMENDMENT NUMBERED 4 BY REPRESENTATIVE OBEY, AMENDMENT NUMBERED 2 BY REPRESENTATIVE CAMPBELL, AMENDMENT NUMBERED 15 BY REPRESENTATIVE TIERNEY, AMENDMENT NUMBERED 8 BY REPRESENTATIVE HUTCHINSON AND REPRESENTATIVE ALLEN

Add at the end the following new title:

TITLE _____ —CITIZENSHIP VERIFICATION FOR VOTING

SEC. ____01. REQUIRING VOTERS TO PROVIDE PROOF OF CITIZENSHIP.

Section 8 of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg-6) is amended—

(1) by redesignating subsection (j) as subsection (k); and

(2) by inserting after subsection (i) the following new subsection:

“(i) REQUIRING VOTERS TO PROVIDE PROOF OF CITIZENSHIP.—A State may not provide any individual with a ballot for voting in an election for Federal office unless the individual provides the State election official involved with verification of the individual’s status as a citizen of the United States, including—

“(1) the city, State or province (if any), and nation of the individual’s birth; and

“(2) if the individual is a naturalized citizen of the United States, the date on which the individual was admitted to citizenship and the location where the admission to citizenship occurred (if applicable).”.

17. AMENDMENT BY REPRESENTATIVE DOOLITTLE OF CALIFORNIA OR A DESIGNEE TO ANY OF THE FOLLOWING AMENDMENTS IN THE NATURE OF A SUBSTITUTE: AMENDMENT NUMBERED 13 BY REPRESENTATIVE SHAYS AND REPRESENTATIVE MEEHAN, AMENDMENT NUMBERED 1 BY REPRESENTATIVE BASS, AMENDMENT NUMBERED 7 BY REPRESENTATIVE FARR, AMENDMENT NUMBERED 2 BY REPRESENTATIVE CAMPBELL, AMENDMENT NUMBERED 15 BY REPRESENTATIVE TIERNEY, AMENDMENT NUMBERED 8 BY REPRESENTATIVE HUTCHINSON AND REPRESENTATIVE ALLEN

Add at the end the following new title:

**TITLE _____—TERMINATION OF TAX-
PAYER FINANCING OF PRESIDENTIAL
ELECTION CAMPAIGNS**

SEC. ____01. TERMINATION OF TAXPAYER FINANCING OF PRESIDENTIAL ELECTION CAMPAIGNS.

(a) **TERMINATION OF DESIGNATION OF INCOME TAX PAYMENTS.**—Section 6096 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

“(d) **TERMINATION.**—This section shall not apply to taxable years beginning after December 31, 1997.”

(b) **TERMINATION OF FUND AND ACCOUNT.**—

(1) **TERMINATION OF PRESIDENTIAL ELECTION CAMPAIGN FUND.**—

(A) **IN GENERAL.**—Chapter 95 of subtitle H of such Code is amended by adding at the end the following new section:

“SEC. 9014. TERMINATION.

The provisions of this chapter shall not apply with respect to any presidential election (or any presidential nominating convention) after December 31, 1998, or to any candidate in such an election.”

(B) **TRANSFER OF EXCESS FUNDS TO GENERAL FUND.**—Section 9006 of such Code is amended by adding at the end the following new subsection:

“(d) **TRANSFER OF FUNDS REMAINING AFTER 1998.**—The Secretary shall transfer all amounts in the fund after December 31, 1998, to the general fund of the Treasury.”

(2) **TERMINATION OF ACCOUNT.**—Chapter 96 of subtitle H of such Code is amended by adding at the end the following new section:

“SEC. 9043. TERMINATION.

The provisions of this chapter shall not apply to any candidate with respect to any presidential election after December 31, 1998.”

(c) **CLERICAL AMENDMENTS.**—

(1) The table of sections for chapter 95 of subtitle H of such Code is amended by adding at the end the following new item:

“Sec. 9014. Termination.”

(2) The table of sections for chapter 96 of subtitle H of such Code is amended by adding at the end the following new item:

“Sec. 9043. Termination.”

18. AMENDMENT BY REPRESENTATIVE GILLMOR OF OHIO OR A DESIGNEE TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE NUMBERED 16 BY REPRESENTATIVE WHITE

Add at the end the following new title:

TITLE ____—EQUAL ENTITLEMENT TO PARTICIPATE IN CAMPAIGNS AND ELECTIONS

SEC. ____ 01. EQUAL ENTITLEMENT OF ELIGIBLE VOTERS TO PARTICIPATE IN CAMPAIGNS AND ELECTIONS.

Notwithstanding any other provision of law, each individual eligible to vote in an election for Federal office shall be entitled to the same rights and opportunities to contribute individually and collectively to political campaigns provided for by federal law, without regard to race, gender, ethnicity, geographic location, or employer.

19. AMENDMENT BY REPRESENTATIVE GILLMOR OF OHIO OR A DESIGNEE TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE NUMBERED 16 BY REPRESENTATIVE WHITE

Add at the end the following new title:

TITLE ____—EQUAL ENTITLEMENT TO PARTICIPATE IN CAMPAIGNS AND ELECTIONS

SEC. ____ 01. EQUAL ENTITLEMENT OF ELIGIBLE VOTERS TO PARTICIPATE IN CAMPAIGNS AND ELECTIONS.

Notwithstanding any other provision of law, each individual eligible to vote in an election for Federal office shall be entitled to the same rights and opportunities to participate in the political process provided for by federal law, without regard to race, gender, ethnicity, geographic location, or employer.

20. AMENDMENT BY REPRESENTATIVE GOODLATTE OF VIRGINIA OR A DESIGNEE TO ANY OF THE AMENDMENTS IN THE NATURE OF A SUBSTITUTE MADE IN ORDER UNDER H. RES. 442

Add at the end the following new title:

TITLE ____—VOTER REGISTRATION REFORM

SEC. ____ 01. REPEAL OF REQUIREMENT FOR STATES TO PROVIDE FOR VOTER REGISTRATION BY MAIL.

(a) IN GENERAL.—Section 4(a) of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg-2) is amended—

- (1) in paragraph (1), by adding “and” at the end;
- (2) by striking paragraph (2); and
- (3) by redesignating paragraph (3) as paragraph (2).

(b) CONFORMING AMENDMENTS RELATING TO UNIFORM MAIL VOTER REGISTRATION FORM.—(1) The National Voter Registration Act of 1993 (42 U.S.C. 1973gg et seq.) is amended by striking section 9.

(2) Section 7(a)(6)(A) of such Act (42 U.S.C. 1973gg-5(a)(6)(A)) is amended by striking “assistance—” and all that follows and inserting the following: “assistance a voter registration application form which meets the requirements described in section 5(c)(2) (other than subparagraph (A)), unless the applicant, in writing, declines to register to vote;”.

(c) OTHER CONFORMING AMENDMENTS.—(1) The National Voter Registration Act of 1993 (42 U.S.C. 1973gg et seq.) is amended by striking section 6.

(2) Section 8(a)(5) of such Act (42 U.S.C. 1973gg-6(a)(5)) is amended by striking “5, 6, and 7” and inserting “5 and 7”.

SEC. 02. REQUIRING APPLICANTS REGISTERING TO VOTE TO PROVIDE CERTAIN ADDITIONAL INFORMATION.

(a) SOCIAL SECURITY NUMBER.—

(1) IN GENERAL.—Section 5(c)(2) of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg-3(c)(2)) is amended—

(A) by striking “and” at the end of subparagraph (D);

(B) by striking the period at the end of subparagraph (E) and inserting “; and”; and

(C) by adding at the end the following new subparagraph:

“(F) shall require the applicant to provide the applicant’s Social Security number.”.

(2) CONFORMING AMENDMENT.—Section 5(c)(2)(A) of such Act (42 U.S.C. 1973gg-3(c)(2)(A)) is amended by inserting after “subparagraph (C)” the following: “, or the information described in subparagraph (F)”.

(3) EFFECTIVE DATE.—The amendments made by this section shall take effect January 1, 1999, and shall apply with respect to applicants registering to vote in elections for Federal office on or after such date.

(b) ACTUAL PROOF OF CITIZENSHIP.—

(1) REGISTRATION WITH APPLICATION FOR DRIVER’S LICENSE.—Section 5(c) of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg-3(c)) is amended by adding at the end the following new paragraph:

“(3) The voter registration portion of an application for a State motor vehicle driver’s license shall not be considered to be completed unless the applicant provides to the appropriate State motor vehicle authority proof that the applicant is a citizen of the United States.”.

(2) REGISTRATION WITH VOTER REGISTRATION AGENCIES.—Section 7(a) of such Act (42 U.S.C. 1973gg-5(a)) is amended by adding at the end the following new paragraph:

“(8) A voter registration application received by a voter registration agency shall not be considered to be completed unless the applicant provides to the agency proof that the applicant is a citizen of the United States.”.

(3) CONFORMING AMENDMENT.—Section 8(a)(5)(A) of such Act (42 U.S.C. 1973gg-6(a)(5)(A)) is amended by striking the semicolon and inserting the following: “, including the requirement that the applicant provide proof of citizenship;”.

(4) NO EFFECT ON ABSENT UNIFORMED SERVICES AND OVERSEAS VOTERS.—Nothing in the National Voter Registration Act

of 1993 (as amended by this subsection) may be construed to require any absent uniformed services voter or overseas voter under the Uniformed and Overseas Citizens Absentee Voting Act to provide any evidence of citizenship in order to register to vote (other than any evidence which may otherwise be required under such Act).

SEC. — 03. REMOVAL OF CERTAIN REGISTRANTS FROM OFFICIAL LIST OF ELIGIBLE VOTERS.

(a) IN GENERAL.—Section 8(d) of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg–6(d)) is amended—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by inserting after paragraph (2) the following new paragraph:

“(3)(A) At the option of the State, a State may remove the name of a registrant from the official list of eligible voters in elections for Federal office on the ground that the registrant has changed residence if—

“(i) the registrant has not voted or appeared to vote (and, if necessary, correct the registrar’s record of the registrant’s address) in an election during the period beginning on the day after the date of the second previous general election for Federal office held prior to the date the confirmation notice described in subparagraph (B) is sent and ending on the date of such notice;

“(ii) the registrant has not voted or appeared to vote (and, if necessary, correct the registrar’s record of the registrant’s address) in any of the first two general elections for Federal office held after the confirmation notice described in subparagraph (B) is sent; and

“(iii) during the period beginning on the date the confirmation notice described in subparagraph (B) is sent and ending on the date of the second general election for Federal office held after the date such notice is sent, the registrant has failed to notify the State in response to the notice that the registrant did not change his or her residence, or changed residence but remained in the registrar’s jurisdiction.

“(B) A confirmation notice described in this subparagraph is a postage prepaid and pre-addressed return card, sent by forwardable mail, on which a registrant may state his or her current address, together with information concerning how the registrant can continue to be eligible to vote if the registrant has changed residence to a place outside the registrar’s jurisdiction and a statement that the registrant may be removed from the official list of eligible voters if the registrant does not respond to the notice (during the period described in subparagraph (A)(iii)) by stating that the registrant did not change his or her residence, or changed residence but remained in the registrar’s jurisdiction.”

(b) CONFORMING AMENDMENT.—Section 8(i)(2) of such Act (42 U.S.C. 1973gg–6(d)) is amended by inserting “or subsection (d)(3)” after “subsection (d)(2)”.

SEC. — 04. PERMITTING STATE TO REQUIRE VOTERS TO PRODUCE ADDITIONAL INFORMATION PRIOR TO VOTING.

(a) PHOTOGRAPHIC IDENTIFICATION.—Section 8 of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg–6) is amended—

- (1) by redesignating subsection (j) as subsection (k); and
- (2) by inserting after subsection (i) the following new subsection:

“(j) PERMITTING STATES TO REQUIRE VOTERS TO PRODUCE PHOTO IDENTIFICATION.—A State may require an individual to produce a valid photographic identification before receiving a ballot (other than an absentee ballot) for voting in an election for Federal office.”.

(b) SIGNATURE.—Section 8 of such Act (42 U.S.C. 1973gg–6), as amended by subsection (a), is further amended—

- (1) by redesignating subsection (k) as subsection (l); and
- (2) by inserting after subsection (j) the following new subsection:

“(k) PERMITTING STATES TO REQUIRE VOTERS TO PROVIDE SIGNATURE.—A State may require an individual to provide the individual’s signature (in the presence of an election official at the polling place) before receiving a ballot for voting in an election for Federal office, other than an individual who is unable to provide a signature because of illiteracy or disability.”.

SEC. ___ 05. REPEAL OF REQUIREMENT THAT STATES PERMIT REGISTRANTS CHANGING RESIDENCE TO VOTE AT POLLING PLACE FOR FORMER ADDRESS.

Section 8(e)(2) of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg–6(e)(2)) is amended—

- (1) by striking “(2)(A)” and inserting “(2)”; and
- (2) by striking “election, at the option of the registrant—” and all that follows and inserting the following: “election shall be permitted to correct the voting records for purposes of voting in future elections at the appropriate polling place for the current address and, if permitted by State law, shall be permitted to vote in the present election, upon confirmation by the registrant of the new address by such means as are required by law.”.

SEC. ___ 06. EFFECTIVE DATE.

The amendments made by this title shall apply with respect to elections for Federal office occurring after December 1999.

21. AMENDMENT BY REPRESENTATIVE HEFLEY OF COLORADO OR A DESIGNEE TO ANY OF THE FOLLOWING AMENDMENTS IN THE NATURE OF A SUBSTITUTE: AMENDMENT NUMBERED 16 BY REPRESENTATIVE WHITE, OR AMENDMENT NUMBERED 12 BY REPRESENTATIVE BOB SCHAFFER

Add at the end the following new title:

TITLE _____—PROHIBITING USE OF AIR FORCE ONE FOR POLITICAL FUNDRAISING

SEC. ____ 01. PROHIBITING USE OF AIR FORCE ONE FOR POLITICAL FUNDRAISING.

Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) is amended by adding at the end the following new section:

“PROHIBITING USE OF AIR FORCE ONE FOR POLITICAL FUNDRAISING

“SEC. 323. (a) IN GENERAL.—It shall be unlawful for any person to provide or offer to provide transportation on Air Force One in exchange for any money or other thing of value in support of any political party or the campaign for electoral office of any candidate, without regard to whether or not the money or thing of value involved is otherwise treated as a contribution under this title.

“(b) AIR FORCE ONE DEFINED.—In subsection (a), the term ‘Air Force One’ means the airplane operated by the Air Force which has been specially configured to carry out the mission of transporting the President.”.

22. AMENDMENT BY REPRESENTATIVE HEFLEY OF COLORADO OR A DESIGNEE TO ANY OF THE FOLLOWING AMENDMENTS IN THE NATURE OF A SUBSTITUTE: AMENDMENT NUMBERED 16 BY REPRESENTATIVE WHITE, OR AMENDMENT NUMBERED 12 BY REPRESENTATIVE BOB SCHAFFER

Add at the end the following new title:

TITLE _____—REIMBURSEMENT FOR USE OF AIR FORCE ONE FOR POLITICAL FUNDRAISING

SEC. ____ 01. REQUIRING NATIONAL PARTIES TO REIMBURSE AT COST FOR USE OF AIR FORCE ONE FOR POLITICAL FUNDRAISING.

Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) is amended by adding at the end the following new section:

“REIMBURSEMENT BY POLITICAL PARTIES FOR USE OF AIR FORCE ONE FOR POLITICAL FUNDRAISING

“SEC. 323. (a) IN GENERAL.—If the President, Vice President, or the head of any executive department (as defined in section 101 of title 5, United States Code) uses Air Force One for transportation for any travel which includes a fundraising event for the benefit of any political committee of a national political party, such political committee shall reimburse the Federal Government for the actual costs incurred as a result of the use of Air Force One for the transportation of the individual involved.

“(b) AIR FORCE ONE DEFINED.—In subsection (a), the term ‘Air Force One’ means the airplane operated by the Air Force which has been specially configured to carry out the mission of transporting the President.”.

23. AMENDMENT BY REPRESENTATIVE HORN OF CALIFORNIA OR A DESIGNEE TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE NUMBERED 8 BY REPRESENTATIVE HUTCHINSON AND REPRESENTATIVE ALLEN

Add at the end the following new title:

TITLE ____—REDUCED POSTAGE RATES

SEC. ____01. REDUCED POSTAGE RATES FOR PRINCIPAL CAMPAIGN COMMITTEES OF CONGRESSIONAL CANDIDATES.

(a) IN GENERAL.—Section 3626(e)(2)(A) of title 39, United States Code, is amended by striking “and the National Republican Congressional Committee” and inserting “the National Republican Congressional Committee, and the principal campaign committee of a candidate for election for the office of Senator or Representative in or Delegate or Resident Commissioner to the Congress”.

(b) LIMITING REDUCED RATE TO TWO PIECES OF MAIL PER REGISTERED VOTER.—Section 3626(e)(1) of such title is amended by striking the period at the end and inserting the following: “, except that in the case of a committee which is a principal campaign committee such rates shall apply only with respect to the election cycle involved and only to a number of pieces equal to the product of 2 times the number (as determined by the Postmaster General) of addresses (other than business possible delivery stops) in the congressional district involved (or, in the case of a committee of a candidate for election for the office of Senator, in the State involved).”.

(c) PRINCIPAL CAMPAIGN COMMITTEE DEFINED.—Section 3626(e)(2) of such title is amended—

- (1) by striking “and” at the end of subparagraph (B);
- (2) by striking the period at the end of subparagraph (C) and inserting “; and”; and
- (3) by adding at the end the following new subparagraph:

“(D) the term ‘principal campaign committee’ has the meaning given such term in section 301(5) of the Federal Election Campaign Act of 1971.”.

24. AMENDMENT BY REPRESENTATIVE KAPTUR OF OHIO OR A DESIGNEE TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE NUMBERED 13 BY REPRESENTATIVE SHAYS AND REPRESENTATIVE MEEHAN

Add at the end the following new title:

TITLE _____—ETHICS IN FOREIGN LOBBYING

SEC. ____01. PROHIBITION OF CONTRIBUTIONS AND EXPENDITURES BY MULTICANDIDATE POLITICAL COMMITTEES OR SEPARATE SEGREGATED FUNDS SPONSORED BY FOREIGN-CONTROLLED CORPORATIONS AND ASSOCIATIONS.

Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 441 et seq.) is amended by adding at the end the following new section:

“PROHIBITION OF CONTRIBUTIONS AND EXPENDITURES BY MULTICANDIDATE POLITICAL COMMITTEES SPONSORED BY FOREIGN-CONTROLLED CORPORATIONS AND ASSOCIATIONS

“SEC. 323. (a) IN GENERAL.—Notwithstanding any other provision of law—

“(1) no multicandidate political committee or separate segregated fund of a foreign-controlled corporation may make any contribution or expenditure with respect to an election for Federal office; and

“(2) no multicandidate political committee or separate segregated fund of a trade organization, membership organization, cooperative, or corporation without capital stock may make any contribution or expenditure with respect to an election for Federal office if 50 percent or more of the operating fund of the trade organization, membership organization, cooperative, or corporation without capital stock is supplied by foreign-controlled corporations or foreign nationals.

“(b) INFORMATION REQUIRED TO BE REPORTED.—The Commission shall—

“(1) require each multicandidate political committee or separate segregated fund of a corporation to include in the statement of organization of the multicandidate political committee or separate segregated fund a statement (to be updated annually and at any time when the percentage goes above or below 50 percent) of the percentage of ownership interest in the corporation that is controlled by persons other than citizens or nationals of the United States;

“(2) require each trade association, membership organization, cooperative, or corporation without capital stock to include in its statement of organization of the multicandidate political committee or separate segregated fund (and update annually) the percentage of its operating fund that is derived from foreign-owned corporations and foreign nationals; and

“(3) take such action as may be necessary to enforce subsection (a).

“(c) LIST OF ENTITIES FILING REPORTS.—The Commission shall maintain a list of the identity of the multicandidate political committees or separate segregated funds that file reports under subsection (b), including a statement of the amounts and percentage reported by such multicandidate political committees or separate segregated funds.

“(d) DEFINITIONS.—As used in this section—

“(1) the term ‘foreign-owned corporation’ means a corporation at least 50 percent of the ownership interest of which is controlled by persons other than citizens or nationals of the United States;

“(2) the term ‘multicandidate political committee’ has the meaning given that term in section 315(a)(4);

“(3) the term ‘separate segregated fund’ means a separate segregated fund referred to in section 316(b)(2)(C); and

“(4) the term ‘foreign national’ has the meaning given that term in section 319.”.

SEC. — 02. PROHIBITION OF CERTAIN ELECTION-RELATED ACTIVITIES OF FOREIGN NATIONALS.

Section 319 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441e) is amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by inserting after subsection (a) the following new subsection:

“(c) A foreign national shall not direct, dictate, control, or directly or indirectly participate in the decisionmaking process of any person, such as a corporation, labor organization, or political committee, with regard to such person’s Federal or non-Federal election-related activities, such as decisions concerning the making of contributions or expenditures in connection with elections for any local, State, or Federal office or decisions concerning the administration of a political committee.”.

SEC. — 03. ESTABLISHMENT OF A CLEARINGHOUSE OF POLITICAL ACTIVITIES INFORMATION WITHIN THE FEDERAL ELECTION COMMISSION.

(a) **ESTABLISHMENT.**—There shall be established within the Federal Election Commission a clearinghouse of public information regarding the political activities of foreign principals and agents of foreign principals. The information comprising this clearinghouse shall include only the following:

(1) All registrations and reports filed pursuant to the Lobbying Disclosure Act of 1995 (2 U.S.C. 1601 et seq.) during the preceding 5-year period.

(2) All registrations and reports filed pursuant to the Foreign Agents Registration Act, as amended (22 U.S.C. 611 et seq.), during the preceding 5-year period.

(3) The listings of public hearings, hearing witnesses, and witness affiliations printed in the Congressional Record during the preceding 5-year period.

(4) Public information disclosed pursuant to the rules of the Senate or the House of Representatives regarding honoraria, the receipt of gifts, travel, and earned and unearned income.

(5) All reports filed pursuant to title I of the Ethics in Government Act of 1978 (5 U.S.C. App.) during the preceding 5-year period.

(6) All public information filed with the Federal Election Commission pursuant to the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) during the preceding 5-year period.

(b) **DISCLOSURE OF OTHER INFORMATION PROHIBITED.**—The disclosure by the clearinghouse, or any officer or employee thereof, of

any information other than that set forth in subsection (a) is prohibited, except as otherwise provided by law.

(c) DIRECTOR OF CLEARINGHOUSE.—(1) The clearinghouse shall have a Director, who shall administer and manage the responsibilities and all activities of the clearinghouse.

(2) The Director shall be appointed by the Federal Election Commission.

(3) The Director shall serve a single term of a period of time determined by the Commission, but not to exceed 5 years.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to conduct the activities of the clearinghouse.

SEC. ___04. DUTIES AND RESPONSIBILITIES OF THE DIRECTOR OF THE CLEARINGHOUSE.

(a) IN GENERAL.—It shall be the duty of the Director of the clearinghouse established under section ___03—

(1) to develop a filing, coding, and cross-indexing system to carry out the purposes of this Act (which shall include an index of all persons identified in the reports, registrations, and other information comprising the clearinghouse);

(2) notwithstanding any other provision of law, to make copies of registrations, reports, and other information comprising the clearinghouse available for public inspection and copying, beginning not later than 30 days after the information is first available to the public, and to permit copying of any such registration, report, or other information by hand or by copying machine or, at the request of any person, to furnish a copy of any such registration, report, or other information upon payment of the cost of making and furnishing such copy, except that no information contained in such registration or report and no such other information shall be sold or used by any person for the purpose of soliciting contributions or for any profit-making purpose;

(3) to compile and summarize, for each calendar quarter, the information contained in such registrations, reports, and other information comprising the clearinghouse in a manner which facilitates the disclosure of political activities, including, but not limited to, information on—

(A) political activities pertaining to issues before the Congress and issues before the executive branch; and

(B) the political activities of individuals, organizations, foreign principals, and agents of foreign principals who share an economic, business, or other common interest;

(4) to make the information compiled and summarized under paragraph (3) available to the public within 30 days after the close of each calendar quarter, and to publish such information in the Federal Register at the earliest practicable opportunity;

(5) not later than 150 days after the date of the enactment of this Act and at any time thereafter, to prescribe, in consultation with the Comptroller General, such rules, regulations, and forms, in conformity with the provisions of chapter 5 of title 5, United States Code, as are necessary to carry out the provisions of section ___03 and this section in the most effective and efficient manner; and

(6) at the request of any Member of the Senate or the House of Representatives, to prepare and submit to such Member a study or report relating to the political activities of any person and consisting only of the information in the registrations, reports, and other information comprising the clearinghouse.

(b) DEFINITIONS.—As used in this section—

(1) the terms “foreign principal” and “agent of a foreign principal” have the meanings given those terms in section 1 of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 611);

(2) the term “issue before the Congress” means the total of all matters, both substantive and procedural, relating to—

(A) any pending or proposed bill, resolution, report, nomination, treaty, hearing, investigation, or other similar matter in either the Senate or the House of Representatives or any committee or office of the Congress; or

(B) any pending action by a Member, officer, or employee of the Congress to affect, or attempt to affect, any action or proposed action by any officer or employee of the executive branch; and

(3) the term “issue before the executive branch” means the total of all matters, both substantive and procedural, relating to any pending action by any executive agency, or by any officer or employee of the executive branch, concerning—

(A) any pending or proposed rule, rule of practice, adjudication, regulation, determination, hearing, investigation, contract, grant, license, negotiation, or the appointment of officers and employees, other than appointments in the competitive service; or

(B) any issue before the Congress.

SEC. ___05. PENALTIES FOR DISCLOSURE.

Any person who discloses information in violation of section ___03(b), and any person who sells or uses information for the purpose of soliciting contributions or for any profit-making purpose in violation of section ___04(a)(2), shall be imprisoned for a period of not more than 1 year, or fined in the amount provided in title 18, United States Code, or both.

SEC. ___06. AMENDMENTS TO THE FOREIGN AGENTS REGISTRATION ACT OF 1938, AS AMENDED.

(a) QUARTERLY REPORTS.—Section 2(b) of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 612(b)), is amended in the first sentence by striking out “, within thirty days” and all that follows through “preceding six months’ period” and inserting in lieu thereof “on January 31, April 30, July 31, and October 31 of each year, file with the Attorney General a supplement thereto on a form prescribed by the Attorney General, which shall set forth regarding the three-month periods ending the previous December 31, March 31, June 30, and September 30, respectively, or if a lesser period, the period since the initial filing.”

(b) EXEMPTION FOR LEGAL REPRESENTATION.—Section 3(g) of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 613(g)) is amended by adding at the end the following: “A person

may be exempt under this subsection only upon filing with the Attorney General a request for such exemption.”.

(c) CIVIL PENALTIES.—Section 8 of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 618), is amended by adding at the end thereof the following:

“(i)(1) Any person who is determined, after notice and opportunity for an administrative hearing—

“(A) to have failed to file a registration statement under section 2(a) or a supplement thereto under section 2(b),

“(B) to have omitted a material fact required to be stated therein, or

“(C) to have made a false statement with respect to such a material fact,

shall be required to pay a civil penalty in an amount not less than \$2,000 or more than \$5,000 for each violation committed. In determining the amount of the penalty, the Attorney General shall give due consideration to the nature and duration of the violation.

“(2)(A) In conducting investigations and hearings under paragraph (1), administrative law judges may, if necessary, compel by subpoena the attendance of witnesses and the production of evidence at any designated place or hearing.

“(B) In the case of contumacy or refusal to obey a subpoena lawfully issued under this paragraph and, upon application by the Attorney General, an appropriate district court of the United States may issue an order requiring compliance with such subpoena and any failure to obey such order may be punished by such court as a contempt thereof.”.

25. AMENDMENT BY REPRESENTATIVE KAPTUR OF OHIO OR A DESIGNEE TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE NUMBERED 13 BY REPRESENTATIVE SHAYS AND REPRESENTATIVE MEEHAN

Insert after section 602 the following new section (and redesignate the succeeding provisions and conform the table of contents accordingly):

SEC. 603. EXPEDITED CONSIDERATION OF CONSTITUTIONAL AMENDMENT.

(a) IN GENERAL.—If any provision of this Act or any amendment made by this Act is found unconstitutional by the Supreme Court, the provisions of section 2908 (other than subsection (a)) of the Defense Base Closure and Realignment Act of 1990 shall apply to the consideration of a joint resolution described in subsection (c) in the same manner as such provisions apply to a joint resolution described in section 2908(a) of such Act.

(b) SPECIAL RULES.—For purposes of applying subsection (a) with respect to such provisions, the following rules shall apply:

(1) Any reference to the Committee on Armed Services of the House of Representatives shall be deemed a reference to the Committee on the Judiciary of the House of Representatives and any reference to the Committee on Armed Services of the Senate shall be deemed a reference to the Committee on the Judiciary of the Senate.

(2) Any reference to the date on which the President transmits a report shall be deemed a reference to the date on which the Supreme Court finds a provision of this Act or an amendment made by this Act unconstitutional.

(c) CONSTITUTIONAL AMENDMENT DESCRIBED.—For purposes of subsection (a), a joint resolution described in this section is a joint resolution proposing the following text as an amendment to the Constitution of the United States:

“ARTICLE—

“SECTION 1. Congress shall have power to set reasonable limits on expenditures made in support of or in opposition to the nomination or election of any person to Federal office.

“SEC. 2. Each State shall have power to set reasonable limits on expenditures made in support of or in opposition to the nomination or election of any person to State office.

“SEC. 3. Congress shall have power to enforce this article by appropriate legislation.”.

26. AMENDMENT BY REPRESENTATIVE KLUG OF WISCONSIN OR A DESIGNEE TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE NUMBERED 2 BY REPRESENTATIVE CAMPBELL

Insert after title III the following new title (and redesignate the succeeding provisions accordingly):

TITLE IV—REPEAL FEDERAL PAYMENTS FOR PARTY CONVENTIONS

SEC. 401. REPEAL OF PAYMENTS FOR PARTY PRESIDENTIAL CONVENTIONS.

(a) IN GENERAL.—Chapter 95 of the Internal Revenue Code of 1986 is amended by striking section 9008.

(b) CONFORMING AMENDMENTS.—(1) The second sentence of section 9006(c) of such Code is amended by striking “, section 9008(b)(3),”.

(2) Section 9009(a) of such Code is amended—

(A) by striking the semicolon at the end of paragraph (4) and inserting a period; and

(B) by striking paragraphs (5) and (6).

(3) Section 9012(a)(1) of such Code is amended by striking the second sentence.

(4) Section 9012(c) of such Code is amended—

(A) by striking paragraph (2); and

(B) by redesignating paragraph (3) as paragraph (2).

(5) Section 9037(a) of such Code is amended by striking “and for payments under section 9008(b)(3)”.

(c) CLERICAL AMENDMENT.—The table of sections for chapter 95 of such Code is amended by striking the item relating to section 9008.

SEC. 402. EFFECTIVE DATE.

The amendments made by section 401 shall apply with respect to presidential elections occurring after the date of the enactment of this Act.

27. AMENDMENT BY REPRESENTATIVE LATOURETTE OF OHIO OR REPRESENTATIVE MORAN OF VIRGINIA OR A DESIGNEE TO THE FOLLOWING AMENDMENT IN THE NATURE OF A SUBSTITUTE NUMBERED 8 BY REPRESENTATIVE HUTCHINSON AND REPRESENTATIVE ALLEN

Insert after title III the following new title (and redesignate the succeeding provisions accordingly):

TITLE IV—SENSE OF CONGRESS REGARDING BUCKLEY DECISION

SEC. 401. SENSE OF CONGRESS REGARDING BUCKLEY DECISION.

(a) FINDINGS.—Congress finds as follows:

(1) Congress should seek to ensure that all citizens, regardless of wealth, have an equal voice in elections and an equal opportunity to run for public office.

(2) Congress should seek to further the principle of “one person, one vote” and to preserve the integrity of the democratic system.

(3) Congress should seek to limit corruption with respect to elections and the appearance of such corruption.

(4) The unlimited use of money to influence elections is incompatible with the principles of free speech and equal protection established under the first and fourteenth amendments of the Constitution.

(b) SENSE OF CONGRESS.—It is the sense of Congress that in order for Congress to enact effective campaign finance reforms, the 1976 Supreme Court ruling in *Buckley v. Valeo* that limitations on expenditures in political campaigns are unconstitutional should be overturned.

28. AMENDMENT BY REPRESENTATIVE MALONEY OF NEW YORK OR A DESIGNEE TO ANY OF THE FOLLOWING AMENDMENTS IN THE NATURE OF A SUBSTITUTE: AMENDMENT NUMBERED 16 BY REPRESENTATIVE WHITE, OR AMENDMENT NUMBERED 12 BY REPRESENTATIVE BOB SCHAFFER

Add at the end the following new title:

TITLE ___—PERMANENT AUTHORIZATION OF FEC

SEC. ___ 01. PERMANENT AUTHORIZATION OF FEDERAL ELECTION COMMISSION.

Section 314 of the Federal Election Campaign Act of 1971 (2 U.S.C. 439c) is amended—

(1) by striking “and \$9,400,000” and inserting “\$9,400,000”; and

(2) by striking the period at the end and inserting the following: “, \$36,504,000 for the fiscal year ending September 30, 1999, and such sums as may be necessary for the fiscal year ending September 30, 2000, and each succeeding fiscal year.”.

29. AMENDMENT BY REPRESENTATIVE MALONEY OF NEW YORK OR A DESIGNEE TO ANY OF THE FOLLOWING AMENDMENTS IN THE NATURE OF A SUBSTITUTE: AMENDMENT NUMBERED 16 BY REPRESENTATIVE WHITE, OR AMENDMENT NUMBERED 12 BY REPRESENTATIVE BOB SCHAFFER

Add at the end the following new title:

TITLE ____—DISCLOSURE OF INFORMATION ON PHONE BANKS AND POLLS

SEC. ____01. DISCLOSURE REQUIREMENT FOR PHONE BANK COMMUNICATIONS.

Section 318(a) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441d(a)) is amended, in the matter before paragraph (1), by inserting after “broadcasting station” the following: “phone bank,”.

SEC. ____02. DISCLOSURE AND REPORTS RELATING TO POLLING BY TELEPHONE OR ELECTRONIC DEVICE.

Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) is amended by adding at the end the following new section:

“DISCLOSURE AND REPORTS RELATING TO POLLING BY TELEPHONE OR ELECTRONIC DEVICE

“SEC. 323. (a) IDENTITY OF SPONSOR.—Any person who conducts a Federal election poll by telephone or electronic device shall disclose to each respondent the identity of the person paying the expenses of the poll. The disclosure shall be made at the end of the interview involved.

“(b) REPORT TO COMMISSION.—In the case of any Federal election poll by telephone or electronic device in which more than 1,200 households are surveyed—

“(1) if the results are not to be made public, the person who conducts the poll shall report to the Commission the total cost of the poll and all sources of funds for the poll; and

“(2) the person who conducts the poll shall report to the Commission the total number of households contacted, and include with such report a copy of the poll questions.

“(c) DEFINITION.—As used in this section, the term ‘Federal election poll’ means a survey in which the respondent is asked to state a preference in a future election for Federal office.”.

30. AMENDMENT BY REPRESENTATIVE MALONEY OF NEW YORK OR A DESIGNEE TO ANY OF THE FOLLOWING AMENDMENTS IN THE NATURE OF A SUBSTITUTE: AMENDMENT NUMBERED 13 BY REPRESENTATIVE SHAYS AND REPRESENTATIVE MEEHAN, AMENDMENT NUMBERED 1 BY REPRESENTATIVE BASS, AMENDMENT NUMBERED 14 BY REPRESENTATIVE SNOWBARGER, AMENDMENT NUMBERED 2 BY REPRESENTATIVE CAMPBELL, AMENDMENT NUMBERED 15 BY REPRESENTATIVE TIERNEY, AMENDMENT NUMBERED 12 BY REPRESENTATIVE BOB SCHAFER, AMENDMENT NUMBERED 5 BY REPRESENTATIVE DOOLITTLE, OR AMENDMENT NUMBERED 8 BY REPRESENTATIVE HUTCHINSON AND REPRESENTATIVE ALLEN.

Add at the end the following new title:

TITLE _____—INDEPENDENT COMMISSION ON CAMPAIGN FINANCE REFORM

SEC. ___01. ESTABLISHMENT AND PURPOSE OF COMMISSION.

There is established a commission to be known as the “Independent Commission on Campaign Finance Reform” (referred to in this title as the “Commission”). The purposes of the Commission are to study the laws relating to the financing of political activity and to report and recommend legislation to reform those laws.

SEC. 402. MEMBERSHIP OF COMMISSION.

(a) COMPOSITION.—The Commission shall be composed of 12 members appointed within 15 days after the date of the enactment of this Act by the President from among individuals who are not incumbent Members of Congress and who are specially qualified to serve on the Commission by reason of education, training, or experience.

(b) APPOINTMENT.—

(1) IN GENERAL.—Members shall be appointed as follows:

(A) 3 members (one of whom shall be a political independent) shall be appointed from among a list of nominees submitted by the Speaker of the House of Representatives.

(B) 3 members (one of whom shall be a political independent) shall be appointed from among a list of nominees submitted by the majority leader of the Senate.

(C) 3 members (one of whom shall be a political independent) shall be appointed from among a list of nominees submitted by the minority leader of the House of Representatives.

(D) 3 members (one of whom shall be a political independent) shall be appointed from among a list of nominees submitted by the minority leader of the Senate.

(2) FAILURE TO SUBMIT LIST OF NOMINEES.—If an official described in any of the subparagraphs of paragraph (1) fails to submit a list of nominees to the President during the 15-day period which begins on the date of the enactment of this Act—

(A) such subparagraph shall no longer apply; and

(B) the President shall appoint 3 members (one of whom shall be a political independent) who meet the requirements described in subsection (a) and such other criteria as the President may apply.

(3) **POLITICAL INDEPENDENT DEFINED.**—In this subsection, the term “political independent” means an individual who at no time after January 1992—

(A) has held elective office as a member of the Democratic or Republican party;

(B) has received any wages or salary from the Democratic or Republican party or from a Democratic or Republican party office-holder or candidate; or

(C) has provided substantial volunteer services or made any substantial contribution to the Democratic or Republican party or to a Democratic or Republican party office-holder or candidate.

(c) **CHAIRMAN.**—At the time of the appointment, the President shall designate one member of the Commission as Chairman of the Commission.

(d) **TERMS.**—The members of the Commission shall serve for the life of the Commission.

(e) **VACANCIES.**—A vacancy in the Commission shall be filled in the manner in which the original appointment was made.

(f) **POLITICAL AFFILIATION.**—Not more than 4 members of the Commission may be of the same political party.

SEC. 403. POWERS OF COMMISSION.

(a) **HEARINGS.**—The Commission may, for the purpose of carrying out this title, hold hearings, sit and act at times and places, take testimony, and receive evidence as the Commission considers appropriate. In carrying out the preceding sentence, the Commission shall ensure that a substantial number of its meetings are open meetings, with significant opportunities for testimony from members of the general public.

(b) **QUORUM.**—Seven members of the Commission shall constitute a quorum, but a lesser number may hold hearings. The approval of at least 9 members of the Commission is required when approving all or a portion of the recommended legislation. Any member of the Commission may, if authorized by the Commission, take any action which the Commission is authorized to take under this section.

SEC. 404. ADMINISTRATIVE PROVISIONS.

(a) **PAY AND TRAVEL EXPENSES OF MEMBERS.**—(1) Each member of the Commission shall be paid at a rate equal to the daily equivalent of the annual rate of basic pay payable for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the actual performance of duties vested in the Commission.

(2) Members of the Commission shall receive travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5, United States Code.

(b) **STAFF DIRECTOR.**—The Commission shall, without regard to section 5311(b) of title 5, United States Code, appoint a staff direc-

tor, who shall be paid at the rate of basic pay payable for level IV of the Executive Schedule under section 5315 of title 5, United States Code.

(c) **STAFF OF COMMISSION; SERVICES.—**

(1) **IN GENERAL.—**With the approval of the Commission, the staff director of the Commission may appoint and fix the pay of additional personnel. The Director may make such appointments without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and any personnel so appointed may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates, except that an individual so appointed may not receive pay in excess of the maximum annual rate of basic pay payable for grade GS-15 of the General Schedule under section 5332 of title 5, United States Code.

(2) **EXPERTS AND CONSULTANTS.—**The Commission may procure by contract the temporary or intermittent services of experts or consultants pursuant to section 3109 of title 5, United States Code.

SEC. 405. REPORT AND RECOMMENDED LEGISLATION.

(a) **REPORT.—**Not later than the expiration of the 180-day period which begins on the date on which the second session of the One Hundred Fifth Congress adjourns sine die, the Commission shall submit to the President, the Speaker and minority leader of the House of Representatives, and the majority and minority leaders of the Senate a report of the activities of the Commission.

(b) **RECOMMENDATIONS; DRAFT OF LEGISLATION.—**The report under subsection (a) shall include any recommendations for changes in the laws (including regulations) governing the financing of political activity (taking into account the provisions of this Act and the amendments made by this Act), including any changes in the rules of the Senate or the House of Representatives, to which 9 or more members of the Commission may agree, together with drafts of—

(1) any legislation (including technical and conforming provisions) recommended by the Commission to implement such recommendations; and

(2) any proposed amendment to the Constitution recommended by the Commission as necessary to implement such recommendations, except that if the Commission includes such a proposed amendment in its report, it shall also include recommendations (and drafts) for legislation which may be implemented prior to the adoption of such proposed amendment.

(c) **GOALS OF RECOMMENDATIONS AND LEGISLATION.—**In making recommendations and preparing drafts of legislation under this section, the Commission shall consider the following to be its primary goals:

(1) Encouraging fair and open Federal elections which provide voters with meaningful information about candidates and issues.

(2) Eliminating the disproportionate influence of special interest financing of Federal elections.

(3) Creating a more equitable electoral system for challengers and incumbents.

SEC. 406. EXPEDITED CONGRESSIONAL CONSIDERATION OF LEGISLATION.

(a) **IN GENERAL.**—If any legislation is introduced the substance of which implements a recommendation of the Commission submitted under section ___05(b) (including a joint resolution proposing an amendment to the Constitution), subject to subsection (b), the provisions of section 2908 (other than subsection (a)) of the Defense Base Closure and Realignment Act of 1990 shall apply to the consideration of the legislation in the same manner as such provisions apply to a joint resolution described in section 2908(a) of such Act.

(b) **SPECIAL RULES.**—For purposes of applying subsection (a) with respect to such provisions, the following rules shall apply:

(1) Any reference to the Committee on Armed Services of the House of Representatives shall be deemed a reference to the Committee on House Oversight of the House of Representatives and any reference to the Committee on Armed Services of the Senate shall be deemed a reference to the Committee on Rules and Administration of the Senate.

(2) Any reference to the date on which the President transmits a report shall be deemed a reference to the date on which the recommendation involved is submitted under section ___05(b).

(3) Notwithstanding subsection (d)(2) of section 2908 of such Act—

(A) debate on the legislation in the House of Representatives, and on all debatable motions and appeals in connection with the legislation, shall be limited to not more than 10 hours, divided equally between those favoring and those opposing the legislation;

(B) debate on the legislation in the Senate, and on all debatable motions and appeals in connection with the legislation, shall be limited to not more than 10 hours, divided equally between those favoring and those opposing the legislation; and

(C) debate in the Senate on any single debatable motion and appeal in connection with the legislation shall be limited to not more than 1 hour, divided equally between the mover and the manager of the bill (except that in the event the manager of the bill is in favor of any such motion or appeal, the time in opposition thereto shall be controlled by the minority leader or his designee), and the majority and minority leader may each allot additional time from time under such leader's control to any Senator during the consideration of any debatable motion or appeal.

SEC. 407. TERMINATION.

The Commission shall cease to exist 90 days after the date of the submission of its report under section ___05.

SEC. 408. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Commission such sums as are necessary to carry out its duties under this title.

31. AMENDMENT BY REPRESENTATIVE MALONEY OF NEW YORK OR A DESIGNEE TO ANY OF THE FOLLOWING AMENDMENTS IN THE NATURE OF A SUBSTITUTE: AMENDMENT NUMBERED 16 BY REPRESENTATIVE WHITE, AMENDMENT NUMBERED 7 BY REPRESENTATIVE FARR, AMENDMENT NUMBERED 14 BY REPRESENTATIVE SNOWBARGER, AMENDMENT NUMBERED 4 BY REPRESENTATIVE OBEY, AMENDMENT NUMBERED 2 BY REPRESENTATIVE CAMPBELL, AMENDMENT NUMBERED 12 BY REPRESENTATIVE BOB SCHAFFER, AMENDMENT NUMBERED 5 BY REPRESENTATIVE DOOLITTLE, OR AMENDMENT NUMBERED 8 BY REPRESENTATIVE HUTCHINSON AND REPRESENTATIVE ALLEN

Add at the end the following new title:

TITLE _____—POLITICAL CONTRIBUTIONS ON FEDERAL PROPERTY

SEC. ____01. POLITICAL CONTRIBUTIONS ON FEDERAL PROPERTY.

(a) AMENDMENT.—Section 607 of title 18, United States Code, is amended to read as follows:

“§ 607. Political contributions on Federal property

“(a) Whoever, on Federal property—

(1) knowingly receives or solicits a political contribution, including solicitation by telephone or electronic means; or

(2) sponsors an event which is a direct or indirect reward for a past, present, or future political contribution,

shall be fined under this title or imprisoned not more than 3 years, or both.

“(b) A person shall have an affirmative defense, which must be proven by a preponderance of the evidence, to the prohibition in this section against knowingly receiving a political contribution if the person, within 10 days after receiving such political contribution—

“(1) with respect to a political contribution from an identifiable contributor—

“(A) returns the political contribution to the contributor;

“(B) informs the contributor that receipt of the political contribution on Federal property is prohibited by this section; and

“(C) reports the return of the political contribution to the Federal Election Commission; or

“(2) with respect to a political contribution from a contributor who is not identifiable, pays the amount of the political contribution to the Secretary of the Treasury for deposit in the general fund of the Treasury, and reports such payment to the Federal Election Commission.

“(c) In this section—

“(1) the term ‘Federal property’ means—

“(A) any real property owned or controlled by the Federal Government, including the chambers of the House of Representatives and the Senate and any congressional office; and

“(B) any vehicle, vessel, or aircraft owned or controlled by the Federal Government;

“(2) the term ‘political contribution’ means any donation of money, property, or services to or for the benefit of a political organization as defined in section 527(e)(1) of the Internal Revenue Code of 1986.”.

(b) TABLE OF SECTIONS.—The table of sections for chapter 29 of title 18, United States Code, is amended by amending the item relating to section 607 to read as follows:

“607. Political contributions on Federal property.”.

SEC. ___ 02. NOTICE TO FEDERAL OFFICE HOLDERS.

(a) CURRENT FEDERAL OFFICE HOLDERS.—Within 100 days after the date of the enactment of this Act, the Clerk of the House of Representatives shall transmit a copy of section 607 of title 18, United States Code, to each individual who holds Federal office on the date of the enactment of this Act.

(b) NEW FEDERAL OFFICE HOLDERS.—The Clerk of the House of Representatives shall, on the date on which an individual assumes Federal office after the date of the enactment of this Act, transmit a copy of section 607 of title 18, United States Code, to such individual.

(c) FEDERAL OFFICE DEFINED.—In this section, the term “Federal office” has the meaning given such term in section 301(3) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(3)).

32. AMENDMENT BY REPRESENTATIVE MALONEY OF NEW YORK OR A DESIGNEE TO ANY OF THE FOLLOWING AMENDMENTS IN THE NATURE OF A SUBSTITUTE: AMENDMENT NUMBERED 16 BY REPRESENTATIVE WHITE, AMENDMENT NUMBERED 7 BY REPRESENTATIVE FARR, AMENDMENT NUMBERED 14 BY REPRESENTATIVE SNOWBARGER, AMENDMENT NUMBERED 4 BY REPRESENTATIVE OBEY, AMENDMENT NUMBERED 2 BY REPRESENTATIVE CAMPBELL, AMENDMENT NUMBERED 12 BY REPRESENTATIVE BOB SCHAFFER, AMENDMENT NUMBERED 5 BY REPRESENTATIVE DOOLITTLE, OR AMENDMENT NUMBERED 8 BY REPRESENTATIVE HUTCHINSON AND REPRESENTATIVE ALLEN

Add at the end the following new title:

TITLE _____ —POLITICAL CONTRIBUTIONS ON FEDERAL PROPERTY

SEC. ___ 01. POLITICAL CONTRIBUTIONS ON FEDERAL PROPERTY.

(a) AMENDMENT.—Section 607 of title 18, United States Code, is amended to read as follows:

“§ 607. Political contributions on Federal property

“(a) Whoever, on Federal property—

(1) knowingly receives or solicits a political contribution, including solicitation by telephone or electronic means; or

(2) sponsors an event which is a direct or indirect reward for a past, present, or future political contribution,

shall be fined under this title or imprisoned not more than 3 years, or both.

“(b) A person shall have an affirmative defense, which must be proven by a preponderance of the evidence, to the prohibition in this section against knowingly receiving a political contribution if the person, within 10 days after receiving such political contribution—

“(1) with respect to a political contribution from an identifiable contributor—

“(A) returns the political contribution to the contributor;

“(B) informs the contributor that receipt of the political contribution on Federal property is prohibited by this section; and

“(C) reports the return of the political contribution to the Federal Election Commission; or

“(2) with respect to a political contribution from a contributor who is not identifiable, pays the amount of the political contribution to the Secretary of the Treasury for deposit in the general fund of the Treasury, and reports such payment to the Federal Election Commission.

“(c) The prohibition in subsection (a) shall not apply to the receipt of contributions by persons on the staff of a Senator or Representative in, or Delegate or Resident Commissioner to, the Congress, if such contributions have not been solicited in any manner which directs the contributor to mail or deliver a contribution to Federal property, and if such contributions are transferred within seven days of receipt to a political committee within the meaning of section 302(e) of the Federal Election Campaign Act of 1971.

“(d) In this section—

“(1) the term ‘Federal property’ means—

“(A) any real property owned or controlled by the Federal Government, including the chambers of the House of Representatives and the Senate and any congressional office; and

“(B) any vehicle, vessel, or aircraft owned or controlled by the Federal Government;

“(2) the term ‘political contribution’ means any donation of money, property, or services to or for the benefit of a political organization as defined in section 527(e)(1) of the Internal Revenue Code of 1986.”

(b) TABLE OF SECTIONS.—The table of sections for chapter 29 of title 18, United States Code, is amended by amending the item relating to section 607 to read as follows:

“607. Political contributions on Federal property.”

SEC. 02. NOTICE TO FEDERAL OFFICE HOLDERS.

(a) CURRENT FEDERAL OFFICE HOLDERS.—Within 100 days after the date of the enactment of this Act, the Clerk of the House of Representatives shall transmit a copy of section 607 of title 18, United States Code, to each individual who holds Federal office on the date of the enactment of this Act.

(b) NEW FEDERAL OFFICE HOLDERS.—The Clerk of the House of Representatives shall, on the date on which an individual assumes Federal office after the date of the enactment of this Act, transmit

a copy of section 607 of title 18, United States Code, to such individual.

(c) FEDERAL OFFICE DEFINED.—In this section, the term “Federal office” has the meaning given such term in section 301(3) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(3)).

33. AMENDMENT BY REPRESENTATIVE MCINTOSH OF INDIANA OR A DESIGNEE TO ANY OF THE AMENDMENTS IN THE NATURE OF A SUBSTITUTE MADE IN ORDER UNDER H. RES. 442

Add at the end the following new title:

**TITLE ____—POLITICAL ACTIVITIES OF
GOVERNMENT EMPLOYEES**

SEC. ____01. POLITICAL ACTIVITIES.

(a) DEFINITIONAL AMENDMENT.—Section 7322(1) of title 5, United States Code, is amended—

(1) by striking “or” at the end of subparagraph (B); and

(2) by inserting after subparagraph (C) the following:

“(D) the government of any city, county, municipality, or other local entity that receives Federal funds; or

“(E) any corporation, association, or other non-governmental entity that receives Federal funds;”.

(b) POLITICAL ACTIVITIES ON DUTY PROHIBITED.—Section 7324(a) of title 5, United States Code, is amended—

(1) by striking “or” at the end of paragraph (3);

(2) by striking the period at the end of paragraph (4) and inserting a semicolon; and

(3) by adding after paragraph (4) the following:

“(5) in any room or building occupied in the discharge of official or otherwise employment-related duties by an individual employed or holding office in a local government or non-governmental entity that receives Federal funds;

“(6) using any vehicles owned or leased by a local government or non-governmental entity that receives federal funds; or

“(7) using any computer, telephone, or other instrumentality owned or leased by a local government or non-governmental entity that receives Federal funds.”.

34. AMENDMENT BY REPRESENTATIVE MILLER OF FLORIDA OR A DESIGNEE TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE NUMBERED 13 BY REPRESENTATIVE SHAYS AND REPRESENTATIVE MEEHAN

Page 39, line 3, insert “(a) IN GENERAL.—” before “Section”.

Page 41, after line 6, insert the following:

(b) REPORTING AND DISCLOSURE.—

(1) REQUIREMENTS.—Section 201(b) of the Labor Management and Disclosure Act of 1959 is amended—

(1) in paragraph (3), by striking “\$10,000” and inserting “40,000”;

(2) by redesignating paragraphs (5) and (6) as (7) and (8), respectively; and

(3) by inserting after paragraph (4), the following:

“(5) a functional allocation that—

“(A) aggregates the amount spent for (i) officer payments, (ii) employee payments, (iii) fees, fines, and assessments, (iv) office and administrative expense and direct taxes, (v) educational and publicity expenses, (vi) professional fees, benefits, (vii) contributions, gifts and grants, and

“(B) specifies the total amount reported for each category in subparagraph (A) and the portion of such total expended for (i) contract negotiations, (ii) organizing, (iii) strike activities, (iv) political activities, and (v) lobbying and promotional activities;”.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on December 31, 2000.

35. AMENDMENT BY REPRESENTATIVE MILLER OF FLORIDA OR A DESIGNEE TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE NUMBERED 12 BY REPRESENTATIVE BOB SCHAFFER

Insert after section 2 the following:

SEC. 3. INCREASING DISCLOSURE OF LABOR ACTIVITIES.

(a) IN GENERAL.—Section 201(b) of the Labor Management and Disclosure Act of 1959 is amended—

(1) in paragraph (3), by striking “\$10,000” and inserting “40,000”;

(2) by redesignating paragraphs (5) and (6) as (7) and (8), respectively; and

(3) by inserting after paragraph (4), the following:

“(5) a functional allocation that—

“(A) aggregates the amount spent for (i) officer payments, (ii) employee payments, (iii) fees, fines, and assessments, (iv) office and administrative expense and direct taxes, (v) educational and publicity expenses, (vi) professional fees, benefits, (vii) contributions, gifts and grants, and

“(B) specifies the total amount reported for each category in subparagraph (A) and the portion of such total expended for (i) contract negotiations, (ii) organizing, (iii) strike activities, (iv) political activities, and (v) lobbying and promotional activities;”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on December 31, 2000.

36. AMENDMENT BY REPRESENTATIVE NORTHUP OF KENTUCKY OR A DESIGNEE TO ANY OF THE FOLLOWING AMENDMENTS IN THE NATURE OF A SUBSTITUTE: AMENDMENT NUMBERED 13 BY REPRESENTATIVE SHAYS AND REPRESENTATIVE MEEHAN, AMENDMENT NUMBERED 1 BY REPRESENTATIVE BASS, AMENDMENT NUMBERED 2 BY REPRESENTATIVE CAMPBELL, AMENDMENT NUMBERED 15 BY REPRESENTATIVE TIERNEY, OR AMENDMENT NUMBERED 8 BY REPRESENTATIVE HUTCHINSON AND REPRESENTATIVE ALLEN

Add at the end the following new title:

TITLE _____—CONVERSION OF PRESIDENTIAL CHECK-OFF TO ADDITION TO TAXES

SEC. ____01. PRESIDENTIAL ELECTION CAMPAIGN FUND DESIGNATION MADE WITH AFTER-TAX DOLLARS.

(a) IN GENERAL.—Part VIII of subchapter A of chapter 61 of the Internal Revenue Code of 1986 (relating to designation of income tax payments to Presidential Election Campaign Fund) is amended to read as follows:

“PART VIII—CONTRIBUTIONS TO PRESIDENTIAL ELECTION CAMPAIGN FUND

“Sec. 6096. Contributions by individuals.

“SEC. 6096. CONTRIBUTIONS BY INDIVIDUALS.

“(a) IN GENERAL.—Every individual may designate for the taxable year that \$3 (\$6 in the case of a joint return) of the amounts described in subsection (b) be paid over to the Presidential Election Campaign Fund in accordance with the provisions of section 9006(a).

“(b) AMOUNTS WHICH MAY BE DESIGNATED.—The amounts described in this subsection are—

“(1) any overpayment of the tax imposed by chapter 1 for the taxable year, and

“(2) any cash contribution which the taxpayer includes with the taxpayer’s return of such tax for the taxable year.

“(c) MANNER AND TIME OF DESIGNATION.—A designation under subsection (a) may be made only at the time of filing the return of the tax imposed by chapter 1 for the taxable year. Such designation shall be made in such manner as the Secretary prescribes by regulations except that such designation shall be made either on the first page of the return or on the page bearing the taxpayer’s signature.

“(d) OVERPAYMENTS TREATED AS REFUNDED.—For purposes of this title, any portion of an overpayment of tax designated under subsection (a) shall be treated as being refunded to the taxpayer as of the last date prescribed for filing the return of tax imposed by chapter 1 (determined without regard to extensions) or, if later, the date the return is filed.”

(b) CLERICAL AMENDMENT.—The item relating to part VIII in the table of parts for subchapter A of chapter 61 of such Code is amended to read as follows:

“Part VIII. Contributions to Presidential Election Campaign Fund.”

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 1998.

37. AMENDMENT BY REPRESENTATIVE PAUL OF TEXAS OR A DESIGNEE TO ANY OF THE FOLLOWING AMENDMENTS IN THE NATURE OF A SUBSTITUTE: AMENDMENT NUMBERED 13 BY REPRESENTATIVE SHAYS AND REPRESENTATIVE MEEHAN, AMENDMENT NUMBERED 1 BY REPRESENTATIVE BASS, AMENDMENT NUMBERED 7 BY REPRESENTATIVE FARR, AMENDMENT NUMBERED 4 BY REPRESENTATIVE OBEY, AMENDMENT NUMBERED 2 BY REPRESENTATIVE CAMPBELL, OR AMENDMENT NUMBERED 15 BY REPRESENTATIVE TIERNEY

Add at the end the following new title:

TITLE ____—BALLOT ACCESS RIGHTS

SEC. ____01. FINDINGS AND PURPOSES.

(a) FINDINGS.—The Congress makes the following findings:

(1) Voting participation in the United States is lower than in any other advanced industrialized democracy.

(2) The rights of eligible citizens to seek election to office, vote for candidates of their choice and associate for the purpose of taking part in elections, including the right to create and develop new political parties, are fundamental in a democracy. The rights of citizens to participate in the election process, provided in and derived from the first and fourteenth amendments to the Constitution, have consistently been promoted and protected by the Federal Government. These rights include the right to cast an effective vote and the right to associate for the advancement of political beliefs, which includes the “constitutional right . . . to create and develop new political parties.” *Norman v. Reed*, 502 U.S. 279, 112 S.Ct. 699 (1992). It is the duty of the Federal Government to see that these rights are not impaired in elections for Federal office.

(3) Certain restrictions on access to the ballot impair the ability of citizens to exercise these rights and have a direct and damaging effect on citizens’ participation in the electoral process.

(4) Many States unduly restrict access to the ballot by nonmajor party candidates and nonmajor political parties by means of such devices as excessive petition signature requirements, insufficient petitioning periods, unconstitutionally early petition filing deadlines, petition signature distribution criteria, and limitations on eligibility to circulate and sign petitions.

(5) Many States require political parties to poll an unduly high number of votes or to register an unduly high number of voters as a precondition for remaining on the ballot.

(6) In 1983, the Supreme Court ruled unconstitutional an Ohio law requiring a nonmajor party candidate for President to qualify for the general election ballot earlier than major party candidates. This Supreme Court decision, *Anderson v. Celebrezze*, 460 U.S. 780 (1983) has been followed by many lower courts in challenges by nonmajor parties and candidates to early petition filing deadlines. See, e.g., *Stoddard v. Quinn*, 593 F. Supp. 300 (D.Me. 1984); *Cripps v. Seneca County Board of Elections*, 629 F. Supp. 1335 (N.D. Oh. 1985); *Libertarian Party of Nevada v. Swackhamer*, 638 F. Supp. 565 (D. Nev. 1986); *Cromer v. State of South Carolina*, 917 F.2d 819 (4th Cir. 1990); *New Alliance Party of Alabama v. Hand*, 933 F. 2d 1568 (11th Cir. 1991).

(7) In 1996, 34 States required nonmajor party candidates for President to qualify for the ballot before the second major party national convention (Arizona, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Maine, Maryland, Massachusetts, Michigan, Missouri, Montana, Nevada, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Virginia, Washington, West Virginia, and Wyoming). Twenty-six of these States required nonmajor party candidates to qualify before the first major party national convention (Arizona, California, Colorado, Connecticut, Florida, Georgia, Illinois, Indiana, Kansas, Maine, Maryland, Massachusetts, Michigan, Missouri, Montana, Nevada, New Hampshire, New Jersey, North Carolina, Oklahoma, Pennsylvania, South Carolina, South Dakota, Texas, Washington, and West Virginia).

(8) Under present law, in 1996, nonmajor party candidates for President were required to obtain at least 701,089 petition signatures to be listed on the ballots of all 50 States and the District of Columbia—28 times more signatures than the 25,500 required of Democratic Party candidates and 13 times more signatures than the 54,250 required of Republican Party candidates. To be listed on the ballot in all 50 States and the District of Columbia with a party label, nonmajor party candidates for President were required to obtain approximately 651,475 petition signatures and 89,186 registrants. Thirty-two of the 41 States that hold Presidential primaries required no signatures of major party candidates for President (Arkansas, California, Colorado, Connecticut, Florida, Georgia, Idaho, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Mexico, North Carolina, North Dakota, Oklahoma, Oregon, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Virginia, Washington, West Virginia, Wisconsin). Only three States required no signatures of nonmajor party candidates for President (Arkansas, Colorado, and Louisiana; Colorado and Louisiana, however, required a \$500 filing fee).

(9) Under present law, the number of petition signatures required by the States to list a major party candidate for Senate on the ballot in 1996 ranged from zero to 15,000. The number

of petition signatures required to list a nonmajor party candidate for Senate ranged from zero to 196,788. Thirty-one States required no signatures of major party candidates for Senate (Alabama, Alaska, Arkansas, Colorado, Connecticut, Delaware, Florida, Georgia, Hawaii, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, North Carolina, North Dakota, Oklahoma, Oregon, South Carolina, Texas, Utah, Washington, West Virginia, Wyoming). Only one State required no signatures of nonmajor party candidates for Senate, provided they were willing to be listed on the ballot without a party label (Louisiana, although a \$600 filing fee was required, and to run with a party label, a candidate was required to register 111,121 voters into his or her party).

(10) Under present law, the number of petition signatures required by the States to list a major party candidate for Congress on the ballot in 1996 ranged from zero to 2,000. The number of petition signatures required to list a nonmajor party candidate for Congress ranged from zero to 13,653. Thirty-one States required no signatures of major party candidates for Congress (Alabama, Alaska, Arkansas, Colorado, Connecticut, Delaware, Florida, Georgia, Hawaii, Kansas, Kentucky, Louisiana, Maryland, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, North Carolina, North Dakota, Oklahoma, Oregon, South Carolina, Texas, Utah, Washington, West Virginia, Wyoming). Only one State required no signatures of nonmajor party candidates for Congress, provided they are willing to be listed on the ballot without a party label (Louisiana, although a \$600 filing fee was required).

(11) Under present law, in 1996, eight States required additional signatures to list a nonmajor party candidate for President on the ballot with a party label (Alabama, Arizona, Idaho, Kansas, Nebraska, North Dakota, Ohio, Tennessee). Thirteen States required additional signatures to list a nonmajor party candidate for Senate or Congress on the ballot with a party label (Alabama, Arizona, Arkansas, California, Idaho, Hawaii, Kansas, Louisiana, North Dakota, Nebraska, Ohio, Oregon, Tennessee). Two of these States (Ohio and Tennessee) required 5,000 signatures and 25 signatures, respectively, to list a nonmajor party candidate for President or Senate on the ballot in 1996, but required 33,463 signatures and 37,179 signatures, respectively, to list the candidate on the ballot with her or his party label. One State (California) required a nonmajor party to have 89,006 registrants in order to have its candidate for President listed on the ballot with a party label.

(12) Under present law, in 1996 one State (California) required nonmajor party candidates for President or Senate to obtain 147,238 signatures in 105 days, but required major party candidates for Senate to obtain only 65 signatures in 105 days, and required no signatures of major party candidates for President. Another State (Texas) required nonmajor party candidates for President or Senate to obtain 43,963 signatures in

75 days, and required no signatures of major party candidates for President or Senate.

(13) Under present law, in 1996, seven States required nonmajor party candidates for President or Senate to collect a certain number or percentage of their petition signatures in each congressional district or in a specified number of congressional districts (Michigan, Missouri, Nebraska, New Hampshire, New York, North Carolina, Virginia). Only three of these States impose a like requirement on major party candidates for President or Senate (Michigan, New York, Virginia).

(14) Under present law, in 1996, 20 States restricted the circulation of petitions for nonmajor party candidates to residents of those States (California, Colorado, Connecticut, District of Columbia, Idaho, Illinois, Kansas, Michigan, Missouri, Nebraska, Nevada, New Jersey, New York, Ohio, Pennsylvania, South Dakota, Texas, Virginia, West Virginia, Wisconsin). Two States restricted the circulation of petitions for nonmajor party candidates to the county or congressional district where the circulator lives (Kansas and Virginia).

(15) Under present law, in 1996, three States prohibited people who voted in a primary election from signing petitions for nonmajor party candidates (Nebraska, New York, Texas, West Virginia). Twelve States restricted the signing of petitions to people who indicate intent to support or vote for the candidate or party (California, Delaware, Hawaii, Illinois, Indiana, Maryland, New Jersey, New York, North Carolina, Ohio, Oregon, Utah). Five of these 12 States required no petitions of major party candidates (Delaware, Maryland, North Carolina, Oregon, Utah), and only one of the six remaining States restricted the signing of petitions for major party candidates to people who indicate intent to support or vote for the candidate or party (New Jersey).

(16) In two States (Louisiana and Maryland), no nonmajor party candidate for Senate has qualified for the ballot since those States' ballot access laws have been in effect.

(17) In two States (Georgia and Louisiana), no nonmajor party candidate for the United States House of Representatives has qualified for the ballot since those States' ballot access laws have been in effect.

(18) Restrictions on the ability of citizens to exercise the rights identified in this subsection have disproportionately impaired participation in the electoral process by various groups, including racial minorities.

(19) The establishment of fair and uniform national standards for access to the ballot in elections for Federal office would remove barriers to the participation of citizens in the electoral process and thereby facilitate such participation and maximize the rights identified in this subsection.

(20) The Congress has authority, under the provisions of the Constitution of the United States in sections 4 and 8 of article I, section 1 of article II, article VI, the thirteenth, fourteenth, and fifteenth amendments, and other provisions of the Constitution of the United States, to protect and promote the exercise of the rights identified in this subsection.

(b) PURPOSES.—The purposes of this title are—

- (1) to establish fair and uniform standards regulating access to the ballot by eligible citizens who desire to seek election to Federal office and political parties, bodies, and groups which desire to take part in elections for Federal office; and
- (2) to maximize the participation of eligible citizens in elections for Federal office.

SEC. ___02. BALLOT ACCESS RIGHTS.

(a) IN GENERAL.—An individual shall have the right to be placed as a candidate on, and to have such individual's political party, body, or group affiliation in connection with such candidacy placed on, a ballot or similar voting materials to be used in a Federal election, if—

- (1) such individual presents a petition stating in substance that its signers desire such individual's name and political party, body or group affiliation, if any, to be placed on the ballot or other similar voting materials to be used in the Federal election with respect to which such rights are to be exercised;
- (2) with respect to a Federal election for the office of President, Vice President, or Senator, such petition has a number of signatures of persons qualified to vote for such office equal to one-tenth of one percent of the number of persons who voted in the most recent previous Federal election for such office in the State, or 1,000 signatures, whichever is greater;
- (3) with respect to a Federal election for the office of Representative in, or Delegate or Resident Commissioner to, the Congress, such petition has a number of signatures of persons qualified to vote for such office equal to one-half of one percent of the number of persons who voted in the most recent previous Federal election for such office, or, if there was no previous Federal election for such office, 1,000 signatures;
- (4) with respect to a Federal election the date of which was fixed 345 or more days in advance, such petition was circulated during a period beginning on the 345th day and ending on the 75th day before the date of the election; and
- (5) with respect to a Federal election the date of which was fixed less than 345 days in advance, such petition was circulated during a period established by the State holding the election, or, if no such period was established, during a period beginning on the day after the date the election was scheduled and ending on the tenth day before the date of the election, provided, however, that the number of signatures required under paragraph (2) or (3) shall be reduced by $\frac{1}{270}$ for each day less than 270 in such period.

(b) SPECIAL RULE.—An individual shall have the right to be placed as a candidate on, and to have such individual's political party, body, or group affiliation in connection with such candidacy placed on, a ballot or similar voting materials to be used in a Federal election, without having to satisfy any requirement relating to a petition under subsection (a), if that or another individual, as a candidate of that political party, body, or group, received one percent of the votes cast in the most recent general Federal election for President or Senator in the State.

(c) SAVINGS PROVISION.—Subsections (a) and (b) shall not apply with respect to any State that provides by law for greater ballot access rights than the ballot access rights provided for under such subsections.

SEC. ___ 03. RULEMAKING.

The Attorney General shall make rules to carry out this title.

SEC. ___ 04. GENERAL DEFINITIONS.

As used in this title—

(1) the term “Federal election” means a general or special election for the office of—

(A) President or Vice President;

(B) Senator; or

(C) Representative in, or Delegate or Resident Commissioner to, the Congress;

(2) the term “State” means a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any other territory or possession of the United States;

(3) the term “individual” means an individual who has the qualifications required by law of a person who holds the office for which such individual seeks to be a candidate;

(4) the term “petition” includes a petition which conforms to section ___02(a)(1) and upon which signers’ addresses and/or printed names are required to be placed;

(5) the term “signer” means a person whose signature appears on a petition and who can be identified as a person qualified to vote for an individual for whom the petition is circulated, and includes a person who requests another to sign a petition on his or her behalf at the time when, and at the place where, the request is made;

(6) the term “signature” includes the incomplete name of a signer, the name of a signer containing abbreviations such as first or middle initial, and the name of a signer preceded or followed by titles such as “Mr.,” “Ms.,” “Dr.,” “Jr.,” or “III”; and

(7) the term “address” means the address which a signer uses for purposes of registration and voting.

38. AMENDMENT BY REPRESENTATIVE PAUL OF TEXAS OR A DESIGNEE TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE NUMBERED 2 BY REPRESENTATIVE CAMPBELL

Add at the end the following new title:

**TITLE ___ —DEBATE REQUIREMENTS
FOR PRESIDENTIAL CANDIDATES**

SEC. ___ 01. REQUIREMENT THAT CANDIDATES WHO RECEIVE CAMPAIGN FINANCING FROM THE PRESIDENTIAL ELECTION CAMPAIGN FUND AGREE NOT TO PARTICIPATE IN MULTI-CANDIDATE FORUMS THAT EXCLUDE CANDIDATES WITH BROAD-BASED PUBLIC SUPPORT.

(a) IN GENERAL.—In addition to the requirements under subtitle H of the Internal Revenue Code of 1986, in order to be eligible to receive payments from the Presidential Election Campaign Fund,

a candidate shall agree in writing not to appear in any multicandidate forum with respect to the election involved unless the following individuals are invited to participate in the multicandidate forum:

(1) Each other eligible candidate under such subtitle.

(2) Each individual who is qualified in at least 40 States for the ballot for the office involved.

(b) ENFORCEMENT.—If the Federal Election Commission determines that a candidate—

(1) has received payments from the Presidential Election Campaign Fund; and

(2) has violated the agreement referred to in subsection (a); the candidate shall pay to the Treasury an amount equal to the amount of the payments so made.

(c) DEFINITION.—As used in this title, the term “multicandidate forum” means a meeting—

(1) consisting of a moderated reciprocal discussion of issues among candidates for the same office; and

(2) to which any other person has access in person or through an electronic medium.

39. AMENDMENT BY REPRESENTATIVE PAXON OF NEW YORK OR A DESIGNEE TO ANY OF THE FOLLOWING AMENDMENTS IN THE NATURE OF A SUBSTITUTE: AMENDMENT NUMBERED 13 BY REPRESENTATIVE SHAYS AND REPRESENTATIVE MEEHAN, AMENDMENT NUMBERED 1 BY REPRESENTATIVE BASS, AMENDMENT NUMBERED 7 BY REPRESENTATIVE FARR, AMENDMENT NUMBERED 4 BY REPRESENTATIVE OBEY, AMENDMENT NUMBERED 2 BY REPRESENTATIVE CAMPBELL, AMENDMENT NUMBERED 15 BY REPRESENTATIVE TIERNEY, OR AMENDMENT NUMBERED 8 BY REPRESENTATIVE HUTCHINSON AND REPRESENTATIVE ALLEN

Add at the end the following new title:

TITLE ____—UNION DISCLOSURE

SEC. 01. UNION DISCLOSURE.

(a) IN GENERAL.—Section 201(b) of the Labor Management Reporting and Disclosure Act of 1959 (29 U.S.C. 431(b)) is amended—

(1) by striking “and” at the end of paragraph (5); and

(2) by adding at the end the following:

“(7) an itemization of amounts spent by the labor organization for—

“(A) contract negotiation and administration;

“(B) organizing activities;

“(C) strike activities;

“(D) political activities;

“(E) lobbying and promotional activities; and

“(F) market recovery and job targeting programs; and

“(8) all transactions involving a single source or payee for each of the activities described in subparagraphs (A) through (F) of paragraph (7) in which the aggregate cost exceeds \$10,000.”.

(b) **COMPUTER NETWORK ACCESS.**—Section 201(c) of the Labor Management Reporting and Disclosure Act of 1959 (29 U.S.C. 431(c)) is amended by inserting “including availability of such reports via a public Internet site or another publicly accessible computer network,” after “its members.”

(c) **REPORTING BY SECRETARY.**—Section 205(a) of the Labor Management Reporting and Disclosure Act of 1959 (29 U.S.C. 435(a)) is amended by inserting after “and the Secretary” the following: “shall make the reports and documents filed pursuant to section 201(b) available via a public Internet site or another publicly accessible computer network. The Secretary”.

40. **AMENDMENT BY REPRESENTATIVE PETERSON OF PENNSYLVANIA OR A DESIGNEE TO ANY OF THE FOLLOWING AMENDMENTS IN THE NATURE OF A SUBSTITUTE: AMENDMENT NUMBERED 13 BY REPRESENTATIVE SHAYS AND REPRESENTATIVE MEEHAN, AMENDMENT NUMBERED 1 BY REPRESENTATIVE BASS, AMENDMENT NUMBERED 7 BY REPRESENTATIVE FARR, AMENDMENT NUMBERED 4 BY REPRESENTATIVE OBEY, AMENDMENT NUMBERED 2 BY REPRESENTATIVE CAMPBELL, AMENDMENT NUMBERED 15 BY REPRESENTATIVE TIERNEY, OR AMENDMENT NUMBERED 8 BY REPRESENTATIVE HUCHINSON AND REPRESENTATIVE ALLEN**

Add at the end the following new title:

TITLE ___—VOTER ELIGIBILITY CONFIRMATION PROGRAM

SEC. ___ 01. VOTER ELIGIBILITY PILOT CONFIRMATION PROGRAM.

(a) **IN GENERAL.**—The Attorney General, in consultation with the Commissioner of Social Security, shall establish a pilot program to test a confirmation system through which they—

(1) respond to inquiries, made by State and local officials (including voting registrars) with responsibility for determining an individual’s qualification to vote in a Federal, State, or local election, to verify the citizenship of an individual who has submitted a voter registration application, and

(2) maintain such records of the inquiries made and verifications provided as may be necessary for pilot program evaluation.

In order to make an inquiry through the pilot program with respect to an individual, an election official shall provide the name, date of birth, and social security account number of the individual.

(b) **INITIAL RESPONSE.**—The pilot program shall provide for a confirmation or a tentative nonconfirmation of an individual’s citizenship by the Commissioner of Social Security as soon as practicable after an initial inquiry to the Commissioner.

(c) **SECONDARY VERIFICATION PROCESS IN CASE OF TENTATIVE NONCONFIRMATION.**—In cases of tentative nonconfirmation, the Attorney General shall specify, in consultation with the Commissioner of Social Security and the Commissioner of the Immigration and Naturalization Service, an available secondary verification process to confirm the validity of information provided and to pro-

vide a final confirmation or nonconfirmation as soon as practicable after the date of the tentative nonconfirmation.

(d) DESIGN AND OPERATION OF PILOT PROGRAM.—

(1) IN GENERAL.—The pilot program shall be designed and operated—

(A) to apply in, at a minimum, the States of California, New York, Texas, Florida, and Illinois;

(B) to be used on a voluntary basis, as a supplementary information source, by State and local election officials for the purpose of assessing, through citizenship verification, the eligibility of an individual to vote in Federal, State, or local elections;

(C) to respond to an inquiry concerning citizenship only in a case where determining whether an individual is a citizen is—

(i) necessary for determining whether the individual is eligible to vote in an election for Federal, State, or local office; and

(ii) part of a program or activity to protect the integrity of the electoral process that is uniform, non-discriminatory, and in compliance with the Voting Rights Act of 1965 (42 U.S.C. 1973 et seq.);

(D) to maximize its reliability and ease of use, consistent with insulating and protecting the privacy and security of the underlying information;

(E) to permit inquiries to be made to the pilot program through a toll-free telephone line or other toll-free electronic media;

(F) subject to subparagraph (I), to respond to all inquiries made by authorized persons and to register all times when the pilot program is not responding to inquiries because of a malfunction;

(G) with appropriate administrative, technical, and physical safeguards to prevent unauthorized disclosure of personal information, including violations of the requirements of section 205(c)(2)(C)(viii) of the Social Security Act;

(H) to have reasonable safeguards against the pilot program's resulting in unlawful discriminatory practices based on national origin or citizenship status, including the selective or unauthorized use of the pilot program.

(2) USE OF EMPLOYMENT ELIGIBILITY CONFIRMATION SYSTEM.—To the extent practicable, in establishing the confirmation system under this section, the Attorney General, in consultation with the Commissioner of Social Security, shall use the employment eligibility confirmation system established under section 404 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (Public Law 104-208; 110 Stat. 3009-664).

(e) RESPONSIBILITIES OF THE COMMISSIONER OF SOCIAL SECURITY.—As part of the pilot program, the Commissioner of Social Security shall establish a reliable, secure method which compares the name, date of birth, and social security account number provided in an inquiry against such information maintained by the Commissioner, in order to confirm (or not confirm) the correspondence of

the name, date of birth, and number provided and whether the individual is shown as a citizen of the United States on the records maintained by the Commissioner (including whether such records show that the individual was born in the United States). The Commissioner shall not disclose or release social security information (other than such confirmation or nonconfirmation).

(f) RESPONSIBILITIES OF THE COMMISSIONER OF THE IMMIGRATION AND NATURALIZATION SERVICE.—As part of the pilot program, the Commissioner of the Immigration and Naturalization Service shall establish a reliable, secure method which compares the name and date of birth which are provided in an inquiry against information maintained by the Commissioner in order to confirm (or not confirm) the validity of the information provided, the correspondence of the name and date of birth, and whether the individual is a citizen of the United States.

(g) UPDATING INFORMATION.—The Commissioner of Social Security and the Commissioner of the Immigration and Naturalization Service shall update their information in a manner that promotes the maximum accuracy and shall provide a process for the prompt correction of erroneous information, including instances in which it is brought to their attention in the secondary verification process described in subsection (c) or in any action by an individual to use the process provided under this subsection upon receipt of notification from an election official under subsection (i).

(h) LIMITATION ON USE OF THE PILOT PROGRAM AND ANY RELATED SYSTEMS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, nothing in this section shall be construed to permit or allow any department, bureau, or other agency of the United States Government to utilize any information, data base, or other records assembled under this section for any other purpose other than as provided for under this section.

(2) NO NATIONAL IDENTIFICATION CARD.—Nothing in this section shall be construed to authorize, directly or indirectly, the issuance or use of national identification cards or the establishment of a national identification card.

(3) NO NEW DATA BASES.—Nothing in this section shall be construed to authorize, directly or indirectly, the Attorney General and the Commissioner of Social Security to create any joint computer data base that is not in existence on the date of the enactment of this Act.

(i) ACTIONS BY ELECTION OFFICIALS UNABLE TO CONFIRM CITIZENSHIP.—

(1) IN GENERAL.—If an election official receives a notice of final nonconfirmation under subsection (c) with respect to an individual, the official—

(A) shall notify the individual in writing; and

(B) shall inform the individual in writing of the individual's right to use—

(i) the process provided under subsection (g) for the prompt correction of erroneous information in the pilot program; or

(ii) any other process for establishing eligibility to vote provided under State or Federal law.

(2) REGISTRATION APPLICANTS.—In the case of an individual who is an applicant for voter registration, and who receives a notice from an official under paragraph (1), the official may (subject to, and in a manner consistent with, State law) reject the application (subject to the right to reapply), but only if the following conditions have been satisfied:

(A) The 30-day period beginning on the date the notice was mailed or otherwise provided to the individual has elapsed.

(B) During such 30-day period, the official did not receive adequate confirmation of the citizenship of the individual from—

(i) a source other than the pilot program established under this section; or

(ii) such pilot program, pursuant to a new inquiry to the pilot program made by the official upon receipt of information (from the individual or through any other reliable source) that erroneous or incomplete material information previously in the pilot program has been updated, supplemented, or corrected.

(3) INELIGIBLE VOTER REMOVAL PROGRAMS.—In the case of an individual who is registered to vote, and who receives a notice from an official under paragraph (1) in connection with a program to remove the names of ineligible voters from an official list of eligible voters, the official may (subject to, and in a manner consistent with, State law) remove the name of the individual from the list (subject to the right to submit another voter registration application), but only if the following conditions have been satisfied:

(A) The 30-day period beginning on the date the notice was mailed or otherwise provided to the individual has elapsed.

(B) During such 30-day period, the official did not receive adequate confirmation of the citizenship of the individual from a source described in clause (i) or (ii) of paragraph (2)(B).

(j) AUTHORITY TO USE SOCIAL SECURITY ACCOUNT NUMBERS.—Any State (or political subdivision thereof) may, for the purpose of making inquiries under the pilot program in the administration of any voter registration law within its jurisdiction, use the social security account numbers issued by the Commissioner of Social Security, and may, for such purpose, require any individual who is or appears to be affected by a voter registration law of such State (or political subdivision thereof) to furnish to such State (or political subdivision thereof) or any agency thereof having administrative responsibility for such law, the social security account number (or numbers, if the individual has more than one such number) issued to the individual by the Commissioner.

(k) TERMINATION AND REPORT.—The pilot program shall terminate September 30, 2001. The Attorney General and the Commissioner of Social Security shall each submit to the Committee on the Judiciary and the Committee on Ways and Means of the House of Representatives and to the Committee on the Judiciary and the

Committee on Finance of the Senate reports on the pilot program not later than December 31, 2001. Such reports shall—

(1) assess the degree of fraudulent attesting of United States citizenship in jurisdictions covered by the pilot program;

(2) assess the appropriate staffing and funding levels which would be required for full, permanent, and nationwide implementation of the pilot program, including the estimated total cost for national implementation per individual record;

(3) include an assessment by the Commissioner of Social Security of the advisability and ramifications of disclosure of social security account numbers to the extent provided for under the pilot program and upon full, permanent, and nationwide implementation of the pilot program;

(4) assess the degree to which the records maintained by the Commissioner of Social Security and the Commissioner of the Immigration and Naturalization Service are able to be used to reliably determine the citizenship of individuals who have submitted voter registration applications;

(5) assess the effectiveness of the pilot program's safeguards against unlawful discriminatory practices;

(6) include recommendations on whether or not the pilot program should be continued or modified; and

(7) include such other information as the Attorney General or the Commissioner of Social Security may determine to be relevant.

SEC. ___ 02. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Department of Justice, for the Immigration and Naturalization Service, for fiscal years beginning on or after October 1, 1998, such sums as are necessary to carry out the provisions of this title.

41. AMENDMENT BY REPRESENTATIVE SALMON OF ARIZONA OR A DESIGNEE TO ANY OF THE AMENDMENTS IN THE NATURE OF A SUBSTITUTE MADE IN ORDER UNDER H. RES. 442

Add at the end the following new title:

TITLE ___ —POSTING NAMES OF CERTAIN AIR FORCE ONE PASSENGERS ON INTERNET

SEC. ___ 01. REQUIREMENT THAT NAMES OF PASSENGERS ON AIR FORCE ONE AND AIR FORCE TWO BE MADE AVAILABLE THROUGH THE INTERNET.

(a) **IN GENERAL.**—The President shall make available through the Internet the name of any non-Government person who is a passenger on an aircraft designated as Air Force One or Air Force Two not later than 30 days after the date that the person is a passenger on such aircraft.

(b) **EXCEPTION.**—Subsection (a) shall not apply in a case in which the President determines that compliance with such subsection would be contrary to the national security interests of the United

States. In any such case, not later than 30 days after the date that the person whose name will not be made available through the Internet was a passenger on the aircraft, the President shall submit to the chairman and ranking member of the Permanent Select Committee on Intelligence of the House of Representatives and of the Select Committee on Intelligence of the Senate—

(1) the name of the person; and

(2) the justification for not making such name available through the Internet.

(c) DEFINITION OF PERSON.—As used in this Act, the term “non-Government person” means a person who is not an officer or employee of the United States, a member of the Armed Forces, or a Member of Congress.

42. AMENDMENT BY REPRESENTATIVE SHAYS OF CONNECTICUT OR REPRESENTATIVE MEEHAN OF MASSACHUSETTS OR A DESIGNEE TO ANY OF THE FOLLOWING AMENDMENTS IN THE NATURE OF A SUBSTITUTE: AMENDMENT NUMBERED 16 BY REPRESENTATIVE WHITE, OR AMENDMENT NUMBERED 12 BY REPRESENTATIVE BOB SCHAFER

Add at the end the following new title:

TITLE _____—REDUCTION OF SPECIAL INTEREST INFLUENCE

SEC. ____ 01. SOFT MONEY OF POLITICAL PARTIES.

Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) is amended by adding at the end the following:

“SEC. 323. SOFT MONEY OF POLITICAL PARTIES.

“(a) NATIONAL COMMITTEES.—

“(1) IN GENERAL.—A national committee of a political party (including a national congressional campaign committee of a political party) and any officers or agents of such party committees, shall not solicit, receive, or direct to another person a contribution, donation, or transfer of funds, or spend any funds, that are not subject to the limitations, prohibitions, and reporting requirements of this Act.

“(2) APPLICABILITY.—This subsection shall apply to an entity that is directly or indirectly established, financed, maintained, or controlled by a national committee of a political party (including a national congressional campaign committee of a political party), or an entity acting on behalf of a national committee, and an officer or agent acting on behalf of any such committee or entity.

“(b) STATE, DISTRICT, AND LOCAL COMMITTEES.—

“(1) IN GENERAL.—An amount that is expended or disbursed by a State, district, or local committee of a political party (including an entity that is directly or indirectly established, financed, maintained, or controlled by a State, district, or local committee of a political party and an officer or agent acting on behalf of such committee or entity) for Federal election activity

shall be made from funds subject to the limitations, prohibitions, and reporting requirements of this Act.

“(2) FEDERAL ELECTION ACTIVITY.—

“(A) IN GENERAL.—The term ‘Federal election activity’ means—

“(i) voter registration activity during the period that begins on the date that is 120 days before the date a regularly scheduled Federal election is held and ends on the date of the election;

“(ii) voter identification, get-out-the-vote activity, or generic campaign activity conducted in connection with an election in which a candidate for Federal office appears on the ballot (regardless of whether a candidate for State or local office also appears on the ballot); and

“(iii) a communication that refers to a clearly identified candidate for Federal office (regardless of whether a candidate for State or local office is also mentioned or identified) and is made for the purpose of influencing a Federal election (regardless of whether the communication is express advocacy).

“(B) EXCLUDED ACTIVITY.—The term ‘Federal election activity’ does not include an amount expended or disbursed by a State, district, or local committee of a political party for—

“(i) campaign activity conducted solely on behalf of a clearly identified candidate for State or local office, provided the campaign activity is not a Federal election activity described in subparagraph (A);

“(ii) a contribution to a candidate for State or local office, provided the contribution is not designated or used to pay for a Federal election activity described in subparagraph (A);

“(iii) the costs of a State, district, or local political convention;

“(iv) the costs of grassroots campaign materials, including buttons, bumper stickers, and yard signs, that name or depict only a candidate for State or local office;

“(v) the non-Federal share of a State, district, or local party committee’s administrative and overhead expenses (but not including the compensation in any month of an individual who spends more than 20 percent of the individual’s time on Federal election activity) as determined by a regulation promulgated by the Commission to determine the non-Federal share of a State, district, or local party committee’s administrative and overhead expenses; and

“(vi) the cost of constructing or purchasing an office facility or equipment for a State, district or local committee.

“(c) FUNDRAISING COSTS.—An amount spent by a national, State, district, or local committee of a political party, by an entity that is established, financed, maintained, or controlled by

a national, State, district, or local committee of a political party, or by an agent or officer of any such committee or entity, to raise funds that are used, in whole or in part, to pay the costs of a Federal election activity shall be made from funds subject to the limitations, prohibitions, and reporting requirements of this Act.

“(d) TAX-EXEMPT ORGANIZATIONS.—A national, State, district, or local committee of a political party (including a national congressional campaign committee of a political party, an entity that is directly or indirectly established, financed, maintained, or controlled by any such national, State, district, or local committee or its agent, an agent acting on behalf of any such party committee, and an officer or agent acting on behalf of any such party committee or entity), shall not solicit any funds for, or make or direct any donations to, an organization that is described in section 501(c) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code (or has submitted an application to the Commissioner of the Internal Revenue Service for determination of tax-exemption under such section).

“(e) CANDIDATES.—

“(1) IN GENERAL.—A candidate, individual holding Federal office, or agent of a candidate or individual holding Federal office shall not solicit, receive, direct, transfer, or spend funds for a Federal election activity on behalf of such candidate, individual, agent or any other person, unless the funds are subject to the limitations, prohibitions, and reporting requirements of this Act.

“(2) STATE LAW.—Paragraph (1) does not apply to the solicitation or receipt of funds by an individual who is a candidate for a State or local office if the solicitation or receipt of funds is permitted under State law for any activity other than a Federal election activity.

“(3) FUNDRAISING EVENTS.—Paragraph (1) does not apply in the case of a candidate who attends, speaks, or is a featured guest at a fundraising event sponsored by a State, district, or local committee of a political party.”

SEC. ___ 02. INCREASED CONTRIBUTION LIMITS FOR STATE COMMITTEES OF POLITICAL PARTIES AND AGGREGATE CONTRIBUTION LIMIT FOR INDIVIDUALS.

(a) CONTRIBUTION LIMIT FOR STATE COMMITTEES OF POLITICAL PARTIES.—Section 315(a)(1) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(1)) is amended—

(1) in subparagraph (B), by striking “or” at the end;

(2) in subparagraph (C)—

(A) by inserting “(other than a committee described in subparagraph (D))” after “committee”; and

(B) by striking the period at the end and inserting “; or”; and

(3) by adding at the end the following:

“(D) to a political committee established and maintained by a State committee of a political party in any calendar year that, in the aggregate, exceed \$10,000”.

(b) AGGREGATE CONTRIBUTION LIMIT FOR INDIVIDUAL.—Section 315(a)(3) of the Federal Election Campaign Act of 1971 (2 U.S.C.

441a(a)(3)) is amended by striking “\$25,000” and inserting “\$30,000”.

SEC. ___ 03. REPORTING REQUIREMENTS.

(a) REPORTING REQUIREMENTS.—Section 304 of the Federal Election Campaign Act of 1971 (2 U.S.C. 434) is amended by adding at the end the following:

“(d) POLITICAL COMMITTEES.—

“(1) NATIONAL AND CONGRESSIONAL POLITICAL COMMITTEES.—

The national committee of a political party, any national congressional campaign committee of a political party, and any subordinate committee of either, shall report all receipts and disbursements during the reporting period.

“(2) OTHER POLITICAL COMMITTEES TO WHICH SECTION 323 APPLIES.—A political committee (not described in paragraph (1)) to which section 323(b)(1) applies shall report all receipts and disbursements made for activities described in paragraphs (2)(A) and (3)(B)(v) of section 323(b).

“(3) ITEMIZATION.—If a political committee has receipts or disbursements to which this subsection applies from any person aggregating in excess of \$200 for any calendar year, the political committee shall separately itemize its reporting for such person in the same manner as required in paragraphs (3)(A), (5), and (6) of subsection (b).

“(4) REPORTING PERIODS.—Reports required to be filed under this subsection shall be filed for the same time periods required for political committees under subsection (a).”.

(b) BUILDING FUND EXCEPTION TO THE DEFINITION OF CONTRIBUTION.—Section 301(8)(B) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(8)(B)) is amended—

(1) by striking clause (viii); and

(2) by redesignating clauses (ix) through (xiv) as clauses (viii) through (xiii), respectively.

SEC. ___ 04. EFFECTIVE DATE.

Except as otherwise provided in this title, this title and the amendments made by this take effect January 1, 1999.

SEC. ___ 05. REGULATIONS.

The Federal Election Commission shall prescribe any regulations required to carry out this title and the amendments made by this title not later than 180 days after the date of the enactment of this Act.

43. AMENDMENT BY REPRESENTATIVE SHAYS OF CONNECTICUT OR REPRESENTATIVE MEEHAN OF MASSACHUSETTS OR A DESIGNEE TO ANY OF THE FOLLOWING AMENDMENTS IN THE NATURE OF A SUBSTITUTE: AMENDMENT NUMBERED 16 BY REPRESENTATIVE WHITE, AMENDMENT NUMBERED 14 BY REPRESENTATIVE SNOWBARGER, AMENDMENT NUMBERED 2 BY REPRESENTATIVE CAMPBELL, AMENDMENT NUMBERED 12 BY REPRESENTATIVE BOB SCHAFFER, AMENDMENT NUMBERED 5 BY REPRESENTATIVE DOOLITTLE, OR AMENDMENT NUMBERED 8 BY REPRESENTATIVE HUTCHINSON AND REPRESENTATIVE ALLEN

Add at the end the following new title:

TITLE _____—INDEPENDENT AND COORDINATED EXPENDITURES

Subtitle A—Independent and Coordinated Expenditures

SEC. _____ 01. DEFINITIONS.

(a) DEFINITION OF INDEPENDENT EXPENDITURE.—Section 301 of the Federal Election Campaign Act (2 U.S.C. 431) is amended by striking paragraph (17) and inserting the following:

“(17) INDEPENDENT EXPENDITURE.—

“(A) IN GENERAL.—The term ‘independent expenditure’ means an expenditure by a person—

“(i) for a communication that is express advocacy; and

“(ii) that is not provided in coordination with a candidate or a candidate’s agent or a person who is coordinating with a candidate or a candidate’s agent.”.

(b) DEFINITION OF EXPRESS ADVOCACY.—Section 301 of the Federal Election Campaign Act of 1971 (2 U.S.C. 431) is amended by adding at the end the following:

“(20) EXPRESS ADVOCACY.—

“(A) IN GENERAL.—The term ‘express advocacy’ means a communication that advocates the election or defeat of a candidate by—

“(i) containing a phrase such as ‘vote for’, ‘re-elect’, ‘support’, ‘cast your ballot for’, ‘(name of candidate) for Congress’, ‘(name of candidate) in 1997’, ‘vote against’, ‘defeat’, ‘reject’, or a campaign slogan or words that in context can have no reasonable meaning other than to advocate the election or defeat of 1 or more clearly identified candidates;

“(ii) referring to 1 or more clearly identified candidates in a paid advertisement that is transmitted through radio or television within 60 calendar days preceding the date of an election of the candidate and that appears in the State in which the election is occurring, except that with respect to a candidate for the office of Vice President or President, the time period is within 60 calendar days preceding the date of a general election; or

“(iii) expressing unmistakable and unambiguous support for or opposition to 1 or more clearly identified candidates when taken as a whole and with limited reference to external events, such as proximity to an election.

“(B) VOTING RECORD AND VOTING GUIDE EXCEPTION.—The term ‘express advocacy’ does not include a printed communication that—

“(i) presents information in an educational manner solely about the voting record or position on a campaign issue of 2 or more candidates;

“(ii) that is not made in coordination with a candidate, political party, or agent of the candidate or party; or a candidate’s agent or a person who is coordinating with a candidate or a candidate’s agent;

“(iii) does not contain a phrase such as ‘vote for’, ‘re-elect’, ‘support’, ‘cast your ballot for’, ‘(name of candidate) for Congress’, ‘(name of candidate) in 1997’, ‘vote against’, ‘defeat’, or ‘reject’, or a campaign slogan or words that in context can have no reasonable meaning other than to urge the election or defeat of 1 or more clearly identified candidates.”.

(c) DEFINITION OF EXPENDITURE.—Section 301(9)(A) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(9)(A)) is amended—

- (1) in clause (i), by striking “and” at the end;
- (2) in clause (ii), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(iii) a payment for a communication that is express advocacy; and

“(iv) a payment made by a person for a communication that—

“(I) refers to a clearly identified candidate;

“(II) is provided in coordination with the candidate, the candidate’s agent, or the political party of the candidate; and

“(III) is for the purpose of influencing a Federal election (regardless of whether the communication is express advocacy).”.

SEC. ___02. CIVIL PENALTY.

Section 309 of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g) is amended—

(1) in subsection (a)—

(A) in paragraph (4)(A)—

(i) in clause (i), by striking “clause (ii)” and inserting “clauses (ii) and (iii)”; and

(ii) by adding at the end the following:

“(iii) If the Commission determines by an affirmative vote of 4 of its members that there is probable cause to believe that a person has made a knowing and willful violation of section 304(c), the Commission shall not enter into a conciliation agreement under this paragraph and may institute a civil action for relief under paragraph (6)(A).”; and

(B) in paragraph (6)(B), by inserting “(except an action instituted in connection with a knowing and willful violation of section 304(c))” after “subparagraph (A)”; and

(2) in subsection (d)(1)—

(A) in subparagraph (A), by striking “Any person” and inserting “Except as provided in subparagraph (D), any person”; and

(B) by adding at the end the following:

“(D) In the case of a knowing and willful violation of section 304(c) that involves the reporting of an independent expenditure, the violation shall not be subject to this subsection.”.

SEC. ___ 03. REPORTING REQUIREMENTS FOR CERTAIN INDEPENDENT EXPENDITURES.

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

(1) in subsection (c)(2), by striking the undesignated matter after subparagraph (C);

(2) by redesignating paragraph (3) of subsection (c) as subsection (f); and

(3) by inserting after subsection (c)(2) (as amended by paragraph (1)) the following:

“(d) TIME FOR REPORTING CERTAIN EXPENDITURES.—

“(1) EXPENDITURES AGGREGATING \$1,000.—

“(A) INITIAL REPORT.—A person (including a political committee) that makes or contracts to make independent expenditures aggregating \$1,000 or more after the 20th day, but more than 24 hours, before the date of an election shall file a report describing the expenditures within 24 hours after that amount of independent expenditures has been made.

“(B) ADDITIONAL REPORTS.—After a person files a report under subparagraph (A), the person shall file an additional report within 24 hours after each time the person makes or contracts to make independent expenditures aggregating an additional \$1,000 with respect to the same election as that to which the initial report relates.

“(2) EXPENDITURES AGGREGATING \$10,000.—

“(A) INITIAL REPORT.—A person (including a political committee) that makes or contracts to make independent expenditures aggregating \$10,000 or more at any time up to and including the 20th day before the date of an election shall file a report describing the expenditures within 48 hours after that amount of independent expenditures has been made.

“(B) ADDITIONAL REPORTS.—After a person files a report under subparagraph (A), the person shall file an additional report within 48 hours after each time the person makes or contracts to make independent expenditures aggregating an additional \$10,000 with respect to the same election as that to which the initial report relates.

“(3) PLACE OF FILING; CONTENTS.—A report under this subsection—

“(A) shall be filed with the Commission; and

“(B) shall contain the information required by subsection (b)(6)(B)(iii), including the name of each candidate whom an expenditure is intended to support or oppose.”.

SEC. ___ 04. INDEPENDENT VERSUS COORDINATED EXPENDITURES BY PARTY.

Section 315(d) of the Federal Election Campaign Act (2 U.S.C. 441a(d)) is amended—

(1) in paragraph (1), by striking “and (3)” and inserting “, (3), and (4)”; and

(2) by adding at the end the following:

“(4) INDEPENDENT VERSUS COORDINATED EXPENDITURES BY PARTY.—

“(A) IN GENERAL.—On or after the date on which a political party nominates a candidate, a committee of the political party shall not make both expenditures under this subsection and independent expenditures (as defined in section 301(17)) with respect to the candidate during the election cycle.

“(B) CERTIFICATION.—Before making a coordinated expenditure under this subsection with respect to a candidate, a committee of a political party shall file with the Commission a certification, signed by the treasurer of the committee, that the committee has not and shall not make any independent expenditure with respect to the candidate during the same election cycle.

“(C) APPLICATION.—For the purposes of this paragraph, all political committees established and maintained by a national political party (including all congressional campaign committees) and all political committees established and maintained by a State political party (including any subordinate committee of a State committee) shall be considered to be a single political committee.

“(D) TRANSFERS.—A committee of a political party that submits a certification under subparagraph (B) with respect to a candidate shall not, during an election cycle, transfer any funds to, assign authority to make coordinated expenditures under this subsection to, or receive a transfer of funds from, a committee of the political party that has made or intends to make an independent expenditure with respect to the candidate.”.

SEC. 05. COORDINATION WITH CANDIDATES.

(a) **DEFINITION OF COORDINATION WITH CANDIDATES.—**

(1) **SECTION 301(8).**—Section 301(8) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(8)) is amended—

(A) in subparagraph (A)—

(i) by striking “or” at the end of clause (i);

(ii) by striking the period at the end of clause (ii) and inserting “; or”; and

(iii) by adding at the end the following:

“(iii) anything of value provided by a person in coordination with a candidate for the purpose of influencing a Federal election, regardless of whether the value being provided is a communication that is express advocacy, in which such candidate seeks nomination or election to Federal office.”; and

(B) by adding at the end the following:

“(C) The term ‘provided in coordination with a candidate’ includes—

“(i) a payment made by a person in cooperation, consultation, or concert with, at the request or suggestion of, or pursuant to any general or particular understanding with a candidate, the candidate’s authorized committee, or an agent acting on behalf of a candidate or authorized committee;

“(ii) a payment made by a person for the production, dissemination, distribution, or republication, in whole or in part, of any broadcast or any written, graphic, or

other form of campaign material prepared by a candidate, a candidate's authorized committee, or an agent of a candidate or authorized committee (not including a communication described in paragraph (9)(B)(i) or a communication that expressly advocates the candidate's defeat);

“(iii) a payment made by a person based on information about a candidate's plans, projects, or needs provided to the person making the payment by the candidate or the candidate's agent who provides the information with the intent that the payment be made;

“(iv) a payment made by a person if, in the same election cycle in which the payment is made, the person making the payment is serving or has served as a member, employee, fundraiser, or agent of the candidate's authorized committee in an executive or policymaking position;

“(v) a payment made by a person if the person making the payment has served in any formal policy making or advisory position with the candidate's campaign or has participated in formal strategic or formal policymaking discussions with the candidate's campaign relating to the candidate's pursuit of nomination for election, or election, to Federal office, in the same election cycle as the election cycle in which the payment is made;

“(vi) a payment made by a person if, in the same election cycle, the person making the payment retains the professional services of any person that has provided or is providing campaign-related services in the same election cycle to a candidate in connection with the candidate's pursuit of nomination for election, or election, to Federal office, including services relating to the candidate's decision to seek Federal office, and the person retained is retained to work on activities relating to that candidate's campaign;

“(vii) a payment made by a person who has engaged in a coordinated activity with a candidate described in clauses (i) through (vi) for a communication that clearly refers to the candidate and is for the purpose of influencing an election (regardless of whether the communication is express advocacy);

“(viii) direct participation by a person in fundraising activities with the candidate or in the solicitation or receipt of contributions on behalf of the candidate;

“(ix) communication by a person with the candidate or an agent of the candidate, occurring after the declaration of candidacy (including a pollster, media consultant, vendor, advisor, or staff member), acting on behalf of the candidate, about advertising message, allocation of resources, fundraising, or other campaign matters related to the candidate's campaign, including campaign operations, staffing, tactics, or strategy; or

“(x) the provision of in-kind professional services or polling data to the candidate or candidate’s agent.

“(D) For purposes of subparagraph (C), the term ‘professional services’ includes services in support of a candidate’s pursuit of nomination for election, or election, to Federal office such as polling, media advice, direct mail, fundraising, or campaign research.

“(E) For purposes of subparagraph (C), all political committees established and maintained by a national political party (including all congressional campaign committees) and all political committees established and maintained by a State political party (including any subordinate committee of a State committee) shall be considered to be a single political committee.”.

(2) SECTION 315(a)(7).—Section 315(a)(7) (2 U.S.C. 441a(a)(7)) is amended by striking subparagraph (B) and inserting the following:

“(B) a thing of value provided in coordination with a candidate, as described in section 301(8)(A)(iii), shall be considered to be a contribution to the candidate, and in the case of a limitation on expenditures, shall be treated as an expenditure by the candidate.”

(b) MEANING OF CONTRIBUTION OR EXPENDITURE FOR THE PURPOSES OF SECTION 316.—Section 316(b)(2) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441b(b)) is amended by striking “shall include” and inserting “includes a contribution or expenditure, as those terms are defined in section 301, and also includes”.

Subtitle B—Severability; Constitutionality; Effective Date; Regulations

SEC. ___ 11. SEVERABILITY.

If any provision of this title or amendment made by this title, or the application of a provision or amendment to any person or circumstance, is held to be unconstitutional, the remainder of this title and amendments made by this title, and the application of the provisions and amendment to any person or circumstance, shall not be affected by the holding.

SEC. ___ 12. REVIEW OF CONSTITUTIONAL ISSUES.

An appeal may be taken directly to the Supreme Court of the United States from any final judgment, decree, or order issued by any court ruling on the constitutionality of any provision of this title or amendment made by this title.

SEC. ___ 13. EFFECTIVE DATE.

Except as otherwise provided in this title, this title and the amendments made by this take effect January 1, 1999.

SEC. ___ 14. REGULATIONS.

The Federal Election Commission shall prescribe any regulations required to carry out this title and the amendments made by this title not later than 180 days after the date of the enactment of this Act.

44. AMENDMENT BY REPRESENTATIVE SHAYS OF CONNECTICUT OR REPRESENTATIVE MEEHAN OF MASSACHUSETTS OR A DESIGNEE TO ANY OF THE FOLLOWING AMENDMENTS IN THE NATURE OF A SUBSTITUTE: AMENDMENT NUMBERED 16 BY REPRESENTATIVE WHITE, AMENDMENT NUMBERED 14 BY REPRESENTATIVE SNOWBARGER, AMENDMENT NUMBERED 2 BY REPRESENTATIVE CAMPBELL, AMENDMENT NUMBERED 12 BY REPRESENTATIVE BOB SCHAFFER, AMENDMENT NUMBERED 5 BY REPRESENTATIVE DOOLITTLE, OR AMENDMENT NUMBERED 8 BY REPRESENTATIVE HUTCHINSON AND REPRESENTATIVE ALLEN

Add at the end the following new title:

**TITLE ____—SOFT MONEY AND ISSUE
ADVOCACY**

**Subtitle A—Reduction of Special Interest
Influence**

SEC. ____01. SOFT MONEY OF POLITICAL PARTIES.

Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) is amended by adding at the end the following:

“SEC. 323. SOFT MONEY OF POLITICAL PARTIES.

“(a) NATIONAL COMMITTEES.—

“(1) IN GENERAL.—A national committee of a political party (including a national congressional campaign committee of a political party) and any officers or agents of such party committees, shall not solicit, receive, or direct to another person a contribution, donation, or transfer of funds, or spend any funds, that are not subject to the limitations, prohibitions, and reporting requirements of this Act.

“(2) APPLICABILITY.—This subsection shall apply to an entity that is directly or indirectly established, financed, maintained, or controlled by a national committee of a political party (including a national congressional campaign committee of a political party), or an entity acting on behalf of a national committee, and an officer or agent acting on behalf of any such committee or entity.

“(b) STATE, DISTRICT, AND LOCAL COMMITTEES.—

“(1) IN GENERAL.—An amount that is expended or disbursed by a State, district, or local committee of a political party (including an entity that is directly or indirectly established, financed, maintained, or controlled by a State, district, or local committee of a political party and an officer or agent acting on behalf of such committee or entity) for Federal election activity shall be made from funds subject to the limitations, prohibitions, and reporting requirements of this Act.

“(2) FEDERAL ELECTION ACTIVITY.—

“(A) IN GENERAL.—The term ‘Federal election activity’ means—

“(i) voter registration activity during the period that begins on the date that is 120 days before the date a

regularly scheduled Federal election is held and ends on the date of the election;

“(ii) voter identification, get-out-the-vote activity, or generic campaign activity conducted in connection with an election in which a candidate for Federal office appears on the ballot (regardless of whether a candidate for State or local office also appears on the ballot); and

“(iii) a communication that refers to a clearly identified candidate for Federal office (regardless of whether a candidate for State or local office is also mentioned or identified) and is made for the purpose of influencing a Federal election (regardless of whether the communication is express advocacy).

“(B) EXCLUDED ACTIVITY.—The term ‘Federal election activity’ does not include an amount expended or disbursed by a State, district, or local committee of a political party for—

“(i) campaign activity conducted solely on behalf of a clearly identified candidate for State or local office, provided the campaign activity is not a Federal election activity described in subparagraph (A);

“(ii) a contribution to a candidate for State or local office, provided the contribution is not designated or used to pay for a Federal election activity described in subparagraph (A);

“(iii) the costs of a State, district, or local political convention;

“(iv) the costs of grassroots campaign materials, including buttons, bumper stickers, and yard signs, that name or depict only a candidate for State or local office;

“(v) the non-Federal share of a State, district, or local party committee’s administrative and overhead expenses (but not including the compensation in any month of an individual who spends more than 20 percent of the individual’s time on Federal election activity) as determined by a regulation promulgated by the Commission to determine the non-Federal share of a State, district, or local party committee’s administrative and overhead expenses; and

“(vi) the cost of constructing or purchasing an office facility or equipment for a State, district or local committee.

“(c) FUNDRAISING COSTS.—An amount spent by a national, State, district, or local committee of a political party, by an entity that is established, financed, maintained, or controlled by a national, State, district, or local committee of a political party, or by an agent or officer of any such committee or entity, to raise funds that are used, in whole or in part, to pay the costs of a Federal election activity shall be made from funds subject to the limitations, prohibitions, and reporting requirements of this Act.

“(d) TAX-EXEMPT ORGANIZATIONS.—A national, State, district, or local committee of a political party (including a national congress-

sional campaign committee of a political party, an entity that is directly or indirectly established, financed, maintained, or controlled by any such national, State, district, or local committee or its agent, an agent acting on behalf of any such party committee, and an officer or agent acting on behalf of any such party committee or entity), shall not solicit any funds for, or make or direct any donations to, an organization that is described in section 501(c) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code (or has submitted an application to the Commissioner of the Internal Revenue Service for determination of tax-exemption under such section).

“(e) CANDIDATES.—

“(1) IN GENERAL.—A candidate, individual holding Federal office, or agent of a candidate or individual holding Federal office shall not solicit, receive, direct, transfer, or spend funds for a Federal election activity on behalf of such candidate, individual, agent or any other person, unless the funds are subject to the limitations, prohibitions, and reporting requirements of this Act.

“(2) STATE LAW.—Paragraph (1) does not apply to the solicitation or receipt of funds by an individual who is a candidate for a State or local office if the solicitation or receipt of funds is permitted under State law for any activity other than a Federal election activity.

“(3) FUNDRAISING EVENTS.—Paragraph (1) does not apply in the case of a candidate who attends, speaks, or is a featured guest at a fundraising event sponsored by a State, district, or local committee of a political party.”

SEC. ___02. INCREASED CONTRIBUTION LIMITS FOR STATE COMMITTEES OF POLITICAL PARTIES AND AGGREGATE CONTRIBUTION LIMIT FOR INDIVIDUALS.

(a) CONTRIBUTION LIMIT FOR STATE COMMITTEES OF POLITICAL PARTIES.—Section 315(a)(1) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(1)) is amended—

(1) in subparagraph (B), by striking “or” at the end;

(2) in subparagraph (C)—

(A) by inserting “(other than a committee described in subparagraph (D))” after “committee”; and

(B) by striking the period at the end and inserting “; or”; and

(3) by adding at the end the following:

“(D) to a political committee established and maintained by a State committee of a political party in any calendar year that, in the aggregate, exceed \$10,000”.

(b) AGGREGATE CONTRIBUTION LIMIT FOR INDIVIDUAL.—Section 315(a)(3) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(3)) is amended by striking “\$25,000” and inserting “\$30,000”.

SEC. ___03. REPORTING REQUIREMENTS.

(a) REPORTING REQUIREMENTS.—Section 304 of the Federal Election Campaign Act of 1971 (2 U.S.C. 434) (as amended by section ___13) is amended by inserting after subsection (d) the following:

“(e) POLITICAL COMMITTEES.—

“(1) NATIONAL AND CONGRESSIONAL POLITICAL COMMITTEES.—The national committee of a political party, any national congressional campaign committee of a political party, and any subordinate committee of either, shall report all receipts and disbursements during the reporting period.

“(2) OTHER POLITICAL COMMITTEES TO WHICH SECTION 323 APPLIES.—A political committee (not described in paragraph (1)) to which section 323(b)(1) applies shall report all receipts and disbursements made for activities described in paragraphs (2)(A) and (3)(B)(v) of section 323(b).

“(3) ITEMIZATION.—If a political committee has receipts or disbursements to which this subsection applies from any person aggregating in excess of \$200 for any calendar year, the political committee shall separately itemize its reporting for such person in the same manner as required in paragraphs (3)(A), (5), and (6) of subsection (b).

“(4) REPORTING PERIODS.—Reports required to be filed under this subsection shall be filed for the same time periods required for political committees under subsection (a).”

(b) BUILDING FUND EXCEPTION TO THE DEFINITION OF CONTRIBUTION.—Section 301(8)(B) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(8)(B)) is amended—

(1) by striking clause (viii); and

(2) by redesignating clauses (ix) through (xiv) as clauses (viii) through (xiii), respectively.

Subtitle B—Independent and Coordinated Expenditures

SEC. 11. DEFINITIONS.

(a) DEFINITION OF INDEPENDENT EXPENDITURE.—Section 301 of the Federal Election Campaign Act (2 U.S.C. 431) is amended by striking paragraph (17) and inserting the following:

“(17) INDEPENDENT EXPENDITURE.—

“(A) IN GENERAL.—The term ‘independent expenditure’ means an expenditure by a person—

“(i) for a communication that is express advocacy; and

“(ii) that is not provided in coordination with a candidate or a candidate’s agent or a person who is coordinating with a candidate or a candidate’s agent.”

(b) DEFINITION OF EXPRESS ADVOCACY.—Section 301 of the Federal Election Campaign Act of 1971 (2 U.S.C. 431) is amended by adding at the end the following:

“(20) EXPRESS ADVOCACY.—

“(A) IN GENERAL.—The term ‘express advocacy’ means a communication that advocates the election or defeat of a candidate by—

“(i) containing a phrase such as ‘vote for’, ‘re-elect’, ‘support’, ‘cast your ballot for’, ‘(name of candidate) for Congress’, ‘(name of candidate) in 1997’, ‘vote against’, ‘defeat’, ‘reject’, or a campaign slogan or words that in context can have no reasonable meaning other than to

advocate the election or defeat of 1 or more clearly identified candidates;

“(ii) referring to 1 or more clearly identified candidates in a paid advertisement that is transmitted through radio or television within 60 calendar days preceding the date of an election of the candidate and that appears in the State in which the election is occurring, except that with respect to a candidate for the office of Vice President or President, the time period is within 60 calendar days preceding the date of a general election; or

“(iii) expressing unmistakable and unambiguous support for or opposition to 1 or more clearly identified candidates when taken as a whole and with limited reference to external events, such as proximity to an election.

“(B) VOTING RECORD AND VOTING GUIDE EXCEPTION.—The term ‘express advocacy’ does not include a printed communication that—

“(i) presents information in an educational manner solely about the voting record or position on a campaign issue of 2 or more candidates;

“(ii) that is not made in coordination with a candidate, political party, or agent of the candidate or party; or a candidate’s agent or a person who is coordinating with a candidate or a candidate’s agent;

“(iii) does not contain a phrase such as ‘vote for’, ‘re-elect’, ‘support’, ‘cast your ballot for’, ‘(name of candidate) for Congress’, ‘(name of candidate) in 1997’, ‘vote against’, ‘defeat’, or ‘reject’, or a campaign slogan or words that in context can have no reasonable meaning other than to urge the election or defeat of 1 or more clearly identified candidates.”.

(c) DEFINITION OF EXPENDITURE.—Section 301(9)(A) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(9)(A)) is amended—

(1) in clause (i), by striking “and” at the end;

(2) in clause (ii), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(iii) a payment for a communication that is express advocacy; and

“(iv) a payment made by a person for a communication that—

“(I) refers to a clearly identified candidate;

“(II) is provided in coordination with the candidate, the candidate’s agent, or the political party of the candidate; and

“(III) is for the purpose of influencing a Federal election (regardless of whether the communication is express advocacy).”.

SEC. ___ 12. CIVIL PENALTY.

Section 309 of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g) is amended—

(1) in subsection (a)—

(A) in paragraph (4)(A)—

(i) in clause (i), by striking “clause (ii)” and inserting “clauses (ii) and (iii)”; and

(ii) by adding at the end the following:

“(iii) If the Commission determines by an affirmative vote of 4 of its members that there is probable cause to believe that a person has made a knowing and willful violation of section 304(c), the Commission shall not enter into a conciliation agreement under this paragraph and may institute a civil action for relief under paragraph (6)(A).”; and

(B) in paragraph (6)(B), by inserting “(except an action instituted in connection with a knowing and willful violation of section 304(c))” after “subparagraph (A)”; and

(2) in subsection (d)(1)—

(A) in subparagraph (A), by striking “Any person” and inserting “Except as provided in subparagraph (D), any person”; and

(B) by adding at the end the following:

“(D) In the case of a knowing and willful violation of section 304(c) that involves the reporting of an independent expenditure, the violation shall not be subject to this subsection.”.

SEC. — 13. REPORTING REQUIREMENTS FOR CERTAIN INDEPENDENT EXPENDITURES.

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

(1) in subsection (c)(2), by striking the undesignated matter after subparagraph (C);

(2) by redesignating paragraph (3) of subsection (c) as subsection (f); and

(3) by inserting after subsection (c)(2) (as amended by paragraph (1)) the following:

“(d) **TIME FOR REPORTING CERTAIN EXPENDITURES.—**

“(1) **EXPENDITURES AGGREGATING \$1,000.—**

“(A) **INITIAL REPORT.—**A person (including a political committee) that makes or contracts to make independent expenditures aggregating \$1,000 or more after the 20th day, but more than 24 hours, before the date of an election shall file a report describing the expenditures within 24 hours after that amount of independent expenditures has been made.

“(B) **ADDITIONAL REPORTS.—**After a person files a report under subparagraph (A), the person shall file an additional report within 24 hours after each time the person makes or contracts to make independent expenditures aggregating an additional \$1,000 with respect to the same election as that to which the initial report relates.

“(2) **EXPENDITURES AGGREGATING \$10,000.—**

“(A) **INITIAL REPORT.—**A person (including a political committee) that makes or contracts to make independent expenditures aggregating \$10,000 or more at any time up to and including the 20th day before the date of an election shall file a report describing the expenditures within 48

hours after that amount of independent expenditures has been made.

“(B) ADDITIONAL REPORTS.—After a person files a report under subparagraph (A), the person shall file an additional report within 48 hours after each time the person makes or contracts to make independent expenditures aggregating an additional \$10,000 with respect to the same election as that to which the initial report relates.

“(3) PLACE OF FILING; CONTENTS.—A report under this subsection—

“(A) shall be filed with the Commission; and

“(B) shall contain the information required by subsection (b)(6)(B)(iii), including the name of each candidate whom an expenditure is intended to support or oppose.”.

SEC. ___ 14. INDEPENDENT VERSUS COORDINATED EXPENDITURES BY PARTY.

Section 315(d) of the Federal Election Campaign Act (2 U.S.C. 441a(d)) is amended—

(1) in paragraph (1), by striking “and (3)” and inserting “, (3), and (4)”; and

(2) by adding at the end the following:

“(4) INDEPENDENT VERSUS COORDINATED EXPENDITURES BY PARTY.—

“(A) IN GENERAL.—On or after the date on which a political party nominates a candidate, a committee of the political party shall not make both expenditures under this subsection and independent expenditures (as defined in section 301(17)) with respect to the candidate during the election cycle.

“(B) CERTIFICATION.—Before making a coordinated expenditure under this subsection with respect to a candidate, a committee of a political party shall file with the Commission a certification, signed by the treasurer of the committee, that the committee has not and shall not make any independent expenditure with respect to the candidate during the same election cycle.

“(C) APPLICATION.—For the purposes of this paragraph, all political committees established and maintained by a national political party (including all congressional campaign committees) and all political committees established and maintained by a State political party (including any subordinate committee of a State committee) shall be considered to be a single political committee.

“(D) TRANSFERS.—A committee of a political party that submits a certification under subparagraph (B) with respect to a candidate shall not, during an election cycle, transfer any funds to, assign authority to make coordinated expenditures under this subsection to, or receive a transfer of funds from, a committee of the political party that has made or intends to make an independent expenditure with respect to the candidate.”.

SEC. ___ 15. COORDINATION WITH CANDIDATES.

(a) DEFINITION OF COORDINATION WITH CANDIDATES.—

(1) SECTION 301(8).—Section 301(8) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(8)) is amended—

(A) in subparagraph (A)—

- (i) by striking “or” at the end of clause (i);
- (ii) by striking the period at the end of clause (ii) and inserting “; or”; and
- (iii) by adding at the end the following:

“(iii) anything of value provided by a person in coordination with a candidate for the purpose of influencing a Federal election, regardless of whether the value being provided is a communication that is express advocacy, in which such candidate seeks nomination or election to Federal office.”; and

(B) by adding at the end the following:

“(C) The term ‘provided in coordination with a candidate’ includes—

“(i) a payment made by a person in cooperation, consultation, or concert with, at the request or suggestion of, or pursuant to any general or particular understanding with a candidate, the candidate’s authorized committee, or an agent acting on behalf of a candidate or authorized committee;

“(ii) a payment made by a person for the production, dissemination, distribution, or republication, in whole or in part, of any broadcast or any written, graphic, or other form of campaign material prepared by a candidate, a candidate’s authorized committee, or an agent of a candidate or authorized committee (not including a communication described in paragraph (9)(B)(i) or a communication that expressly advocates the candidate’s defeat);

“(iii) a payment made by a person based on information about a candidate’s plans, projects, or needs provided to the person making the payment by the candidate or the candidate’s agent who provides the information with the intent that the payment be made;

“(iv) a payment made by a person if, in the same election cycle in which the payment is made, the person making the payment is serving or has served as a member, employee, fundraiser, or agent of the candidate’s authorized committee in an executive or policymaking position;

“(v) a payment made by a person if the person making the payment has served in any formal policy making or advisory position with the candidate’s campaign or has participated in formal strategic or formal policymaking discussions with the candidate’s campaign relating to the candidate’s pursuit of nomination for election, or election, to Federal office, in the same election cycle as the election cycle in which the payment is made;

“(vi) a payment made by a person if, in the same election cycle, the person making the payment retains the professional services of any person that has pro-

vided or is providing campaign-related services in the same election cycle to a candidate in connection with the candidate's pursuit of nomination for election, or election, to Federal office, including services relating to the candidate's decision to seek Federal office, and the person retained is retained to work on activities relating to that candidate's campaign;

“(vii) a payment made by a person who has engaged in a coordinated activity with a candidate described in clauses (i) through (vi) for a communication that clearly refers to the candidate and is for the purpose of influencing an election (regardless of whether the communication is express advocacy);

“(viii) direct participation by a person in fundraising activities with the candidate or in the solicitation or receipt of contributions on behalf of the candidate;

“(ix) communication by a person with the candidate or an agent of the candidate, occurring after the declaration of candidacy (including a pollster, media consultant, vendor, advisor, or staff member), acting on behalf of the candidate, about advertising message, allocation of resources, fundraising, or other campaign matters related to the candidate's campaign, including campaign operations, staffing, tactics, or strategy; or

“(x) the provision of in-kind professional services or polling data to the candidate or candidate's agent.

“(D) For purposes of subparagraph (C), the term ‘professional services’ includes services in support of a candidate's pursuit of nomination for election, or election, to Federal office such as polling, media advice, direct mail, fundraising, or campaign research.

“(E) For purposes of subparagraph (C), all political committees established and maintained by a national political party (including all congressional campaign committees) and all political committees established and maintained by a State political party (including any subordinate committee of a State committee) shall be considered to be a single political committee.”.

(2) SECTION 315(a)(7).—Section 315(a)(7) (2 U.S.C. 441a(a)(7)) is amended by striking subparagraph (B) and inserting the following:

“(B) a thing of value provided in coordination with a candidate, as described in section 301(8)(A)(iii), shall be considered to be a contribution to the candidate, and in the case of a limitation on expenditures, shall be treated as an expenditure by the candidate.”.

(b) MEANING OF CONTRIBUTION OR EXPENDITURE FOR THE PURPOSES OF SECTION 316.—Section 316(b)(2) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441b(b)) is amended by striking “shall include” and inserting “includes a contribution or expenditure, as those terms are defined in section 301, and also includes”.

Subtitle C—Severability; Constitutionality; Effective Date; Regulations

SEC. ___ 21. SEVERABILITY.

If any provision of this title or amendment made by this title, or the application of a provision or amendment to any person or circumstance, is held to be unconstitutional, the remainder of this title and amendments made by this title, and the application of the provisions and amendment to any person or circumstance, shall not be affected by the holding.

SEC. ___ 22. REVIEW OF CONSTITUTIONAL ISSUES.

An appeal may be taken directly to the Supreme Court of the United States from any final judgment, decree, or order issued by any court ruling on the constitutionality of any provision of this title or amendment made by this title.

SEC. ___ 23. EFFECTIVE DATE.

Except as otherwise provided in this title, this title and the amendments made by this take effect January 1, 1999.

SEC. ___ 24. REGULATIONS.

The Federal Election Commission shall prescribe any regulations required to carry out this title and the amendments made by this title not later than 180 days after the date of the enactment of this Act.

45. AMENDMENT BY REPRESENTATIVE SHAYS OF CONNECTICUT OR REPRESENTATIVE MEEHAN OF MASSACHUSETTS OR A DESIGNEE TO ANY OF THE FOLLOWING AMENDMENTS IN THE NATURE OF A SUBSTITUTE: AMENDMENT NUMBERED 16 BY REPRESENTATIVE WHITE, AMENDMENT NUMBERED 7 BY REPRESENTATIVE FARR, AMENDMENT NUMBERED 14 BY REPRESENTATIVE SNOWBARGER, AMENDMENT NUMBERED 4 BY REPRESENTATIVE OBEY, AMENDMENT NUMBERED 2 BY REPRESENTATIVE CAMPBELL, AMENDMENT NUMBERED 15 BY REPRESENTATIVE TIERNEY, AMENDMENT NUMBERED 5 BY REPRESENTATIVE DOOLITTLE, AMENDMENT NUMBERED 8 BY REPRESENTATIVE HUTCHINSON AND REPRESENTATIVE ALLEN

Add at the end the following new title:

TITLE ___ —CODIFICATION OF BECK DECISION

SEC. ___ 01. CODIFICATION OF BECK DECISION.

Section 8 of the National Labor Relations Act (29 U.S.C. 158) is amended by adding at the end the following new subsection:

“(h) NONUNION MEMBER PAYMENTS TO LABOR ORGANIZATION.—

“(1) IN GENERAL.—It shall be an unfair labor practice for any labor organization which receives a payment from an employee pursuant to an agreement that requires employees who are not members of the organization to make payments to such organi-

zation in lieu of organization dues or fees not to establish and implement the objection procedure described in paragraph (2).

“(2) OBJECTION PROCEDURE.—The objection procedure required under paragraph (1) shall meet the following requirements:

“(A) The labor organization shall annually provide to employees who are covered by such agreement but are not members of the organization—

“(i) reasonable personal notice of the objection procedure, the employees eligible to invoke the procedure, and the time, place, and manner for filing an objection; and

“(ii) reasonable opportunity to file an objection to paying for organization expenditures supporting political activities unrelated to collective bargaining, including but not limited to the opportunity to file such objection by mail.

“(B) If an employee who is not a member of the labor organization files an objection under the procedure in subparagraph (A), such organization shall—

“(i) reduce the payments in lieu of organization dues or fees by such employee by an amount which reasonably reflects the ratio that the organization’s expenditures supporting political activities unrelated to collective bargaining bears to such organization’s total expenditures;

“(ii) provide such employee with a reasonable explanation of the organization’s calculation of such reduction, including calculating the amount of organization expenditures supporting political activities unrelated to collective bargaining.

“(3) DEFINITION.—In this subsection, the term ‘expenditures supporting political activities unrelated to collective bargaining’ means expenditures in connection with a Federal, State, or local election or in connection with efforts to influence legislation unrelated to collective bargaining.”.

46. AMENDMENT BY REPRESENTATIVE SLAUGHTER OF NEW YORK OR A DESIGNEE TO ANY OF THE FOLLOWING AMENDMENTS IN THE NATURE OF A SUBSTITUTE: AMENDMENT NUMBERED 16 BY REPRESENTATIVE WHITE, AMENDMENT NUMBERED 13 BY REPRESENTATIVE SHAYS AND REPRESENTATIVE MEEHAN, AMENDMENT NUMBERED 1 BY REPRESENTATIVE BASS, AMENDMENT NUMBERED 14 BY REPRESENTATIVE SNOWBARGER, AMENDMENT NUMBERED 4 BY REPRESENTATIVE OBEY, AMENDMENT NUMBERED 2 BY REPRESENTATIVE CAMPBELL, AMENDMENT NUMBERED 12 BY REPRESENTATIVE BOB SCHAFER, AMENDMENT NUMBERED 5 BY REPRESENTATIVE DOOLITTLE, AMENDMENT NUMBERED 8 BY REPRESENTATIVE HUTCHINSON AND REPRESENTATIVE ALLEN

Add at the end the following new title:

TITLE _____—FREE SPEECH FOR FEDERAL ELECTIONS

SEC. ____01. SENSE OF CONGRESS REGARDING FREE TELEVISION TIME FOR CANDIDATES.

(a) FINDINGS.—The Congress finds the following:

(1) The high cost of running for Federal office is contributing to public skepticism about the political process, and to lower voter turnout in elections.

(2) Television advertising is the single most expensive factor in Federal elections, and increases in the price of television advertising time are a major cause of the spiraling cost of running for Federal office.

(3) The television airwaves belong to the American people.

(4) Cable television operators benefit from the use of public rights of way.

(5) Citizens have a right under the First Amendment to information which is essential to the creation of a well-informed electorate.

(6) Broadcasters share a responsibility to promote free speech so that voters can make informed decisions when they choose their elected representatives.

(7) Free television time for candidates lessens the influence of money in politics and levels the playing field among candidates.

(8) Negative advertising in political campaigns could be reduced if candidates in political advertisements spoke to the public directly.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) each licensee for a broadcasting station and each cable operator should make available a meaningful amount of free television time to candidates for Federal office; and

(2) free television time made available to candidates for Federal office should be used solely for programming consisting of unedited segments in which the candidate speaks directly into the camera.

47. AMENDMENT BY REPRESENTATIVE LINDA SMITH OF WASHINGTON OR A DESIGNEE TO THE AMENDMENT IN THE NATURE OF A SUB- STITUTE NUMBERED 13 BY REPRESENTATIVE SHAYS AND REP- RESENTATIVE MEEHAN

Page 39, line 9, after “which” insert “requires as a condition of employment membership in the labor organization or which”.

Page 39, line 20, after “provide to” insert “members and”.

Page 39, beginning on line 24, strike “, the employees eligible to invoke the procedure,”.

Page 40, line 9, after “If” insert “a member or”.

Page 40, line 14, after “by such” insert “member or”.

Page 40, line 20, after “provide such” insert “member or”.

48. AMENDMENT BY REPRESENTATIVE LINDA SMITH OF WASHINGTON OR A DESIGNEE TO ANY OF THE FOLLOWING AMENDMENTS IN THE NATURE OF A SUBSTITUTE: AMENDMENT NUMBERED 1 BY REPRESENTATIVE BASS, OR AMENDMENT NUMBERED 8 BY REPRESENTATIVE HUTCHINSON AND REPRESENTATIVE ALLEN

Insert after title III the following new title (and redesignate the succeeding provisions accordingly):

TITLE IV—REQUIREMENTS FOR LABOR ORGANIZATIONS

SEC. 401. REQUIREMENTS FOR LABOR ORGANIZATIONS.

Section 8 of the National Labor Relations Act (29 U.S.C. 158) is amended by adding at the end the following new subsection:

“(h) NONUNION MEMBER PAYMENTS TO LABOR ORGANIZATION.—

“(1) IN GENERAL.—It shall be an unfair labor practice for any labor organization which requires as a condition of employment membership in the labor organization or which receives a payment from an employee pursuant to an agreement that requires employees who are not members of the organization to make payments to such organization in lieu of organization dues or fees not to establish and implement the objection procedure described in paragraph (2).

“(2) OBJECTION PROCEDURE.—The objection procedure required under paragraph (1) shall meet the following requirements:

“(A) The labor organization shall annually provide to members and employees who are covered by such agreement but are not members of the organization—

“(i) reasonable personal notice of the objection procedure and the time, place, and manner for filing an objection; and

“(ii) reasonable opportunity to file an objection to paying for organization expenditures supporting political activities unrelated to collective bargaining, including but not limited to the opportunity to file such objection by mail.

“(B) If a member or an employee who is not a member of the labor organization files an objection under the procedure in subparagraph (A), such organization shall—

“(i) reduce the payments in lieu of organization dues or fees by such member or employee by an amount which reasonably reflects the ratio that the organization’s expenditures supporting political activities unrelated to collective bargaining bears to such organization’s total expenditures;

“(ii) provide such member or employee with a reasonable explanation of the organization’s calculation of such reduction, including calculating the amount of organization expenditures supporting political activities unrelated to collective bargaining.

“(3) DEFINITION.—In this subsection, the term ‘expenditures supporting political activities unrelated to collective bargaining’ means expenditures in connection with a Federal, State, or local election or in connection with efforts to influence legislation unrelated to collective bargaining.”.

49. AMENDMENT BY REPRESENTATIVE LINDA SMITH OF WASHINGTON OR A DESIGNEE TO ANY OF THE FOLLOWING AMENDMENTS IN THE NATURE OF A SUBSTITUTE: AMENDMENT NUMBERED 16 BY REPRESENTATIVE WHITE, AMENDMENT NUMBERED 7 BY REPRESENTATIVE FARR, AMENDMENT NUMBERED 14 BY REPRESENTATIVE SNOWBARGER, AMENDMENT NUMBERED 4 BY REPRESENTATIVE OBEY, AMENDMENT NUMBERED 2 BY REPRESENTATIVE CAMPBELL, OR AMENDMENT NUMBERED 8 BY REPRESENTATIVE HUTCHINSON AND REPRESENTATIVE ALLEN

Add at the end the following new title:

TITLE _____—BANNING FUNDRAISING IN FEDERAL BUILDINGS

SEC. ____01. MODIFICATION OF PROHIBITION AGAINST SOLICITATION OF CAMPAIGN CONTRIBUTIONS BY FEDERAL OFFICIALS IN FEDERAL BUILDINGS.

(a) SOLICITATION OF NON-FEDERAL FUNDS.—Section 607 of title 18, United States Code, is amended—

(1) in subsection (a), by striking “within the meaning of section 301(8) of the Federal Election Campaign Act of 1971”; and

(2) by adding at the end the following new subsection:

“(c) In this section, the term ‘contribution’ means any payment of any gift, subscription, loan, advance, or deposit of money or anything of value made in support of the activities of a political committee established and maintained by a national political party, or the party, or otherwise made for purposes of influencing directly or indirectly any election for Federal office.”.

(b) CLARIFICATION OF APPLICABILITY TO SOLICITATION OF PERSONS OUTSIDE OF BUILDING AND PERSONS WHO ARE NOT FEDERAL EMPLOYEES.—Section 607(a) of title 18, United States Code, is amended by striking the period at the end of the first sentence and inserting the following: “, without regard to whether such person or the person to whom the solicitation is directed is mentioned in such section, or to whether the person to whom the solicitation is directed is in such room, building, navy yard, fort, or arsenal at the time the solicitation is made.”.

(c) TREATMENT OF ALL AREAS OF WHITE HOUSE AND VICE PRESIDENTIAL MANSION AS FEDERAL BUILDING.—The first sentence of section 607(a) of title 18, United States Code, is amended by striking “any room or building” and inserting “any room in the White House (including the Executive Residence) or the official residence of the Vice President, or in any room or building”.

50. AMENDMENT BY REPRESENTATIVE NICK SMITH OF MICHIGAN OR A DESIGNEE TO ANY OF THE FOLLOWING AMENDMENTS IN THE NATURE OF A SUBSTITUTE: AMENDMENT NUMBERED 16 BY REPRESENTATIVE WHITE, OR AMENDMENT NUMBERED 12 BY REPRESENTATIVE BOB SCHAFFER

Add at the end the following new title:

**TITLE ____—REPORTS ON FEDERAL
POLITICAL ADVERTISEMENTS**

SEC. ____ 01. REPORTS ON FEDERAL POLITICAL ADVERTISEMENTS CARRIED BY RADIO STATIONS, TELEVISION STATIONS, AND CABLE SYSTEMS.

Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) is amended by adding at the end the following new section:

“REPORTS ON FEDERAL POLITICAL ADVERTISEMENTS CARRIED BY RADIO STATIONS, TELEVISION STATIONS, AND CABLE SYSTEMS.

“SEC. 323. (a) IN GENERAL.—In such manner as the Commission shall prescribe by regulation, prior to the dissemination of any Federal political advertisement, each operator of a radio broadcasting station, television broadcasting station, or cable system shall report to the Commission the true identity of each advertiser and the cost, duration, and other appropriate information with respect to the advertisement.

“(b) FEDERAL POLITICAL ADVERTISEMENT DEFINED.—In this section, a ‘Federal political advertisement’ includes any advertisement advocating the passage or defeat of Federal legislation, any advertisement advocating the election or defeat of a candidate for Federal office, and any advertisement characterizing the positions taken by such a candidate.”.

51. AMENDMENT BY REPRESENTATIVE SNOWBARGER OF KANSAS OR A DESIGNEE TO ANY OF THE FOLLOWING AMENDMENTS IN THE NATURE OF A SUBSTITUTE: AMENDMENT NUMBERED 16 BY REPRESENTATIVE WHITE, OR AMENDMENT NUMBERED 12 BY REPRESENTATIVE BOB SCHAFFER

Add at the end the following new title:

**TITLE ____—ENHANCING
ENFORCEMENT OF CAMPAIGN LAW**

SEC. ____ 01. ENHANCING ENFORCEMENT OF CAMPAIGN FINANCE LAW.

(a) MANDATORY IMPRISONMENT FOR CRIMINAL CONDUCT.—Section 309(d)(1)(A) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g(d)(1)(A)) is amended—

(1) in the first sentence, by striking “shall be fined, or imprisoned for not more than one year, or both” and inserting “shall be imprisoned for not fewer than 1 year and not more than 10 years”; and

(2) by striking the second sentence.

(b) CONCURRENT AUTHORITY OF ATTORNEY GENERAL TO BRING CRIMINAL ACTIONS.—Section 309(d) of such Act (2 U.S.C. 437g(d)) is amended by adding at the end the following new paragraph:

“(4) In addition to the authority to bring cases referred pursuant to subsection (a)(5), the Attorney General may at any time bring a criminal action for a violation of this Act or of chapter 95 or chapter 96 of the Internal Revenue Code of 1986.”

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to actions brought with respect to elections occurring after January 1999.

52. AMENDMENT BY REPRESENTATIVE SNOWBARGER OF KANSAS OR A DESIGNEE TO ANY OF THE FOLLOWING AMENDMENTS IN THE NATURE OF A SUBSTITUTE: AMENDMENT NUMBERED 16 BY REPRESENTATIVE WHITE, OR AMENDMENT NUMBERED 12 BY REPRESENTATIVE BOB SCHAFER

Add at the end the following new title:

**TITLE _____—INCREASE IN FEC
AUTHORIZATION**

SEC. ____ 01. INCREASE IN AUTHORIZATION OF APPROPRIATIONS FOR FEDERAL ELECTION COMMISSION.

Section 314 of the Federal Election Campaign Act of 1971 (2 U.S.C. 439c) is amended by adding at the end the following new sentence: “There are authorized to be appropriated to the Commission \$60,000,000 for each of the fiscal years 1999, 2000, and 2001, of which not less than \$28,350,000 shall be used during each such fiscal year for enforcement activities.”

53. AMENDMENT BY REPRESENTATIVE THOMAS OF CALIFORNIA OR A DESIGNEE TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE NUMBERED 13 BY REPRESENTATIVE SHAYS AND REPRESENTATIVE MEEHAN

Add at the end the following new title:

**TITLE _____—BAN ON UNION ELECTION
FUNDRAISING BY PARTY OFFICIALS**

SEC. ____ 01. PROHIBITING POLITICAL PARTY OFFICIALS FROM RAISING FUNDS FOR UNION ELECTIONS.

Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) is amended by adding at the end the following new section:

“PROHIBITING UNION ELECTION FUNDRAISING BY POLITICAL PARTY
OFFICIALS

“SEC. 323. (a) IN GENERAL.—No officer or agent of a national, State, or local political party committee may solicit any funds on

behalf of a labor organization election or any candidate in such an election.

“(b) EXCEPTION FOR ELECTED OFFICIALS OF LABOR ORGANIZATION.—Subsection (a) shall not apply with respect to an officer or agent who is an elected official of a labor organization and who solicits funds with respect to an election of such organization.”.

54. AMENDMENT BY REPRESENTATIVE TRAFICANT OF OHIO OR A DESIGNEE TO ANY OF THE AMENDMENTS IN THE NATURE OF A SUBSTITUTE MADE IN ORDER UNDER H. RES. 442

Add at the end the following new title:

**TITLE ____—EXPULSION PROCEEDINGS
FOR HOUSE MEMBERS RECEIVING
FOREIGN CONTRIBUTIONS**

SEC. ____01. PERMITTING CONSIDERATION OF PRIVILEGED MOTION TO EXPEL HOUSE MEMBER ACCEPTING ILLEGAL FOREIGN CONTRIBUTION.

(a) IN GENERAL.—If a Member of the House of Representatives is convicted of a violation of section 319 of the Federal Election Campaign Act of 1971 (or any successor provision prohibiting the solicitation, receipt, or acceptance of a contribution from a foreign national), it shall be in order in the House at any time after the fifth legislative day following the date on which the Member is convicted to move to expel the Member from the House of Representatives. A motion to expel a Member under the authority of this subsection shall be highly privileged. An amendment to the motion shall not be in order, and it shall not be in order to move to reconsider the vote by which the motion was agreed to or disagreed to.

(b) EXERCISE OF RULEMAKING AUTHORITY.—This section is enacted by Congress—

(1) as an exercise of the rulemaking power of the House of Representatives, and as such it is deemed a part of the rules of the House of Representatives, and it supersedes other rules only to the extent that it is inconsistent therewith; and

(2) with full recognition of the constitutional right of the House of Representatives to change the rule at any time, in the same manner and to the same extent as in the case of any other rule of the House of Representatives.

55. AMENDMENT BY REPRESENTATIVE WHITFIELD OF KENTUCKY OR A DESIGNEE TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE NUMBERED 16 BY REPRESENTATIVE WHITE

Add at the end the following new title:

**TITLE ____—STANDARD FOR
CONSTITUTIONAL REVIEW**

**SEC. ____01. APPLICATION OF STRICT SCRUTINY AS STANDARD FOR
REVIEW.**

In any action brought to construe the constitutionality of any provision of this Act or any amendment made by this Act, the court may not find the provision or amendment to be consistent with the Constitution of the United States unless the court finds that the provision or amendment carries out a compelling governmental interest in the least restrictive manner possible.

**56. AMENDMENT BY REPRESENTATIVE WHITFIELD OF KENTUCKY OR
A DESIGNEE TO THE AMENDMENT IN THE NATURE OF A SUB-
STITUTE NUMBERED 16 BY REPRESENTATIVE WHITE**

Add at the end the following new title:

**TITLE ____—STANDARDS FOR FEC
REGULATORY ACTIVITIES**

**SEC. ____01. REQUIRING FEDERAL ELECTION COMMISSION TO OB-
SERVE FIRST AMENDMENT LIMITS IN REGULATORY AC-
TIVITIES.**

Section 307 of the Federal Election Campaign Act of 1971 (2 U.S.C. 437d) is amended by adding at the end the following new subsection:

“(f)(1) When developing prescribed forms and making, amending, or repealing rules pursuant to the authority granted to the Commission by subsection (a)(8), the Commission shall act in a manner that will have the least restrictive effect on the rights of free speech and association so protected by the First Article of Amendment to the Constitution of the United States.

“(2) When the Commission’s actions under paragraph (1) are challenged, a reviewing court shall hold unlawful and set aside any actions of the Commission that do not conform with the principles set forth in paragraph (1).”.

**57. AMENDMENT BY REPRESENTATIVE WHITFIELD OF KENTUCKY OR
A DESIGNEE TO ANY OF THE FOLLOWING AMENDMENTS IN THE NA-
TURE OF A SUBSTITUTE: AMENDMENT NUMBERED 16 BY REP-
RESENTATIVE WHITE, AMENDMENT NUMBERED 14 BY REPRESENTA-
TIVE SNOWBARGER, AMENDMENT NUMBERED 2 BY REPRESENTA-
TIVE CAMPBELL, AMENDMENT NUMBERED 12 BY REPRESENTATIVE
BOB SCHAFFER, OR AMENDMENT NUMBERED 8 BY REPRESENTA-
TIVE HUTCHINSON AND REPRESENTATIVE ALLEN**

Add at the end the following new title:

**TITLE _____—BAN ON COORDINATED
SOFT MONEY ACTIVITIES BY PRESI-
DENTIAL CANDIDATES**

**SEC. ____ 01. BAN ON COORDINATION OF SOFT MONEY FOR ISSUE AD-
VOVACY BY PRESIDENTIAL CANDIDATES RECEIVING PUB-
LIC FINANCING.**

(a) IN GENERAL.—Section 9003 of the Internal Revenue Code of 1986 (26 U.S.C. 9003) is amended by adding at the end the following new subsection:

“(f) BAN ON COORDINATION OF SOFT MONEY FOR ISSUE ADVOCACY.—

“(1) IN GENERAL.—No candidate for election to the office of President or Vice President who is certified to receive amounts from the Presidential Election Campaign Fund under this chapter or chapter 96 may coordinate the expenditure of any funds for issue advocacy with any political party unless the funds are subject to the limitations, prohibitions, and reporting requirements of the Federal Election Campaign Act of 1971.

“(2) ISSUE ADVOCACY DEFINED.—In this section, the term ‘issue advocacy’ means any activity carried out for the purpose of influencing the consideration or outcome of any Federal legislation or the issuance or outcome of any Federal regulations, or educating individuals about candidates for election for Federal office or any Federal legislation, law, or regulations (without regard to whether the activity is carried out for the purpose of influencing any election for Federal office).”

(b) EFFECTIVE DATE.—The amendment made by this section shall apply with respect to elections occurring on or after the date of the enactment of this Act.

58. AMENDMENT BY REPRESENTATIVE WHITFIELD OF KENTUCKY OR A DESIGNEE TO ANY OF THE FOLLOWING AMENDMENTS IN THE NATURE OF A SUBSTITUTE: AMENDMENT NUMBERED 16 BY REPRESENTATIVE WHITE, AMENDMENT NUMBERED 13 BY REPRESENTATIVE SHAYS AND REPRESENTATIVE MEEHAN, AMENDMENT NUMBERED 1 BY REPRESENTATIVE BASS, AMENDMENT NUMBERED 7 BY REPRESENTATIVE FARR, AMENDMENT NUMBERED 4 BY REPRESENTATIVE OBEY, AMENDMENT NUMBERED 2 BY REPRESENTATIVE CAMPBELL, AMENDMENT NUMBERED 15 BY REPRESENTATIVE TIERNEY, OR AMENDMENT NUMBERED 8 BY REPRESENTATIVE HUTCHINSON AND REPRESENTATIVE ALLEN

Add at the end the following new title:

TITLE _____—EXPEDITED COURT REVIEW

SEC. ____ 01. EXPEDITED COURT REVIEW.

(a) RIGHT TO BRING ACTION.—The Federal Election Commission, a political committee under title III of the Federal Election Campaign Act of 1971, or any individual eligible to vote in any election for the office of President of the United States may institute an ac-

tion in an appropriate district court of the United States (including an action for declaratory judgment) as may be appropriate to construe the constitutionality of any provision of this Act or any amendment made by this Act.

(b) HEARING BY THREE-JUDGE COURT.—Upon the institution of an action described in subsection (a), a district court of three judges shall immediately be convened to decide the action pursuant to section 2284 of title 28, United States Code. Such action shall be advanced on the docket and expedited to the greatest extent possible.

(c) APPEAL OF INITIAL DECISION TO SUPREME COURT.—An appeal may be taken directly to the Supreme Court of the United States from any interlocutory order or final judgment, decree, or order issued by the court of 3 judges convened pursuant to subsection (b) in an action described in subsection (a). Such appeal shall be brought not later than 20 days after the issuance by the court of the judgment, decree, or order.

(d) EXPEDITED REVIEW BY SUPREME COURT.—The Supreme Court shall accept jurisdiction over, advance on the docket, and expedite to the greatest extent possible an appeal taken pursuant to subsection (c).

59. AMENDMENT BY REPRESENTATIVE WICKER OF MISSISSIPPI OR A DESIGNEE TO ANY OF THE FOLLOWING AMENDMENTS IN THE NATURE OF A SUBSTITUTE: AMENDMENT NUMBERED 13 BY REPRESENTATIVE SHAYS AND REPRESENTATIVE MEEHAN, AMENDMENT NUMBERED 1 BY REPRESENTATIVE BASS, AMENDMENT NUMBERED 7 BY REPRESENTATIVE FARR, AMENDMENT NUMBERED 4 BY REPRESENTATIVE OBEY, AMENDMENT NUMBERED 2 BY REPRESENTATIVE CAMPBELL, AMENDMENT NUMBERED 15 BY REPRESENTATIVE TIERNEY, OR AMENDMENT NUMBERED 8 BY REPRESENTATIVE HUTCHINSON AND REPRESENTATIVE ALLEN

Add at the end the following new title:

**TITLE ____—PROHIBITING USE OF
WHITE HOUSE MEALS AND ACCOM-
MODATIONS FOR POLITICAL FUND-
RAISING**

**SEC. ____01. PROHIBITING USE OF WHITE HOUSE MEALS AND ACCOM-
MODATIONS FOR POLITICAL FUNDRAISING.**

(a) IN GENERAL.—Chapter 29 of title 18, United States Code, is amended by adding at the end the following new section:

**“§ 612. Prohibiting use of meals and accommodations at
White House for political fundraising.**

“(a) It shall be unlawful for any person to provide or offer to provide any meals or accommodations at the White House in exchange for any money or other thing of value, or as a reward for the provision of any money or other thing of value, in support of any political party or the campaign for electoral office of any candidate.

“(b) Any person who violates this section shall be fined under this title or imprisoned not more than three years, or both.

“(c) For purposes of this section, any official residence or retreat of the President (including private residential areas and the grounds of such a residence or retreat) shall be treated as part of the White House.”.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 29 of title 18, United States Code, is amended by adding at the end the following new item:

“612. Prohibiting use of meals and accommodations at white house for political fundraising.”.

60. AMENDMENT BY REPRESENTATIVE WICKER OF MISSISSIPPI OR A DESIGNEE TO ANY OF THE FOLLOWING AMENDMENTS IN THE NATURE OF A SUBSTITUTE: AMENDMENT NUMBERED 13 BY REPRESENTATIVE SHAYS AND REPRESENTATIVE MEEHAN, AMENDMENT NUMBERED 1 BY REPRESENTATIVE BASS, AMENDMENT NUMBERED 7 BY REPRESENTATIVE FARR, AMENDMENT NUMBERED 4 BY REPRESENTATIVE OBEY, AMENDMENT NUMBERED 2 BY REPRESENTATIVE CAMPBELL, AMENDMENT NUMBERED 15 BY REPRESENTATIVE TIERNEY, OR AMENDMENT NUMBERED 8 BY REPRESENTATIVE HUTCHINSON AND REPRESENTATIVE ALLEN

TITLE ___ —PHOTO IDENTIFICATION REQUIREMENT FOR VOTERS

SEC. ___ 01. PERMITTING STATE TO REQUIRE VOTERS TO PRODUCE PHOTOGRAPHIC IDENTIFICATION.

Section 8 of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg-6) is amended—

- (1) by redesignating subsection (j) as subsection (k); and
- (2) by inserting after subsection (i) the following new subsection:

“(i) PERMITTING STATES TO REQUIRE VOTERS TO PRODUCE PHOTO IDENTIFICATION.—A State may require an individual to produce a valid photographic identification before receiving a ballot for voting in an election for Federal office.”.