

111TH CONGRESS  
2D SESSION

# H. R. 6286

To amend the Federal Election Campaign Act of 1971 to repeal the limitation on the annual aggregate amount of contributions individuals may make to candidates for election for Federal office, to repeal the limitations on the amount of coordinated expenditures by political parties, and to protect uncompensated Internet activity by individuals from treatment as a contribution or expenditure under the Act.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 29, 2010

Mr. COLE introduced the following bill; which was referred to the Committee on House Administration

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## A BILL

To amend the Federal Election Campaign Act of 1971 to repeal the limitation on the annual aggregate amount of contributions individuals may make to candidates for election for Federal office, to repeal the limitations on the amount of coordinated expenditures by political parties, and to protect uncompensated Internet activity by individuals from treatment as a contribution or expenditure under the Act.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Free Speech and Cit-  
3 izen Fairness Act of 2010”.

4 **SEC. 2. REPEAL OF ANNUAL AGGREGATE LIMIT ON**  
5 **AMOUNT OF CONTRIBUTIONS BY INDIVID-**  
6 **UALS.**

7 (a) IN GENERAL.—Section 315(a) of the Federal  
8 Election Campaign Act of 1971 (2 U.S.C. 441a(a)) is  
9 amended by striking paragraph (3).

10 (b) CONFORMING AMENDMENTS.—Section 315(c) of  
11 such Act (2 U.S.C. 441a(c)) is amended—

12 (1) in paragraph (1)(B)(i), by striking  
13 “(a)(3),”;

14 (2) in paragraph (1)(C), by striking “(a)(3),”;  
15 and

16 (3) in paragraph (2)(B)(ii), by striking  
17 “(a)(3),”.

18 **SEC. 3. REPEAL OF LIMITATIONS ON AMOUNT OF COORDI-**  
19 **NATED EXPENDITURES BY POLITICAL PAR-**  
20 **TIES.**

21 (a) IN GENERAL.—Section 315(d) of the Federal  
22 Election Campaign Act of 1971 (2 U.S.C. 441a(d)) is  
23 amended—

24 (1) by striking “(d)(1)” and inserting “(d)”;

1           (2) by striking “, subject to the limitations con-  
2           tained in paragraphs (2), (3), and (4) of this sub-  
3           section”; and

4           (3) by striking paragraphs (2), (3), and (4).

5           (b) CONFORMING AMENDMENTS.—Section 315(c) of  
6 such Act (2 U.S.C. 441a(c)) is amended—

7           (1) in paragraph (1)(B)(i), by striking “(d),”;  
8           and

9           (2) in paragraph (2)(B)(i), by striking “sub-  
10          sections (b) and (d),” and inserting “subsection  
11          (b),”.

12 **SEC. 4. BLOGGER PROTECTION.**

13          (a) EXEMPTION OF UNCOMPENSATED INDIVIDUAL  
14 INTERNET ACTIVITY FROM TREATMENT AS CONTRIBU-  
15 TION OR EXPENDITURE.—

16           (1) EXEMPTIONS.—

17           (A) EXEMPTION FROM TREATMENT AS  
18 CONTRIBUTION.—Section 301(8)(B) of the Fed-  
19 eral Election Campaign Act of 1971 (2 U.S.C.  
20 431(8)(B)) is amended—

21           (i) by striking “and” at the end of  
22           clause (xiii);

23           (ii) by striking the period at the end  
24           of clause (xiv) and inserting “; and”; and

1 (iii) by adding at the end the fol-  
2 lowing new clause:

3 “(xv) any uncompensated personal services re-  
4 lated to Internet activities, or use of equipment or  
5 services for uncompensated Internet activities, that  
6 are engaged in by any individual, group of individ-  
7 uals, or corporation wholly owned by one or more in-  
8 dividuals that engages primarily in Internet activi-  
9 ties and does not derive a substantial portion of its  
10 revenue from sources other than income from its  
11 Internet activities, other than—

12 “(I) any payment for a public communica-  
13 tion (other than a nominal fee),

14 “(II) any payment for the purchase or  
15 rental of an email address list made at the di-  
16 rection of a political committee, or

17 “(III) any payment for an email address  
18 list that is transferred to a political com-  
19 mittee.”.

20 (B) EXEMPTION FROM TREATMENT AS EX-  
21 PENDITURE.—Section 301(9)(B) of such Act (2  
22 U.S.C. 431(9)(B)) is amended—

23 (i) by striking “and” at the end of  
24 clause (ix);

1 (ii) by striking the period at the end  
2 of clause (x) and inserting “; and”; and

3 (iii) by adding at the end the fol-  
4 lowing new clause:

5 “(xi) any uncompensated personal services re-  
6 lated to Internet activities, or use of equipment or  
7 services for uncompensated Internet activities, that  
8 are engaged in by any individual, group of individ-  
9 uals, or corporation wholly owned by one or more in-  
10 dividuals that engages primarily in Internet activi-  
11 ties and does not derive a substantial portion of its  
12 revenue from sources other than income from its  
13 Internet activities, other than—

14 “(I) any payment for a public communica-  
15 tion (other than a nominal fee),

16 “(II) any payment for the purchase or  
17 rental of an email address list made at the di-  
18 rection of a political committee, or

19 “(III) any payment for an email address  
20 list that is transferred to a political com-  
21 mittee.”.

22 (2) INTERNET ACTIVITY DEFINED.—Section  
23 301 of such Act (2 U.S.C. 431) is amended by add-  
24 ing at the end the following new paragraph:

1           “(27) INTERNET ACTIVITY.—The term ‘Internet ac-  
2 tivity’ includes sending or forwarding electronic messages,  
3 providing a hyperlink or other direct access to another per-  
4 son’s Web site, blogging, creating, maintaining, or hosting  
5 a Web site, paying a nominal fee for the use of another  
6 person’s Web site, and any other form of communication  
7 distributed over the Internet.”.

8           (b) COVERAGE OF BLOGS AND OTHER INTERNET  
9 AND ELECTRONIC PUBLICATIONS UNDER GENERAL  
10 MEDIA EXEMPTION.—Section 301(9)(B)(i) of such Act (2  
11 U.S.C. 431(9)(B)(i)) is amended by inserting “including  
12 any Internet or electronic publication (including a blog),”  
13 after “periodical publication,”.

14 **SEC. 5. EFFECTIVE DATE.**

15           The amendments made by this Act shall apply with  
16 respect to expenditures and disbursements made during  
17 2010 or any succeeding year.

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