

105TH CONGRESS
1ST SESSION

H. R. 1303

To amend the Federal Election Campaign Act of 1971 to reform the financing of campaigns for election for Federal office, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 10, 1997

Mr. PORTMAN introduced the following bill; which was referred to the Committee on House Oversight, and in addition to the Committees on Education and the Workforce, Government Reform and Oversight, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Federal Election Campaign Act of 1971 to reform the financing of campaigns for election for Federal office, and for other purposes.

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

3 **SECTION 1. SHORT TITLE; REFERENCES IN ACT; TABLE OF**
4 **CONTENTS.**

5 (a) SHORT TITLE.—This Act may be cited as the
6 “Restoring Trust in Government Act of 1997”.

7 (b) REFERENCES IN ACT.—Except as otherwise spe-
8 cifically provided, whenever in this Act an amendment is

1 expressed in terms of an amendment to or repeal of a sec-
 2 tion or other provision, the reference shall be considered
 3 to be made to that section or other provision of the Fed-
 4 eral Election Campaign Act of 1971.

5 (c) TABLE OF CONTENTS.—The table of contents of
 6 this Act is as follows:

Sec. 1. Short title; references in act; table of contents.

TITLE I—REFORM OF FINANCING OF CAMPAIGNS

Subtitle A—Ban on Activities of Political Action Committees

Sec. 101. Ban on activities of political action committees in Federal elections.

Sec. 102. Rules applicable when ban not in effect.

Subtitle B—Restrictions on Other Contributions

Sec. 111. Limit on contributions to congressional candidates from out-of-area residents.

Sec. 112. Prohibiting use of non-Federal funds in Federal elections by national political parties.

Sec. 113. Expanding ban on solicitation of contributions at Federal workplace to solicitation of soft money.

Sec. 114. Prohibiting contributions by noncitizen individuals.

TITLE II—STRENGTHENING REPORTING AND DISCLOSURE

Sec. 201. Contributions through intermediaries and conduits.

Sec. 202. Reporting requirement for soft money of persons other than national political parties.

Sec. 203. Clarification of independent expenditures required to be reported.

Sec. 204. Permitting filing of reports by principal committees on monthly basis.

Sec. 205. Disclosure of candidate and committee information in campaign advertising.

Sec. 206. Use of candidate's name by authorized committee.

TITLE III—INCREASING COMPETITION BETWEEN INCUMBENTS AND CHALLENGERS

Sec. 301. Ban on franking for unsolicited mass mailings.

TITLE IV—STRENGTHENING ENFORCEMENT POWERS OF FEDERAL ELECTION COMMISSION

Sec. 401. Authority to conduct random audits.

Sec. 402. Authority to seek injunctions.

Sec. 403. Expedited response to complaints.

Sec. 404. Independent litigation authority.

Sec. 405. Effective date.

TITLE V—WORKER RIGHT TO KNOW

Sec. 501. Findings.
 Sec. 502. Purpose.
 Sec. 503. Worker choice.
 Sec. 504. Worker consent.
 Sec. 505. Worker notice.
 Sec. 506. Disclosure to workers.
 Sec. 507. Construction.
 Sec. 508. Effective date.

TITLE VI—MISCELLANEOUS AND GENERAL PROVISIONS

Sec. 601. Term limits for FEC commissioners.
 Sec. 602. Expedited court review.
 Sec. 603. Issuance of regulations.
 Sec. 604. Effective date.

1 **TITLE I—REFORM OF** 2 **FINANCING OF CAMPAIGNS** 3 **Subtitle A—Ban on Activities of** 4 **Political Action Committees**

5 **SEC. 101. BAN ON ACTIVITIES OF POLITICAL ACTION COM-** 6 **MITTEES IN FEDERAL ELECTIONS.**

7 (a) IN GENERAL.—Title III (2 U.S.C. 431 et seq.)
 8 is amended by adding at the end the following new section:

9 “BAN ON FEDERAL ELECTION ACTIVITIES BY POLITICAL
 10 ACTION COMMITTEES

11 “SEC. 323. Notwithstanding any other provision of
 12 this Act, no person other than an individual or a political
 13 committee may make contributions, solicit or receive con-
 14 tributions, or make expenditures for the purpose of influ-
 15 encing an election for Federal office.”.

16 (b) DEFINITION OF POLITICAL COMMITTEE.—Sec-
 17 tion 301(4) (2 U.S.C. 431(4)) is amended to read as fol-
 18 lows:

1 “(4) The term ‘political committee’ means—

2 “(A) the principal campaign committee of a
3 candidate;

4 “(B) any national, State, or district committee
5 of a political party, including any subordinate com-
6 mittee thereof;

7 “(C) any local committee of a political party
8 which—

9 “(i) receives contributions aggregating in
10 excess of \$5,000 during a calendar year;

11 “(ii) makes payments exempted from the
12 definition of contribution or expenditure under
13 paragraph (8) or (9) aggregating in excess of
14 \$5,000 during a calendar year; or

15 “(iii) makes contributions or expenditures
16 aggregating in excess of \$1,000 during a cal-
17 endar year; and

18 “(D) any committee jointly established by a
19 principal campaign committee and any committee
20 described in subparagraph (B) or (C) for the pur-
21 pose of conducting joint fundraising activities.”.

22 (c) CANDIDATE’S COMMITTEES.—(1) Section 315(a)
23 (2 U.S.C. 441a(a)) is amended by adding at the end the
24 following new paragraph:

1 “(9) For the purposes of the limitations provided by
 2 paragraphs (1) and (2), any political committee which is
 3 established or financed or maintained or controlled by any
 4 candidate or Federal officeholder shall be deemed to be
 5 an authorized committee of such candidate or office-
 6 holder.”.

7 (2) Section 302(e)(3) (2 U.S.C. 432(e)(3)) is amend-
 8 ed to read as follows:

9 “(3) No political committee that supports or has sup-
 10 ported more than one candidate may be designated as an
 11 authorized committee, except that—

12 “(A) a candidate for the office of President
 13 nominated by a political party may designate the na-
 14 tional committee of such political party as the can-
 15 didate’s principal campaign committee, but only if
 16 that national committee maintains separate books of
 17 account with respect to its functions as a principal
 18 campaign committee; and

19 “(B) a candidate may designate a political com-
 20 mittee established solely for the purpose of joint
 21 fundraising by such candidates as an authorized
 22 committee.”.

23 **SEC. 102. RULES APPLICABLE WHEN BAN NOT IN EFFECT.**

24 For purposes of the Federal Election Campaign Act
 25 of 1971, during any period after the effective date of this

1 title in which the limitation on making contributions under
 2 section 323 of that Act (as added by section 101(a)) is
 3 not in effect—

4 (1) the amendments made by section 101 shall
 5 not be in effect; and

6 (2) the limitation amount under section
 7 315(a)(2)(A) of the Federal Election Campaign Act
 8 of 1971 (2 U.S.C. 441a(a)(2)(A)) shall be \$1,000.

9 **Subtitle B—Restrictions on Other** 10 **Contributions**

11 **SEC. 111. LIMIT ON CONTRIBUTIONS TO CONGRESSIONAL** 12 **CANDIDATES FROM OUT-OF-AREA RESI-** 13 **DENTS.**

14 Section 315 (2 U.S.C. 441a) is amended by adding
 15 at the end the following new subsection:

16 “(i)(1) A candidate for the office of Senator or Rep-
 17 resentative in, or Delegate or Resident Commissioner to,
 18 the Congress may not accept contributions with respect
 19 to the election from persons other than local individual
 20 residents totaling in excess of 40 percent of the total of
 21 contributions accepted from all persons.

22 “(2) As used in this subsection, the term ‘local indi-
 23 vidual resident’ means—

1 “(A) with respect to an election for the office
2 of Senator, an individual who resides in the State in-
3 volved; or

4 “(B) with respect to an election for the office
5 of Representative in, or Delegate or Resident Com-
6 missioner to, the Congress, an individual who resides
7 in the congressional district involved.”.

8 **SEC. 112. PROHIBITING USE OF NON-FEDERAL FUNDS IN**
9 **FEDERAL ELECTIONS BY NATIONAL POLITI-**
10 **CAL PARTIES.**

11 Title III (2 U.S.C. 431 et seq.), as amended by sec-
12 tion 101(a), is further amended by adding at the end the
13 following new section:

14 “RESTRICTIONS ON USE OF NON-FEDERAL FUNDS BY
15 NATIONAL POLITICAL PARTIES

16 “SEC. 324. (a) IN GENERAL.—No funds may be ex-
17 pended by a political committee of a national political
18 party for the purpose of influencing an election for Fed-
19 eral office unless the funds are subject to the limitations,
20 prohibitions, and reporting requirements of this title.

21 “(b) RULE OF CONSTRUCTION.—Nothing in this sec-
22 tion may be construed to prohibit the expenditure of funds
23 which are not subject to the limitations, prohibitions, and
24 reporting requirements of this title by a political commit-
25 tee of a national political party for get-out-the-vote activi-

1 ties or other party-building activities which are not for the
 2 purpose of influencing an election for Federal office.”.

3 **SEC. 113. EXPANDING BAN ON SOLICITATION OF CON-**
 4 **TRIBUTIONS AT FEDERAL WORKPLACE TO**
 5 **SOLICITATION OF SOFT MONEY.**

6 Section 607 of title 18, United States Code, is
 7 amended by striking “any contribution within the meaning
 8 of section 301(8) of the Federal Election Campaign Act
 9 of 1971” and inserting “any funds which are intended to
 10 influence an election for Federal office (without regard to
 11 whether the funds involved are intended to influence other
 12 elections in addition to an election for Federal office)”.

13 **SEC. 114. PROHIBITING CONTRIBUTIONS BY NONCITIZEN**
 14 **INDIVIDUALS.**

15 (a) IN GENERAL.—Section 319(b)(2) (2 U.S.C.
 16 441e(b)(2)) is amended by striking “and who is not law-
 17 fully admitted” and all that follows and inserting a period.

18 (b) EFFECTIVE DATE.—The amendment made by
 19 subsection (a) shall apply with respect to contributions
 20 made on or after the date of the enactment of this Act.

1 **TITLE II—STRENGTHENING**
2 **REPORTING AND DISCLOSURE**

3 **SEC. 201. CONTRIBUTIONS THROUGH INTERMEDIARIES**
4 **AND CONDUITS.**

5 Section 315(a)(8) (2 U.S.C. 441a(a)(8)) is amended
6 to read as follows:

7 “(8)(A) For purposes of the limitations imposed by
8 this section, all contributions made by a person, either di-
9 rectly or indirectly, on behalf of a particular candidate,
10 including contributions which are in any way earmarked
11 or otherwise directed through an intermediary or conduit
12 to such candidate, shall be treated as contributions from
13 such person to such candidate. The intermediary or con-
14 duit shall report the original source and the intended re-
15 cipient of such contribution to the Commission and to the
16 intended recipient.

17 “(B) Any contribution that a bundler delivers to a
18 candidate or the candidate’s authorized committee shall
19 be treated as a contribution from the bundler to the can-
20 didate as well as from the original contributor if the con-
21 tribution is in the form of a check made payable to the
22 bundler.

23 “(C) For purposes of this paragraph, a ‘bundler’
24 means any of the following intermediaries or conduits
25 which delivers contributions from others:

1 “(i) A political committee (other than the au-
2 thorized campaign committee of the candidate re-
3 ceiving the funds).

4 “(ii) A corporation, labor organization, or part-
5 nership.

6 “(iii) A person whose activities are required to
7 be reported under the Lobbying Disclosure Act of
8 1995 or a person whose activities are required to be
9 reported pursuant to any successor Federal law
10 which requires reporting on the activities of person
11 who is a lobbyist or foreign agent.

12 “(iv) Any officer, employee, or agent acting on
13 behalf of any entity described in any of the preced-
14 ing clauses.”.

15 **SEC. 202. REPORTING REQUIREMENT FOR SOFT MONEY OF**
16 **PERSONS OTHER THAN NATIONAL POLITICAL**
17 **PARTIES.**

18 Section 304 (2 U.S.C. 434) is amended by adding
19 at the end the following new subsection:

20 “(d)(1)(A) If any person to which section 324 does
21 not apply (other than a candidate or a candidate’s author-
22 ized committee) makes or obligates to make disbursements
23 for activities described in paragraph (3) in excess of
24 \$2,000 (other than a disbursement consisting of an inde-

1 pendent expenditure described in section 301(17)), the
2 person shall file a statement—

3 “(i) within 48 hours after the disbursements (or
4 obligations) are made; or

5 “(ii) in the case of disbursements (or obliga-
6 tions) that are made within 20 days of the election
7 involved, within 24 hours after such disbursement
8 (or obligations) are made.

9 “(B) An additional statement shall be filed each time
10 additional disbursements aggregating \$2,000 are made (or
11 obligated to be made) by a person described in clause (i).

12 “(2) Any statement filed under this subsection shall
13 be filed with the Commission and shall contain such infor-
14 mation as the Commission shall prescribe, including
15 whether the disbursement is in support of, or in opposition
16 to, 1 or more candidates or any political party.

17 “(3) An activity described in this paragraph is any
18 activity which may affect the outcome of a Federal elec-
19 tion, including any voter registration and get-out-the-vote
20 activity, any generic campaign activity, and any commu-
21 nication that identifies a Federal candidate (regardless of
22 whether a State or local candidate is also mentioned or
23 identified).”.

1 **SEC. 203. CLARIFICATION OF INDEPENDENT EXPENDI-**
2 **TURES REQUIRED TO BE REPORTED.**

3 Section 301(17) is amended—

4 (1) by striking “by a person expressly advocat-
5 ing” and inserting “containing express advocacy of”;
6 and

7 (2) by adding at the end the following: “Such
8 term does not include any expenditure by a person
9 who, with respect to a candidate for the election in-
10 volved, has raised or expended funds on behalf of the
11 candidate, or holds an executive or policymaking po-
12 sition with the candidate’s authorized committee.”.

13 **SEC. 204. PERMITTING FILING OF REPORTS BY PRINCIPAL**
14 **COMMITTEES ON MONTHLY BASIS.**

15 Section 304(a)(2)(A)(iii) (2 U.S.C. 434(a)(2)(A)(iii))
16 is amended—

17 (1) by striking “(iii)” and inserting “(iii)(I)”;
18 and

19 (2) by striking “; and” and inserting the follow-
20 ing: “, or (II) at the option of the committee, addi-
21 tional monthly reports, which shall be filed no later
22 than the 15th and which shall be complete as of the
23 last day of the month: except that the report for De-
24 cember shall be filed no later than January 31 of
25 the following calendar year; and”.

1 **SEC. 205. DISCLOSURE OF CANDIDATE AND COMMITTEE IN-**
2 **FORMATION IN CAMPAIGN ADVERTISING.**

3 Section 318 (2 U.S.C. 441d) is amended by adding
4 at the end the following new subsection:

5 “(c) In addition to any other requirements imposed
6 under this section, any advertisement broadcast on radio
7 or television on behalf of a candidate shall include an
8 audio statement identifying by name the candidate and the
9 political committee responsible for the content of the ad-
10 vertisement.”.

11 **SEC. 206. USE OF CANDIDATE’S NAME BY AUTHORIZED**
12 **COMMITTEE.**

13 Section 302 (2 U.S.C. 432) is amended by adding
14 at the end the following new subsection:

15 “(j)(1) At the time a political committee files its ini-
16 tial statement of registration with the Commission, it shall
17 identify by name the candidate on whose behalf it is orga-
18 nized.

19 “(2) No political committee may include a candidate’s
20 name in its name unless the committee is an authorized
21 committee of the candidate.”.

1 **TITLE III—INCREASING COM-**
2 **PETITION BETWEEN INCUM-**
3 **BENTS AND CHALLENGERS**

4 **SEC. 301. BAN ON FRANKING FOR UNSOLICITED MASS**
5 **MAILINGS.**

6 (a) IN GENERAL.—Section 3210(a)(6)(A) of title 39,
7 United States Code, is amended by striking “franked
8 mail—” and all that follows and inserting “franked
9 mail.”.

10 (b) CONFORMING AMENDMENTS.—Section
11 3210(a)(6) of title 39, United States Code, is amended—

12 (1) by striking subparagraph (C); and

13 (2) by striking the second sentence of subpara-
14 graph (D).

15 **TITLE IV—STRENGTHENING EN-**
16 **FORCEMENT POWERS OF**
17 **FEDERAL ELECTION COMMIS-**
18 **SION**

19 **SEC. 401. AUTHORITY TO CONDUCT RANDOM AUDITS.**

20 Section 311(b) (2 U.S.C. 438(b)) is amended—

21 (1) by inserting “(1)” before “The Commis-
22 sion”; and

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

1 “(2) Notwithstanding paragraph (1), the Commission
2 may conduct random audits and investigations to ensure
3 voluntary compliance with this Act. The subjects of such
4 audits and investigations shall be selected on the basis of
5 criteria established by vote of at least 4 members of the
6 Commission to ensure impartiality in the selection process.
7 This paragraph does not apply to an authorized committee
8 of a candidate for President or Vice President subject to
9 audit under chapter 95 or 96 of the Internal Revenue
10 Code of 1986.”.

11 **SEC. 402. AUTHORITY TO SEEK INJUNCTIONS.**

12 (a) IN GENERAL.—Section 309(a) of the Federal
13 Election Campaign Act of 1971 (2 U.S.C. 437g(a)) is
14 amended by adding at the end the following new para-
15 graph:

16 “(13)(A) If, at any time in a proceeding described
17 in paragraph (1), (2), (3), or (4), the Commission believes
18 that—

19 “(i) there is a substantial likelihood that a vio-
20 lation of this Act is occurring or is about to occur;

21 “(ii) the failure to act expeditiously will result
22 in irreparable harm to a party affected by the poten-
23 tial violation;

24 “(iii) expeditious action will not cause undue
25 harm or prejudice to the interests of others; and

1 “(iv) the public interest would be best served by
 2 the issuance of an injunction,
 3 the Commission may initiate a civil action for a temporary
 4 restraining order or a temporary injunction pending the
 5 outcome of the proceedings described in paragraphs (1),
 6 (2), (3), and (4).

7 “(B) An action under subparagraph (A) shall be
 8 brought in the United States district court for the district
 9 in which the defendant resides, transacts business, or may
 10 be found, or in which the violation is occurring, has oc-
 11 curred, or is about to occur.”;

12 (b) CONFORMING AMENDMENTS.—Section 309(a) (2
 13 U.S.C. 437g(a)) is amended—

14 (2) in paragraph (7), by striking “(5) or (6)”
 15 and inserting “(5), (6), or (13)”; and

16 (3) in paragraph (11), by striking “(6)” and in-
 17 serting “(6) or (13)”.

18 **SEC. 403. EXPEDITED RESPONSE TO COMPLAINTS.**

19 Section 309(a) (2 U.S.C. 437g(a)), as amended by
 20 section 402(a), is further amended by adding at the end
 21 the following new paragraph:

22 “(14)(A) If the complaint in a proceeding was filed
 23 within 60 days immediately preceding a general election,
 24 the Commission may take action described in this sub-
 25 paragraph.

1 “(B) If the Commission determines, on the basis of
2 facts alleged in the complaint and other facts available to
3 it, that there is clear and convincing evidence that a viola-
4 tion of this Act has occurred, is occurring, or is about to
5 occur and it appears that the requirements for relief stat-
6 ed in paragraph (13)(A) are met, the Commission may—

7 “(i) order expedited proceedings, shortening the
8 time periods for proceedings under paragraphs (1),
9 (2), (3), and (4) as necessary to allow the matter to
10 be resolved in sufficient time before the election to
11 avoid harm or prejudice to the interests of the par-
12 ties; or

13 “(ii) if the Commission determines that there is
14 insufficient time to conduct proceedings before the
15 election, immediately seek relief under paragraph
16 (13)(A).

17 “(C) If the Commission determines, on the basis of
18 facts alleged in the complaint and other facts available to
19 it, that the complaint is clearly without merit, the Com-
20 mission may—

21 “(i) order expedited proceedings, shortening the
22 time periods for proceedings under paragraphs (1),
23 (2), (3), and (4) as necessary to allow the matter to
24 be resolved in sufficient time before the election to

1 avoid harm or prejudice to the interests of the par-
 2 ties; or

3 “(ii) if the Commission determines that there is
 4 insufficient time to conduct proceedings before the
 5 election, summarily dismiss the complaint.”.

6 **SEC. 404. INDEPENDENT LITIGATION AUTHORITY.**

7 Section 306(f)(4) (2 U.S.C. 437c(f)(4)) is amended
 8 to read as follows:

9 “(4)(A) Notwithstanding the provisions of paragraph
 10 (2) or of any other provision of law, the Commission is
 11 authorized to appear on its own behalf in any action relat-
 12 ed to the exercise of its statutory duties or powers in any
 13 court as either a party or as *amicus curiae*, either—

14 “(i) by attorneys employed in its office, or

15 “(ii) by counsel whom it may appoint, on a
 16 temporary basis as may be necessary for such pur-
 17 pose, without regard to the provisions of title 5,
 18 United States Code, governing appointments in the
 19 competitive service, and whose compensation it may
 20 fix without regard to the provisions of chapter 51
 21 and subchapter III of chapter 53 of such title, and
 22 whose compensation shall be paid out of any funds
 23 otherwise available to pay the compensation of em-
 24 ployees of the Commission.

1 “(B) The authority granted under subparagraph (A)
2 includes the power to appeal from, and petition the Su-
3 preme Court for certiorari to review, judgments or decrees
4 entered with respect to actions in which the Commission
5 appears pursuant to the authority provided in this
6 section.”.

7 **SEC. 405. EFFECTIVE DATE.**

8 The amendments made by this title shall take effect
9 January 1, 1998.

10 **TITLE V—WORKER RIGHT TO**
11 **KNOW**

12 **SEC. 501. FINDINGS.**

13 The Congress finds the following:

14 (1) The United States Supreme Court an-
15 nounced in the landmark decision, Communications
16 Workers of America v. Beck (487 U.S. 735), that
17 employees who work under a union security agree-
18 ment, and are required to pay union dues as a con-
19 dition of employment, may not be forced to contrib-
20 ute through such dues to union-supported political,
21 legislative, social, or charitable causes with which
22 they disagree, and may only be required to pay dues
23 related to collective bargaining, contract administra-
24 tion, and grievance adjustment necessary to per-
25 forming the duties of exclusive representation.

1 (2) Little action has been taken by the National
2 Labor Relations Board to facilitate the ability of em-
3 ployees to exercise their right to object to the use of
4 their union dues for political, legislative, social, or
5 charitable purposes, or other activities not necessary
6 to performing the duties of the exclusive representa-
7 tive of employees in dealing with the employer on
8 labor-management issues, and the Board only re-
9 cently issued its first ruling implementing the Beck
10 decision nearly 8 years after the Supreme Court is-
11 sued the opinion.

12 (3) The evolution of the right enunciated in the
13 Beck decision has diminished its meaningfulness be-
14 cause employees are forced to forego critical work-
15 place rights bearing on their economic well-being in
16 order to object to the use of their dues for purposes
17 unrelated to collective bargaining, to rely on the very
18 organization they are challenging to make the deter-
19 mination regarding the amount of dues necessary to
20 the union's representational function, and do not
21 have access to clear and concise financial records
22 that provide an accurate accounting of how union
23 dues are spent.

1 **SEC. 502. PURPOSE.**

2 The purpose of this title is to ensure that workers
3 who are required to pay union dues as a condition of em-
4 ployment have adequate information about how the money
5 they pay in dues to a union is spent and to remove obsta-
6 cles to the ability of working people to exercise their right
7 to object to the use of their dues for political, legislative,
8 social, or charitable causes with which they disagree, or
9 for other activities not necessary to performing the duties
10 of the exclusive representative of the employees in dealing
11 with the employer on labor-management issues.

12 **SEC. 503. WORKER CHOICE.**

13 (a) RIGHTS OF EMPLOYEES.—Section 7 of the Na-
14 tional Labor Relations Act (29 U.S.C. 157) is amended
15 by striking “membership” and all that follows and insert-
16 ing the following: “the payment to a labor organization
17 of dues or fees related to collective bargaining, contract
18 administration, or grievance adjustment necessary to per-
19 forming the duties of exclusive representation as a condi-
20 tion of employment as authorized in section 8(a)(3).”.

21 (b) UNFAIR LABOR PRACTICES.—Section 8(a)(3) of
22 such Act (29 U.S.C. 158(a)(3)) is amended by striking
23 “membership therein” and inserting “the payment to such
24 labor organization of dues or fees related to collective bar-
25 gaining, contract administration, or grievance adjustment

1 necessary to performing the duties of exclusive representa-
2 tion”.

3 **SEC. 504. WORKER CONSENT.**

4 (a) WRITTEN AGREEMENT.—Section 8 of the Na-
5 tional Labor Relations Act (29 U.S.C. 158) is amended
6 by adding at the end the following:

7 “(h) An employee subject to an agreement between
8 an employer and a labor organization requiring the pay-
9 ment of dues or fees to such organization as authorized
10 in section 8(a)(3) may not be required to pay to such orga-
11 nization, nor may such organization accept payment of,
12 any dues or fees not related to collective bargaining, con-
13 tract administration, or grievance adjustment necessary to
14 performing the duties of exclusive representation unless
15 the employee has agreed to pay such dues or fees in a
16 signed written agreement that must be renewed between
17 the first day of September and the first day of October
18 of each year. Such signed written agreement shall include
19 a ratio of the dues or fees related to collective bargaining,
20 contract administration, or grievance adjustment nec-
21 essary to performing the duties of exclusive representation
22 and the dues or fees related to other purposes.”.

23 (b) WRITTEN ASSIGNMENT.—Section 302(c)(4) of
24 the Labor Management Relations Act, 1947 (29 U.S.C.
25 186(c)(4)) is amended by inserting before the semicolon

1 the following: “: *Provided further*, That no amount may
 2 be deducted for dues unrelated to collective bargaining,
 3 contract administration, or grievance adjustment nec-
 4 essary to performing the duties of exclusive representation
 5 unless a written assignment authorizes such a deduction”.

6 **SEC. 505. WORKER NOTICE.**

7 Section 8 of the National Labor Relations Act (29
 8 U.S.C. 158), as amended by section 504(a), is further
 9 amended by adding at the end the following:

10 “(i) An employer shall be required to post a notice,
 11 of such size and in such form as the Board shall prescribe,
 12 in conspicuous places in and about its plants and offices,
 13 including all places where notices to employees are cus-
 14 tomarily posted, informing employees of their rights under
 15 section 7 of this Act and clarifying to employees that an
 16 agreement requiring the payment of dues or fees to a labor
 17 organization as a condition of employment as authorized
 18 in subsection (a)(3) may only require that employees pay
 19 to such organization any dues or fees related to collective
 20 bargaining, contract administration, or grievance adjust-
 21 ment necessary to performing the duties of exclusive rep-
 22 resentation.”.

23 **SEC. 506. DISCLOSURE TO WORKERS.**

24 (a) **EXPENSES REPORTING.**—Section 201(b) of the
 25 Labor-Management Reporting and Disclosure Act of 1959

1 (29 U.S.C. 431(b)) is amended by adding at the end the
 2 following new sentence: “Every labor organization shall be
 3 required to attribute and report expenses by function clas-
 4 sification in such detail as necessary to allow its members
 5 to determine whether such expenses were related to collec-
 6 tive bargaining, contract administration, or grievance ad-
 7 justment necessary to performing the duties of exclusive
 8 representation or were related to other purposes.”.

9 (b) DISCLOSURE.—Section 201(c) of the Labor-Man-
 10 agement Reporting and Disclosure Act of 1959 (29 U.S.C.
 11 431(c)) is amended—

12 (1) by inserting “and employees required to pay
 13 any dues or fees to such organization” after “mem-
 14 bers”; and

15 (2) inserting “or employee required to pay any
 16 dues or fees to such organization” after “member”
 17 each place it appears.

18 (c) REGULATIONS.—The Secretary of Labor shall
 19 prescribe such regulations as are necessary to carry out
 20 the amendments made by this section not later than 120
 21 days after the date of the enactment of this Act.

22 **SEC. 507. CONSTRUCTION.**

23 Nothing in this title shall be construed to affect sec-
 24 tion 14(b) of the National Labor Relations Act or the con-
 25 current jurisdiction of Federal district courts over claims

1 that a labor organization has breached its duty of fair rep-
 2 resentation with regard to the collection or expenditure of
 3 dues or fees.

4 **SEC. 508. EFFECTIVE DATE.**

5 This title shall take effect on the date of enactment,
 6 except that the requirements contained in the amendments
 7 made by sections 504 and 505 shall take effect 60 days
 8 after the date of the enactment of this Act.

9 **TITLE VI—MISCELLANEOUS AND**
 10 **GENERAL PROVISIONS**

11 **SEC. 601. TERM LIMITS FOR FEC COMMISSIONERS.**

12 Section 306 (2 U.S.C. 437c(a)(2)(A)) is amended by
 13 striking “terms” and inserting “no more than one term”.

14 **SEC. 602. EXPEDITED COURT REVIEW.**

15 (a) RIGHT TO BRING ACTION.—The Federal Elec-
 16 tion Commission, a political committee under title III of
 17 the Federal Election Campaign Act of 1971, or any indi-
 18 vidual eligible to vote in any election for the office of Presi-
 19 dent of the United States may institute an action in an
 20 appropriate district court of the United States (including
 21 an action for declaratory judgment) as may be appropriate
 22 to construe the constitutionality of any provision of this
 23 Act or any amendment made by this Act.

24 (b) HEARING BY THREE-JUDGE COURT.—Upon the
 25 institution of an action described in subsection (a), a dis-

1 triet court of three judges shall immediately be convened
2 to decide the action pursuant to section 2284 of title 28,
3 United States Code. Such action shall be advanced on the
4 docket and expedited to the greatest extent possible.

5 (c) APPEAL OF INITIAL DECISION TO SUPREME
6 COURT.—An appeal may be taken directly to the Supreme
7 Court of the United States from any interlocutory order
8 or final judgment, decree, or order issued by the court of
9 3 judges convened pursuant to subsection (b) in an action
10 described in subsection (a). Such appeal shall be brought
11 not later than 20 days after the issuance by the court of
12 the judgment, decree, or order.

13 (d) EXPEDITED REVIEW BY SUPREME COURT.—The
14 Supreme Court shall accept jurisdiction over, advance on
15 the docket, and expedite to the greatest extent possible
16 an appeal taken pursuant to subsection (c).

17 **SEC. 603. ISSUANCE OF REGULATIONS.**

18 The Federal Election Commission shall issue any reg-
19 ulations required to carry out this Act and the amend-
20 ments made by this Act not later than 9 months after
21 the date of the enactment of this Act.

1 **SEC. 604. EFFECTIVE DATE.**

2 Except as otherwise specifically provided, this Act
3 and the amendments made by this Act shall apply with
4 respect to elections occurring after January 1999.

