

105TH CONGRESS
2D SESSION

H. R. 3315

To amend the Federal Election Campaign Act of 1971 to remove the limitations on amounts that may be contributed to a Federal election campaign, to require political parties to disclose transfers of certain non-Federal funds, to promote the expedited availability of reports submitted to the Federal Election Commission, to prohibit individuals not qualified to register to vote in elections for Federal office from making campaign contributions, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 3, 1998

Mr. SNOWBARGER introduced the following bill; which was referred to the Committee on House Oversight

A BILL

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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 “Fair Elections and
3 Political Accountability Act”.

4 **SEC. 2. REMOVAL OF LIMITATIONS ON FEDERAL ELECTION**
5 **CAMPAIGN CONTRIBUTIONS.**

6 Section 315(a) of the Federal Election Campaign Act
7 of 1971 (2 U.S.C. 441a(a)) is amended by adding at the
8 end the following new paragraph:

9 “(9) The limitations established under this subsection
10 shall not apply to contributions made during calendar
11 years beginning after 1998.”.

12 **SEC. 3. PROMOTING EXPEDITED AVAILABILITY OF FEC RE-**
13 **PORTS; LOWERING THRESHOLD FOR COLLEC-**
14 **TION AND DISCLOSURE OF IDENTIFICATION**
15 **OF CONTRIBUTORS.**

16 (a) **MANDATORY ELECTRONIC FILING.**—Section
17 304(a)(11)(A) of the Federal Election Campaign Act of
18 1971 (2 U.S.C. 434(a)(11)(A)) is amended by striking
19 “permit reports required by” and inserting “require re-
20 ports under”.

21 (b) **REQUIRING REPORTS FOR CERTAIN CONTRIBU-**
22 **TIONS MADE TO ANY POLITICAL COMMITTEE WITHIN 60**
23 **DAYS OF ELECTION; REQUIRING REPORTS TO BE MADE**
24 **WITHIN 48 HOURS.**—Section 304(a)(6) of such Act (2
25 U.S.C. 434(a)(6)) is amended to read as follows:

1 “(6)(A) Each political committee shall notify the Sec-
2 retary or the Commission, and the Secretary of State, as
3 appropriate, in writing, of any contribution in an aggre-
4 gate amount equal to or greater than \$100 which is re-
5 ceived by the committee during the period which begins
6 on the 60th day before an election and ends at the time
7 the polls close for such election. This notification shall be
8 made not later than midnight of the day on which the con-
9 tribution is deposited (but in no event later than 48 hours
10 after receipt) and shall include the name of the candidate
11 involved (as appropriate) and the office sought by the can-
12 didate, the identification of the contributor, and the date
13 of receipt and amount of the contribution.

14 “(B) If a political committee returns a contribution
15 for which notification is made under subparagraph (A),
16 the committee shall notify the Secretary or the Commis-
17 sion, and the Secretary of State (as appropriate).

18 “(C) The notifications required under this paragraph
19 shall be in addition to all other reporting requirements
20 under this Act.”.

21 (c) INCREASING ELECTRONIC DISCLOSURE.—Section
22 304 of such Act (2 U.S.C. 434(a)) is amended by adding
23 at the end the following new subsection:

24 “(d)(1) The Commission shall make the information
25 contained in the reports submitted under this section

1 available on the Internet and publicly available at the of-
 2 fices of the Commission as soon as practicable (but in no
 3 case later than 24 hours) after the information is received
 4 by the Commission.

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

8 (d) LOWERING THRESHOLD FOR COLLECTION AND
 9 DISCLOSURE OF IDENTIFICATION OF CONTRIBUTORS.—

10 (1) REPORTING REQUIREMENTS.—Section
 11 304(b)(3) of such Act (2 U.S.C. 434(b)(3)) is
 12 amended—

13 (A) in subparagraph (A), by striking
 14 “whose contribution or contributions have an
 15 aggregate amount or value in excess of \$200
 16 within the calendar year, or in any lesser
 17 amount if the reporting committee should so
 18 elect,”; and

19 (B) in subparagraphs (F) and (G), by
 20 striking “in an aggregate amount or value in
 21 excess of \$200” each place it appears.

22 (2) INFORMATION REQUIRED TO BE FOR-
 23 WARDER TO POLITICAL COMMITTEES.—Section
 24 302(b) of such Act (2 U.S.C. 432(b)) is amended—

1 (A) in paragraph (1), by striking “and if
2 the amount of the contribution is in excess of
3 \$50” and inserting “together with”; and

4 (B) in paragraph (2), by striking “shall—
5 ” and all that follows and inserting the follow-
6 ing: “shall forward to the treasurer such con-
7 tribution, the name and address of the person
8 making the contribution, and the date of receipt
9 of the contribution, no later than 10 days after
10 receiving the contribution.”.

11 (3) INFORMATION REQUIRED TO BE KEPT BY
12 POLITICAL COMMITTEES.—Section 302(c) of such
13 Act (2 U.S.C. 432(c)) is amended—

14 (A) by striking paragraph (2); and

15 (B) in paragraph (3), by striking “or con-
16 tributions aggregating more than \$200”.

17 (e) EFFECTIVE DATE.—The amendment made by
18 this section shall apply with respect to reports for periods
19 beginning on or after January 1, 1999.

1 **SEC. 4. PROHIBITING CONTRIBUTIONS BY FOREIGN NA-**
2 **TIONALS AND INDIVIDUALS NOT QUALIFIED**
3 **TO REGISTER TO VOTE IN FEDERAL ELEC-**
4 **TIONS.**

5 (a) IN GENERAL.—Section 319 of the Federal Elec-
6 tion Campaign Act of 1971 (2 U.S.C. 441e) is amended
7 to read as follows:

8 “CONTRIBUTIONS BY FOREIGN NATIONALS AND INDIVID-
9 UALS NOT QUALIFIED TO REGISTER TO VOTE IN
10 FEDERAL ELECTIONS

11 “SEC. 319. (a) FOREIGN NATIONALS.—

12 “(1) IN GENERAL.—It shall be unlawful for a
13 foreign national directly or through any other person
14 to make any contribution of money or other thing of
15 value, or to promise expressly or impliedly to make
16 any such contribution, in connection with an election
17 to any political office or in connection with any pri-
18 mary election, convention, or caucus held to select
19 candidates for any political office; or for any person
20 to solicit, accept, or receive any such contribution
21 from a foreign national.

22 “(2) DEFINITION.—As used in this subsection,
23 the term ‘foreign national’ means a foreign prin-
24 cipal, as defined by section 1(b) of the Foreign
25 Agents Registration Act of 1938 (22 U.S.C. 611(b)).

1 “(b) INDIVIDUALS NOT QUALIFIED TO REGISTER TO
2 VOTE IN FEDERAL ELECTIONS.—

3 “(1) PROHIBITING CONTRIBUTIONS.—It shall
4 be unlawful for any individual who is not qualified
5 to register to vote in an election for Federal office
6 directly or through any other person to make any
7 contribution of money or other thing of value, or to
8 promise expressly or impliedly to make any such
9 contribution, in connection with an election to any
10 political office or in connection with any primary
11 election, convention, or caucus held to select can-
12 didates for any political office.

13 “(2) PROHIBITING SOLICITATION OR ACCEPT-
14 ANCE OF CONTRIBUTIONS.—It shall be unlawful for
15 any person to knowingly solicit, accept, or receive
16 any contribution of money or other thing of value
17 from an individual who is not qualified to register to
18 vote in an election for Federal office.”.

19 (b) EFFECTIVE DATE.—The amendments made by
20 this section shall apply with respect to elections occurring
21 after January 1999.

22 **SEC. 5. FUNDING OF POLITICAL ACTIVITIES BY CORPORA-**
23 **TIONS AND LABOR ORGANIZATIONS.**

24 (a) PROHIBITING DONATION OF FUNDS TO POLITI-
25 CAL PARTIES.—

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

5 “(c)(1) No national bank, corporation, or labor orga-
6 nization described in this section may make any payment
7 of any gift, subscription, loan, advance, or deposit of
8 money or anything of value to any political committee es-
9 tablished and maintained by a political party (including
10 a congressional campaign committee of a political party)
11 in support of the committee’s activities.

12 “(2) Paragraph (1) shall not apply to a contribution
13 or expenditure made by a separate segregated fund of a
14 corporation or labor organization described in subsection
15 (b)(2)(C).”.

16 (2) EFFECTIVE DATE.—The amendment made
17 by paragraph (1) shall apply with respect to elec-
18 tions occurring after January 1999.

19 (b) PROHIBITING INVOLUNTARY ASSESSMENT OF
20 EMPLOYEE FUNDS FOR POLITICAL ACTIVITIES.—

21 (1) IN GENERAL.—Section 316 of such Act (2
22 U.S.C. 441b), as amended by subsection (a), is fur-
23 ther amended by adding at the end the following
24 new subsection:

1 “(d)(1) Except with the separate, prior, written, vol-
2 untary authorization of the individual involved, it shall be
3 unlawful—

4 “(A) for any national bank or corporation de-
5 scribed in this section to collect from or assess its
6 stockholders any dues, initiation fee, or other pay-
7 ment, or collect from or assess its employees any
8 dues, initiation fee, or other payment as a condition
9 of employment, if any part of such dues, fee, or pay-
10 ment will be used for Federal campaign activity in
11 which the national bank or corporation is engaged;
12 and

13 “(B) for any labor organization described in
14 this section to collect from or assess its members or
15 nonmembers any dues, initiation fee, or other pay-
16 ment if any part of such dues, fee, or payment will
17 be used for Federal campaign activity in which the
18 labor organization is engaged.

19 “(2) An authorization described in paragraph (1)
20 shall remain in effect until revoked and may be revoked
21 at any time. Each entity collecting from or assessing
22 amounts from an individual with an authorization in effect
23 under such paragraph shall provide the individual with a
24 statement that the individual may at any time revoke the
25 authorization.

1 “(3) For purposes of this subsection, the term ‘Fed-
 2 eral campaign activity’ means any activity carried out for
 3 the purpose of influencing (in whole or in part) any elec-
 4 tion for Federal office or educating individuals about can-
 5 didates for election for Federal office, except that such
 6 term does not include the making of any communication
 7 provided by a corporation to its employees and their fami-
 8 lies or by a labor organization to its members and their
 9 families on any subject.”.

10 (2) EFFECTIVE DATE.—The amendment made
 11 by paragraph (1) shall apply to amounts collected or
 12 assessed on or after the date of the enactment of
 13 this Act.

14 **SEC. 6. PROHIBITING CONTRIBUTIONS DURING SIX**
 15 **MONTHS FOLLOWING GENERAL ELECTION.**

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

19 “PROHIBITING CONTRIBUTIONS DURING SIX MONTHS
 20 FOLLOWING GENERAL ELECTION

21 “SEC. 323. (a) IN GENERAL.—No person may make
 22 any contribution with respect to an election for Federal
 23 office to any political committee of a candidate for election
 24 for such office during the 180-day period which begins on
 25 the date of the previous regularly scheduled general elec-

tion for such office, unless the election is a runoff or special election.

“(b) EXCEPTION FOR CONTRIBUTIONS IN CONNECTION WITH EXPENSES OF PREVIOUS ELECTION.—Subsection (a) shall not apply with respect to a contribution made solely in connection with the expenses of an election held prior to the date on which the contribution is made.”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to elections occurring after January 1999.

SEC. 7. 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.”.

SEC. 8. ENHANCING ENFORCEMENT OF CAMPAIGN FINANCE LAW.

(a) MANDATORY IMPRISONMENT FOR CRIMINAL CONDUCT.—Section 309(d)(1)(A) of the Federal Election

1 Campaign Act of 1971 (2 U.S.C. 437g(d)(1)(A)) is
2 amended—

3 (1) in the first sentence, by striking “shall be
4 fined, or imprisoned for not more than one year, or
5 both” and inserting “shall be imprisoned for not
6 fewer than 1 year and not more than 10 years”; and

7 (2) by striking the second sentence.

8 (b) CONCURRENT AUTHORITY OF ATTORNEY GEN-
9 ERAL TO BRING CRIMINAL ACTIONS.—Section 309(d) of
10 such Act (2 U.S.C. 437g(d)) is amended by adding at the
11 end the following new paragraph:

12 “(4) In addition to the authority to bring cases re-
13 ferred pursuant to subsection (a)(5), the Attorney General
14 may at any time bring a criminal action for a violation
15 of this Act or of chapter 95 or chapter 96 of the Internal
16 Revenue Code of 1986.”.

17 (c) EFFECTIVE DATE.—The amendments made by
18 this section shall apply with respect to actions brought
19 with respect to elections occurring after January 1999.

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