

115TH CONGRESS
1ST SESSION

H. R. 1134

To amend the Federal Election Campaign Act of 1971 to provide for additional disclosure requirements for corporations, labor organizations, and other entities, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 16, 2017

Mr. CICILLINE (for himself, Mr. AGUILAR, Mr. BLUMENAUER, Ms. BONAMICI, Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. BROWNLEY of California, Mrs. BUSTOS, Mr. CAPUANO, Mr. CÁRDENAS, Ms. CASTOR of Florida, Mr. CONYERS, Ms. JUDY CHU of California, Ms. CLARK of Massachusetts, Mr. CLYBURN, Mr. CROWLEY, Mr. CUMMINGS, Mr. COHEN, Mr. CONNOLLY, Mr. COURTNEY, Mr. DANNY K. DAVIS of Illinois, Mrs. DAVIS of California, Mr. DEFazio, Ms. DEGETTE, Mr. DELANEY, Ms. DELAURO, Ms. DELBENE, Mr. DEUTCH, Mr. ENGEL, Ms. ESHOO, Ms. ESTY, Mr. EVANS, Mr. GENE GREEN of Texas, Mr. GRIJALVA, Mr. GUTIÉRREZ, Mr. HASTINGS, Mr. HECK, Mr. HIGGINS of New York, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. KAPTUR, Mr. KEATING, Mr. KILDEE, Mr. KILMER, Mr. KIHUEN, Ms. KUSTER of New Hampshire, Mr. LANGEVIN, Mr. LARSEN of Washington, Ms. LEE, Mr. LEVIN, Mr. TED LIEU of California, Mr. LIPINSKI, Mr. LOEBSACK, Mr. LYNCH, Mr. BEN RAY LUJÁN of New Mexico, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mrs. CAROLYN B. MALONEY of New York, Mr. SEAN PATRICK MALONEY of New York, Ms. MATSUI, Ms. MCCOLLUM, Mr. MCGOVERN, Mr. MEEKS, Mr. NADLER, Mr. NOLAN, Mr. NORCROSS, Ms. NORTON, Mr. PALLONE, Mr. PASCRELL, Mr. PETERS, Ms. PINGREE, Mr. POCAN, Mr. POLIS, Mr. QUIGLEY, Miss RICE of New York, Mr. RUPPERSBERGER, Mr. RYAN of Ohio, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. SERRANO, Ms. SHEA-PORTER, Ms. SLAUGHTER, Mr. SOTO, Mr. SWALWELL of California, Mr. TONKO, Ms. TITUS, Mrs. TORRES, Ms. TSONGAS, Mr. WELCH, Mr. YARMUTH, Ms. PELOSI, Mr. RICHMOND, Mr. SARBANES, Mr. HIMES, Mrs. WATSON COLEMAN, Mr. GALLEG0, Mr. VARGAS, Mr. SIREs, Mr. MCNERNEY, Ms. JAYAPAL, Mrs. NAPOLITANO, Mr. KHANNA, Mr. AL GREEN of Texas, Mr. GARAMENDI, Mr. FOSTER, Ms. VELÁZQUEZ, Ms. WILSON of Florida, Mr. COSTA, Mr. ELLISON, Ms. GABBARD, Mrs. LOWEY, Mr. PAYNE, Mr. SMITH of Washington, Mr. THOMPSON of California, Mrs. DEMINGS, Mr. TAKANO, Ms. SEWELL of Alabama, Mrs. LAWRENCE, and Mr. RASKIN) introduced the following bill; which was referred to the Committee on House Administration, and

in addition to the Committees on the Judiciary, and Ways and Means, 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 provide for additional disclosure requirements for corporations, labor organizations, and other entities, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Disclosure of Informa-
 5 tion on Spending on Campaigns Leads to Open and Se-
 6 cure Elections Act of 2017” or the “DISCLOSE 2017
 7 Act”.

8 **SEC. 2. CAMPAIGN DISBURSEMENT REPORTING.**

9 (a) INFORMATION REQUIRED TO BE REPORTED.—

10 (1) TREATMENT OF FUNCTIONAL EQUIVALENT
 11 OF EXPRESS ADVOCACY AS INDEPENDENT EXPENDI-
 12 TURE.—Subparagraph (A) of section 301(17) of the
 13 Federal Election Campaign Act of 1971 (52 U.S.C.
 14 30101(17)) is amended to read as follows:

15 “(A) that, when taken as a whole, ex-
 16 pressly advocates the election or defeat of a
 17 clearly identified candidate, or is the functional

equivalent of express advocacy because it can be interpreted by a reasonable person only as advocating the election or defeat of a candidate, taking into account whether the communication involved mentions a candidacy, a political party, or a challenger to a candidate, or takes a position on a candidate's character, qualifications, or fitness for office; and".

(2) EXPANSION OF PERIOD DURING WHICH COMMUNICATIONS ARE TREATED AS ELECTIONEERING COMMUNICATIONS.—Section 304(f)(3)(A)(i) of such Act (52 U.S.C. 30104(f)(3)(A)(i)) is amended—

(A) by redesignating subclause (III) as subclause (IV); and

(B) by striking subclause (II) and inserting the following:

“(II) in the case of a communication which refers to a candidate for an office other than the President or Vice President, is made during the period beginning on January 1 of the calendar year in which a general or runoff election is held and ending on the date of the general or runoff election

1 (or in the case of a special election,
2 during the period beginning on the
3 date on which the announcement with
4 respect to such election is made and
5 ending on the date of the special elec-
6 tion);

7 “(III) in the case of a commu-
8 nication which refers to a candidate
9 for the office of President or Vice
10 President, is made in any State dur-
11 ing the period beginning 120 days be-
12 fore the first primary or preference
13 election or a convention or caucus of
14 a political party which has the author-
15 ity to nominate a candidate for the of-
16 fice of President or Vice President is
17 held in any State and ending on the
18 date of the general election; and”.

19 (3) EFFECTIVE DATE; TRANSITION FOR ELEC-
20 TIONEERING COMMUNICATIONS MADE PRIOR TO EN-
21 ACTMENT.—The amendment made by paragraph (2)
22 shall apply with respect to communications made on
23 or after July 1, 2017, except that no communication
24 which is made prior to such date shall be treated as
25 an electioneering communication under section

1 304(f)(3)(A)(i) (II) or (III) of the Federal Election
 2 Campaign Act of 1971 (as amended by paragraph
 3 (2)) unless the communication would be treated as
 4 an electioneering communication under such section
 5 if the amendment made by paragraph (2) did not
 6 apply.

7 (b) DISCLOSURE REQUIREMENTS FOR CORPORA-
 8 TIONS, LABOR ORGANIZATIONS, AND CERTAIN OTHER
 9 ENTITIES.—

10 (1) IN GENERAL.—Section 324 of the Federal
 11 Election Campaign Act of 1971 (52 U.S.C. 30126)
 12 is amended to read as follows:

13 **“SEC. 324. DISCLOSURE OF CAMPAIGN-RELATED DISBURSE-**
 14 **MENTS BY COVERED ORGANIZATIONS.**

15 “(a) DISCLOSURE STATEMENT.—

16 “(1) IN GENERAL.—Any covered organization
 17 that makes campaign-related disbursements aggre-
 18 gating more than \$10,000 in a calendar year shall,
 19 not later than 24 hours after each disclosure date,
 20 file a statement with the Commission made under
 21 penalty of perjury that contains the information de-
 22 scribed in paragraph (2)—

23 “(A) in the case of the first statement filed
 24 under this subsection, for the period beginning
 25 on the first day of the preceding calendar year

1 and ending on the first such disclosure date;
2 and

3 “(B) in the case of any subsequent state-
4 ment filed under this subsection, for the period
5 beginning on the previous disclosure date and
6 ending on such disclosure date.

7 “(2) INFORMATION DESCRIBED.—The informa-
8 tion described in this paragraph is as follows:

9 “(A) The name of the covered organization
10 and the principal place of business of such or-
11 ganization.

12 “(B) The amount of each campaign-related
13 disbursement made by such organization during
14 the period covered by the statement of more
15 than \$1,000.

16 “(C) In the case of a campaign-related dis-
17bursement that is not a covered transfer, the
18 election to which the campaign-related disburse-
19ment pertains and if the disbursement is made
20 for a public communication, the name of any
21 candidate identified in such communication and
22 whether such communication is in support of or
23 in opposition to a candidate.

24 “(D) A certification by the chief executive
25 officer or person who is the head of the covered

1 organization that the campaign-related dis-
2bursement is not made in cooperation, consulta-
3tion, or concert with or at the request or sug-
4gestion of a candidate, authorized committee, or
5agent of a candidate, political party, or agent of
6a political party.

7 “(E) If the covered organization makes
8campaign-related disbursements using exclu-
9sively funds in a segregated bank account con-
10sisting of funds that were contributed, donated,
11transferred, or paid directly to such account by
12persons other than the covered organization
13that controls the account, for each contribution,
14donation, transfer, payment of dues, or other
15payment to the account—

16 “(i) the name and address of each
17person who made such contribution, dona-
18tion, transfer, payment of dues, or other
19payment during the period covered by the
20statement;

21 “(ii) the date and amount of such
22contribution, donation, transfer, payment
23of dues, or other payment; and

24 “(iii) the aggregate amount of all such
25contributions, donations, transfers, pay-

1 ments of dues, and other payments made
2 by the person during the period beginning
3 on the first day of the preceding calendar
4 year and ending on the disclosure date,
5 but only if such contribution, donation, trans-
6 fer, payment of dues, or other payment was
7 made by a person who made contributions, do-
8 nations, transfers, payments of dues, or pay-
9 ments to the account in an aggregate amount
10 of \$10,000 or more during the period beginning
11 on the first day of the preceding calendar year
12 and ending on the disclosure date.

13 “(F) Subject to paragraph (4), if the cov-
14 ered organization makes campaign-related dis-
15 bursements using funds other than funds in a
16 segregated bank account described in subpara-
17 graph (E), for each contribution, donation,
18 transfer, or payment of dues to the covered or-
19 ganization—

20 “(i) the name and address of each
21 person who made such contribution, dona-
22 tion, transfer, or payment of dues during
23 the period covered by the statement;

1 “(ii) the date and amount of such
2 contribution, donation, transfer, or pay-
3 ment of dues; and

4 “(iii) the aggregate amount of all such
5 contributions, donations, transfers, and
6 payments of dues made by the person dur-
7 ing the period beginning on the first day of
8 the preceding calendar year and ending on
9 the disclosure date,

10 but only if such contribution, donation, trans-
11 fer, or payment of dues was made by a person
12 who made contributions, donations, transfers,
13 or payments of dues to the covered organization
14 in an aggregate amount of \$10,000 or more
15 during the period beginning on the first day of
16 the preceding calendar year and ending on the
17 disclosure date.

18 “(3) EXCEPTIONS.—

19 “(A) AMOUNTS RECEIVED IN ORDINARY
20 COURSE OF BUSINESS.—The requirement to in-
21 clude in a statement filed under paragraph (1)
22 the information described in paragraph (2)
23 shall not apply to amounts received by the cov-
24 ered organization in the ordinary course of any
25 trade or business conducted by the covered or-

ganization or in the form of investments in the covered organization.

“(B) DONOR RESTRICTION ON USE OF FUNDS.—The requirement to include in a statement submitted under paragraph (1) the information described in subparagraph (F) of paragraph (2) shall not apply if—

“(i) the person described in such subparagraph prohibited, in writing, the use of the contribution, donation, transfer, payment of dues, or other payment made by such person for campaign-related disbursements; and

“(ii) the covered organization agreed to follow the prohibition and deposited the contribution, donation, transfer, payment of dues, or other payment in an account which is segregated from any account used to make campaign-related disbursements.

“(4) DISCLOSURE DATE.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), the term ‘disclosure date’ means—

“(i) the first date during any calendar year by which a person has made cam-

1 campaign-related disbursements aggregating
2 more than \$10,000; and

3 “(ii) each date following the date de-
4 scribed in clause (i) during such calendar
5 year by which a person has made cam-
6 paign-related disbursements aggregating
7 more than \$10,000.

8 “(B) DISCLOSURE DATE FOR CERTAIN
9 TRANSFERS.—In the case of a statement filed
10 with respect to a campaign-related disburse-
11 ment which is a covered transfer described in
12 subsection (f)(1)(E), the term ‘disclosure date’
13 means the date on which the covered organiza-
14 tion making such transfer knew or should have
15 known that the recipient of such transfer made
16 campaign-related disbursements in an aggre-
17 gate amount of \$50,000 or more during the 2-
18 year period beginning on the date of the trans-
19 fer.

20 “(b) COORDINATION WITH OTHER PROVISIONS.—

21 “(1) OTHER REPORTS FILED WITH THE COM-
22 MISSION.—Information included in a statement filed
23 under this section may be excluded from statements
24 and reports filed under section 304.

1 “(2) TREATMENT AS SEPARATE SEGREGATED
2 FUND.—A segregated bank account referred to in
3 subsection (a)(2)(E) may be treated as a separate
4 segregated fund for purposes of section 527(f)(3) of
5 the Internal Revenue Code of 1986.

6 “(c) FILING.—Statements required to be filed under
7 subsection (a) shall be subject to the requirements of sec-
8 tion 304(d) to the same extent and in the same manner
9 as if such reports had been required under subsection (c)
10 or (g) of section 304.

11 “(d) CAMPAIGN-RELATED DISBURSEMENT DE-
12 FINED.—In this section, the term ‘campaign-related dis-
13 bursement’ means a disbursement by a covered organiza-
14 tion for any of the following:

15 “(1) An independent expenditure consisting of a
16 public communication, as defined in section 301(22).

17 “(2) An electioneering communication, as de-
18 fined in section 304(f)(3).

19 “(3) A covered transfer.

20 “(e) COVERED ORGANIZATION DEFINED.—In this
21 section, the term ‘covered organization’ means any of the
22 following:

23 “(1) A corporation (other than an organization
24 described in section 501(c)(3) of the Internal Rev-
25 enue Code of 1986).

1 “(2) An organization described in section
2 501(c) of such Code and exempt from taxation
3 under section 501(a) of such Code (other than an
4 organization described in section 501(c)(3) of such
5 Code).

6 “(3) A labor organization (as defined in section
7 316(b)).

8 “(4) Any political organization under section
9 527 of the Internal Revenue Code of 1986, other
10 than a political committee under this Act (except as
11 provided in paragraph (5)).

12 “(5) A political committee with an account es-
13 tablished for the purpose of accepting donations or
14 contributions that do not comply with the contribu-
15 tion limits or source prohibitions under this Act, but
16 only with respect to the accounts established for
17 such purpose.

18 “(f) COVERED TRANSFER DEFINED.—

19 “(1) IN GENERAL.—In this section, the term
20 ‘covered transfer’ means any transfer or payment of
21 funds by a covered organization to another person if
22 the covered organization—

23 “(A) designates, requests, or suggests that
24 the amounts be used for—

1 “(i) campaign-related disbursements
2 (other than covered transfers); or

3 “(ii) making a transfer to another
4 person for the purpose of making or pay-
5 ing for such campaign-related disburse-
6 ments;

7 “(B) made such transfer or payment in re-
8 sponse to a solicitation or other request for a
9 donation or payment for—

10 “(i) the making of or paying for cam-
11 paign-related disbursements (other than
12 covered transfers); or

13 “(ii) making a transfer to another
14 person for the purpose of making or pay-
15 ing for such campaign-related disburse-
16 ments;

17 “(C) engaged in discussions with the re-
18 cipient of the transfer or payment regarding—

19 “(i) the making of or paying for cam-
20 paign-related disbursements (other than
21 covered transfers); or

22 “(ii) donating or transferring any
23 amount of such transfer or payment to an-
24 other person for the purpose of making or

1 paying for such campaign-related disburse-
2 ments;

3 “(D) made campaign-related disburse-
4 ments (other than a covered transfer) in an ag-
5 gregate amount of \$50,000 or more during the
6 2-year period ending on the date of the transfer
7 or payment, or knew or had reason to know
8 that the person receiving the transfer or pay-
9 ment made such disbursements in such an ag-
10 gregate amount during that 2-year period; or

11 “(E) knew or had reason to know that the
12 person receiving the transfer or payment would
13 make campaign-related disbursements in an ag-
14 gregate amount of \$50,000 or more during the
15 2-year period beginning on the date of the
16 transfer or payment.

17 “(2) EXCLUSIONS.—The term ‘covered transfer’
18 does not include any of the following:

19 “(A) A disbursement made by a covered
20 organization in the ordinary course of any trade
21 or business conducted by the covered organiza-
22 tion or in the form of investments made by the
23 covered organization.

24 “(B) A disbursement made by a covered
25 organization if—

1 “(i) the covered organization prohib-
2 ited, in writing, the use of such disburse-
3 ment for campaign-related disbursements;
4 and

5 “(ii) the recipient of the disbursement
6 agreed to follow the prohibition and depos-
7 ited the disbursement in an account which
8 is segregated from any account used to
9 make campaign-related disbursements.

10 “(3) EXCEPTION FOR CERTAIN TRANSFERS
11 AMONG AFFILIATES.—

12 “(A) EXCEPTION FOR CERTAIN TRANS-
13 FERS AMONG AFFILIATES.—The term ‘covered
14 transfer’ does not include an amount trans-
15 ferred by one covered organization to another
16 covered organization which is treated as a
17 transfer between affiliates under subparagraph
18 (B) if the aggregate amount transferred during
19 the year by such covered organization to that
20 same covered organization is equal to or less
21 than \$50,000.

22 “(B) DESCRIPTION OF TRANSFERS BE-
23 TWEEN AFFILIATES.—A transfer of amounts
24 from one covered organization to another cov-

1 ered organization shall be treated as a transfer
2 between affiliates if—

3 “(i) one of the organizations is an af-
4 filiate of the other organization; or

5 “(ii) each of the organizations is an
6 affiliate of the same organization,

7 except that the transfer shall not be treated as
8 a transfer between affiliates if one of the orga-
9 nizations is established for the purpose of mak-
10 ing campaign-related disbursements.

11 “(C) DETERMINATION OF AFFILIATE STA-
12 TUS.—For purposes of subparagraph (B), a
13 covered organization is an affiliate of another
14 covered organization if—

15 “(i) the governing instrument of the
16 organization requires it to be bound by de-
17 cisions of the other organization;

18 “(ii) the governing board of the orga-
19 nization includes persons who are specifi-
20 cally designated representatives of the
21 other organization or are members of the
22 governing board, officers, or paid executive
23 staff members of the other organization, or
24 whose service on the governing board is

contingent upon the approval of the other organization; or

“(iii) the organization is chartered by the other organization.

“(D) COVERAGE OF TRANSFERS TO AFFILIATED SECTION 501(c)(3) ORGANIZATIONS.—This paragraph shall apply with respect to an amount transferred by a covered organization to an organization described in paragraph (3) of section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code in the same manner as this paragraph applies to an amount transferred by a covered organization to another covered organization.”.

(2) CONFORMING AMENDMENT.—Section 304(f)(6) of such Act (52 U.S.C. 30104) is amended by striking “Any requirement” and inserting “Except as provided in section 324(b), any requirement”.

SEC. 3. STAND BY YOUR AD.

(a) DISCLAIMER REQUIREMENTS FOR CAMPAIGN-RELATED DISBURSEMENTS.—Section 318(a) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30120(a)) is amended by striking “for the purpose of financing commu-

1 nications expressly advocating the election or defeat of a
 2 clearly identified candidate” and inserting “for a cam-
 3 paign-related disbursement, as defined in section 324, con-
 4 sisting of a public communication”.

5 (b) STAND BY YOUR AD REQUIREMENTS.—

6 (1) MAINTENANCE OF REQUIREMENTS FOR PO-
 7 LITICAL PARTIES AND CERTAIN POLITICAL COMMIT-
 8 TEES.—Section 318(d)(2) of such Act (52 U.S.C.
 9 30120(d)(2)) is amended—

10 (A) in the heading, by striking “OTHERS”
 11 and inserting “CERTAIN POLITICAL COMMIT-
 12 TEES”;

13 (B) by inserting “which (except to the ex-
 14 tent provided in the last sentence of this para-
 15 graph) is paid for by a political committee (in-
 16 cluding a political committee of a political
 17 party) and” after “subsection (a)”;

18 (C) by striking “or other person” each
 19 place it appears; and

20 (D) by adding at the end the following:
 21 “This paragraph does not apply to a commu-
 22 nication paid for in whole or in part with a pay-
 23 ment which is treated as a campaign-related
 24 disbursement under section 324 and with re-

1 spect to which a covered organization files a
2 statement under such section.”.

3 (2) SPECIAL DISCLAIMER REQUIREMENTS FOR
4 CERTAIN COMMUNICATIONS.—Section 318 of such
5 Act (52 U.S.C. 30120) is amended by adding at the
6 end the following new subsection:

7 “(e) COMMUNICATIONS BY OTHERS.—

8 “(1) IN GENERAL.—Any communication de-
9 scribed in paragraph (3) of subsection (a) which is
10 transmitted through radio or television (other than
11 a communication to which subsection (d)(2) applies)
12 shall include, in addition to the requirements of such
13 paragraph, the following:

14 “(A) The individual disclosure statement
15 described in paragraph (2)(A) (if the person
16 paying for the communication is an individual)
17 or the organizational disclosure statement de-
18 scribed in paragraph (2)(B) (if the person pay-
19 ing for the communication is not an individual).

20 “(B) If the communication is transmitted
21 through television and is paid for in whole or in
22 part with a payment which is treated as a cam-
23 paign-related disbursement under section 324,
24 the Top Five Funders list (if applicable), un-
25 less, on the basis of criteria established in regu-

1 lations issued by the Commission, the commu-
2 nication is of such short duration that including
3 the Top Five Funders list in the communication
4 would constitute a hardship to the person pay-
5 ing for the communication by requiring a dis-
6 proportionate amount of the content of the
7 communication to consist of the Top Five
8 Funders list.

9 “(C) If the communication is transmitted
10 through radio and is paid for in whole or in
11 part with a payment which is treated as a cam-
12 paign-related disbursement under section 324,
13 the Top Two Funders list (if applicable), un-
14 less, on the basis of criteria established in regu-
15 lations issued by the Commission, the commu-
16 nication is of such short duration that including
17 the Top Two Funders list in the communication
18 would constitute a hardship to the person pay-
19 ing for the communication by requiring a dis-
20 proportionate amount of the content of the
21 communication to consist of the Top Two
22 Funders list.

23 “(2) DISCLOSURE STATEMENTS DESCRIBED.—

24 “(A) INDIVIDUAL DISCLOSURE STATE-
25 MENTS.—The individual disclosure statement

1 described in this subparagraph is the following:
 2 ‘I am _____, and I approve this
 3 message.’, with the blank filled in with the
 4 name of the applicable individual.

5 “(B) ORGANIZATIONAL DISCLOSURE
 6 STATEMENTS.—The organizational disclosure
 7 statement described in this subparagraph is the
 8 following: ‘I am _____, the
 9 _____ of _____, and
 10 _____ approves this message.’,
 11 with—

12 “(i) the first blank to be filled in with
 13 the name of the applicable individual;

14 “(ii) the second blank to be filled in
 15 with the title of the applicable individual;
 16 and

17 “(iii) the third and fourth blank each
 18 to be filled in with the name of the organi-
 19 zation or other person paying for the com-
 20 munication.

21 “(3) METHOD OF CONVEYANCE OF STATE-
 22 MENT.—

23 “(A) COMMUNICATIONS TRANSMITTED
 24 THROUGH RADIO.—In the case of a communica-
 25 tion to which this subsection applies which is

transmitted through radio, the disclosure statements required under paragraph (1) shall be made by audio by the applicable individual in a clearly spoken manner.

“(B) COMMUNICATIONS TRANSMITTED THROUGH TELEVISION.—In the case of a communication to which this subsection applies which is transmitted through television, the information required under paragraph (1)—

“(i) shall appear in writing at the end of the communication or in a crawl along the bottom of the communication in a clearly readable manner, with a reasonable degree of color contrast between the background and the printed statement, for a period of at least 6 seconds; and

“(ii) shall also be conveyed by an unobscured, full-screen view of the applicable individual or by the applicable individual making the statement in voice-over accompanied by a clearly identifiable photograph or similar image of the individual, except in the case of a Top Five Funders list.

“(4) DEFINITIONS.—In this subsection:

1 “(A) APPLICABLE INDIVIDUAL.—The term
2 ‘applicable individual’ means, with respect to a
3 communication to which this subsection ap-
4 plies—

5 “(i) if the communication is paid for
6 by an individual, the individual involved;

7 “(ii) if the communication is paid for
8 by a corporation, the chief executive officer
9 of the corporation (or, if the corporation
10 does not have a chief executive officer, the
11 highest ranking official of the corporation);

12 “(iii) if the communication is paid for
13 by a labor organization, the highest rank-
14 ing officer of the labor organization; and

15 “(iv) if the communication is paid for
16 by any other person, the highest ranking
17 official of such person.

18 “(B) COVERED ORGANIZATION AND CAM-
19 PAIGN-RELATED DISBURSEMENT.—The terms
20 ‘campaign-related disbursement’ and ‘covered
21 organization’ have the meaning given such
22 terms in section 324.

23 “(C) TOP FIVE FUNDERS LIST.—The term
24 ‘Top Five Funders list’ means, with respect to
25 a communication paid for in whole or in part

1 with a payment which is treated as a campaign-
2 related disbursement under section 324, a list
3 of the five persons who provided the largest
4 payments of any type in an aggregate amount
5 equal to or exceeding \$10,000 which are re-
6 quired under section 324(a) to be included in
7 the reports filed by a covered organization with
8 respect to such communication during the 12-
9 month period ending on the date of the dis-
10 bursement and the amount of the payments
11 each such person provided. If two or more peo-
12 ple provided the fifth largest of such payments,
13 the covered organization involved shall select
14 one of those persons to be included on the Top
15 Five Funders list.

16 “(D) TOP TWO FUNDERS LIST.—The term
17 ‘Top Two Funders list’ means, with respect to
18 a communication paid for in whole or in part
19 with a payment which is treated as a campaign-
20 related disbursement under section 324, a list
21 of the persons who provided the largest and the
22 second largest payments of any type in an ag-
23 gregate amount equal to or exceeding \$10,000
24 which are required under section 324(a) to be
25 included in the reports filed by a covered orga-

1 nization with respect to such communication
 2 during the 12-month period ending on the date
 3 of the disbursement and the amount of the pay-
 4 ments each such person provided. If two or
 5 more persons provided the second largest of
 6 such payments, the covered organization in-
 7 volved shall select one of those persons to be in-
 8 cluded on the Top Two Funders list.”.

9 **SEC. 4. SHAREHOLDERS’ AND MEMBERS’ RIGHT TO KNOW.**

10 Title III of the Federal Election Campaign Act of
 11 1971 (52 U.S.C. 30101 et seq.) is amended by adding at
 12 the end the following new section:

13 **“SEC. 325. DISCLOSURES BY COVERED ORGANIZATIONS TO**
 14 **SHAREHOLDERS, MEMBERS, AND DONORS OF**
 15 **INFORMATION ON CAMPAIGN-RELATED DIS-**
 16 **BURSEMENTS.**

17 “(a) INFORMATION ON CAMPAIGN-RELATED DIS-
 18 BURSEMENTS TO BE INCLUDED IN PERIODIC RE-
 19 PORTS.—A covered organization which submits regular,
 20 periodic reports to its shareholders, members, or donors
 21 on its finances or activities shall include in each such re-
 22 port, in a clear and conspicuous manner, the information
 23 included in the statements filed by the organization under
 24 section 324 with respect to the campaign-related disburse-

1 ments made by the organization during the period covered
2 by the report.

3 “(b) HYPERLINK TO INFORMATION INCLUDED IN
4 REPORTS FILED WITH COMMISSION.—

5 “(1) REQUIRED POSTING OF HYPERLINK.—If a
6 covered organization maintains an Internet site, the
7 organization shall post on such Internet site a
8 hyperlink from its homepage to the location on the
9 Internet site of the Commission which contains the
10 information included in the statements filed by the
11 organization under section 324 with respect to cam-
12 paign-related disbursements.

13 “(2) DEADLINE; DURATION OF POSTING.—The
14 covered organization shall post the hyperlink de-
15 scribed in paragraph (1) not later than 24 hours
16 after the Commission posts the information de-
17 scribed in such paragraph on the Internet site of the
18 Commission, and shall ensure that the hyperlink re-
19 mains on the Internet site of the covered organiza-
20 tion until the expiration of the 1-year period which
21 begins on the date of the election with respect to
22 which the campaign-related disbursements are made.

23 “(c) DEFINITIONS.—The terms ‘campaign-related
24 disbursement’ and ‘covered organization’ have the mean-
25 ings given such terms in section 324.”.

1 **SEC. 5. LOBBYISTS' CAMPAIGN FUNDING DISCLOSURE.**

2 (a) DISCLOSURE OF INDEPENDENT EXPENDITURES
3 AND ELECTIONEERING COMMUNICATIONS.—Section
4 5(d)(1) of the Lobbying Disclosure Act of 1995 (2 U.S.C.
5 1604(d)(1)) is amended—

6 (1) by striking “and” at the end of subpara-
7 graph (F);

8 (2) by redesignating subparagraph (G) as sub-
9 paragraph (I); and

10 (3) by inserting after subparagraph (F) the fol-
11 lowing new subparagraphs:

12 “(G) the amount of any independent ex-
13 penditure (as defined in section 301(17) of the
14 Federal Election Campaign Act of 1971 (52
15 U.S.C. 30101(17)) equal to or greater than
16 \$1,000 made by such person or organization,
17 and for each such expenditure the name of each
18 candidate being supported or opposed and the
19 amount spent supporting or opposing each such
20 candidate;

21 “(H) the amount of any electioneering
22 communication (as defined in section 304(f)(3)
23 of such Act (52 U.S.C. 30104(f)(3)) equal to or
24 greater than \$1,000 made by such person or or-
25 ganization, and for each such communication
26 the name of the candidate referred to in the

1 communication and whether the communication
2 involved was in support of or in opposition to
3 the candidate; and”.

4 (b) DISCLOSURE OF AMOUNTS PROVIDED TO CER-
5 TAIN POLITICAL COMMITTEES.—Section 5(d)(1)(D) of
6 such Act (2 U.S.C. 1605(d)(1)(D)) is amended by striking
7 “or political party committee,” and inserting the following:
8 “political party committee, or political committee which is
9 treated as a covered organization under section
10 324(f)(1)(D) of the Federal Election Campaign Act of
11 1971,”.

12 (c) EFFECTIVE DATE.—The amendments made by
13 this section shall apply with respect to reports for semi-
14 annual periods described in section 5(d)(1) of the Lob-
15 bying Disclosure Act of 1995 that begin after the date
16 of the enactment of this Act.

17 **SEC. 6. SEVERABILITY.**

18 If any provision of this Act or amendment made by
19 this Act, or the application of a provision or amendment
20 to any person or circumstance, is held to be unconstitu-
21 tional, the remainder of this Act and amendments made
22 by this Act, and the application of the provisions and
23 amendment to any person or circumstance, shall not be
24 affected by the holding.

1 **SEC. 7. EFFECTIVE DATE.**

2 Except as provided in section 5, the amendments
3 made by this Act shall apply with respects to disburse-
4 ments made on or after July 1, 2017.

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