

105TH CONGRESS
1ST SESSION

H. R. 3019

To amend the Federal Election Campaign Act of 1971 to prohibit the use of soft money by political parties, to permit individuals to elect to not have payroll deductions used for political activities, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 9, 1997

Mrs. LINDA SMITH of Washington introduced the following bill; which was referred to the Committee on House Oversight, and in addition to the Committee on 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 prohibit the use of soft money by political parties, to permit individuals to elect to not have payroll deductions used for political activities, 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 “Anti-Money Launder-
5 ing and Paycheck Accountability Act”.

1 **SEC. 2. BAN ON NON-FEDERAL FUNDS OF POLITICAL PAR-**
 2 **TIES.**

3 Title III of the Federal Election Campaign Act of
 4 1971 (2 U.S.C. 431 et seq.) is amended by adding at the
 5 end the following new section:

6 “BAN ON USE NON-FEDERAL FUNDS OF POLITICAL
 7 PARTIES

8 “SEC. 323. (a) BAN DESCRIBED.—

9 “(1) IN GENERAL.—Except as otherwise pro-
 10 vided in this section, no funds may be solicited, con-
 11 tributed, or expended by any political party commit-
 12 tee for purposes of any activity influencing an elec-
 13 tion for Federal office (without regard to whether
 14 the activity involved also influences any other elec-
 15 tion) unless the funds are subject to the limitations,
 16 prohibitions, and reporting requirements of this Act.

17 “(2) EXAMPLES OF ACTIVITIES COVERED.—For
 18 purposes of paragraph (1), the following activities
 19 shall be considered to be examples of activities influ-
 20 encing an election for Federal office:

21 “(A) Voter registration.

22 “(B) Absentee ballot programs.

23 “(C) Get-out-the-vote programs.

24 “(D) Generic campaign activity.

25 “(E) The making or disseminating of any
 26 communication which identifies (by name, like-

1 ness, or representation) any candidate for elec-
2 tion for Federal office.

3 “(b) POLITICAL PARTY COMMITTEE DEFINED.—For
4 purposes of this section, the term ‘political party commit-
5 tee’ means a political committee which is a national, State,
6 district, or local political party committee (including any
7 subordinate committee thereof).”.

8 **SEC. 3. PERMITTING INDIVIDUALS TO ELECT TO NOT HAVE**
9 **PAYROLL DEDUCTIONS USED FOR POLITICAL**
10 **ACTIVITIES.**

11 Title III of the Federal Election Campaign Act of
12 1971 (2 U.S.C. 431 et seq.), as amended by section 2,
13 is further amended by adding at the end the following new
14 section:

15 “PERMITTING INDIVIDUALS TO ELECT TO NOT HAVE
16 PAYROLL DEDUCTIONS USED FOR POLITICAL ACTIVITIES
17 “SEC. 324. (a) RIGHT OF INDIVIDUALS TO MAKE
18 ELECTION.—

19 “(1) IN GENERAL.—No amounts withheld from
20 an individual’s wages or salary during a month may
21 be used by any person receiving the withheld
22 amounts for any political activity if the individual
23 has in effect an election to prohibit the withholding
24 of such amounts during the month for such activi-
25 ties.

1 “(2) PERIOD FOR WHICH ELECTION IS IN EF-
2 FECT.—Except as provided in paragraph (3), an in-
3 dividual’s election to prohibit the withholding of
4 amounts for political activities shall be in effect for
5 all months beginning after the expiration of the 30-
6 day period which begins on the date the individual
7 notifies the person involved of the election.

8 “(3) RIGHT OF REVOCATION AND RENEWAL.—
9 An individual with an election in effect under para-
10 graph (1) may revoke the election at any time, and
11 the election shall no longer be in effect beginning
12 with the first month which begins after the expira-
13 tion of the 30-day period which begins on the date
14 the individual notifies the person involved of the rev-
15 ocation of the election. An individual who revokes an
16 election under this paragraph may at any time
17 renew the election in accordance with paragraphs (1)
18 and (2).

19 “(b) INFORMATION PROVIDED BY WITHHOLDING
20 PERSON TO NEW EMPLOYEES AND MEMBERS.—Each
21 person who first withholds wages or salary from an indi-
22 vidual after December 1, 1998, shall provide the individual
23 (at the time the person first withholds wages or salary
24 from the individual) with a statement explaining the indi-

1 vidual’s right under this section to have an election in ef-
2 fect and to revoke the election.

3 “(c) POLITICAL ACTIVITY DEFINED.—In this sec-
4 tion, the term ‘political activity’ means—

5 “(1) attempting to influence legislation;

6 “(2) participating or intervening in (including
7 the publishing or distributing of statements) any po-
8 litical campaign on behalf of (or in opposition to)
9 any candidate for public office; or

10 “(3) influencing or attempting to influence the
11 selection, nomination, election, or appointment of
12 any individual to any Federal, State, or local public
13 office or to any office in a political party, committee,
14 association or fund.”.

15 **SEC. 4. REQUIRING REPORTING WITHIN 24 HOURS OF ALL**
16 **CONTRIBUTIONS RECEIVED WITHIN 20 DAYS**
17 **OF ELECTION.**

18 (a) IN GENERAL.—Section 304(a)(6)(A) of the Fed-
19 eral Election Campaign Act of 1971 (2 U.S.C.
20 434(a)(6)(A)) is amended to read as follows:

21 “(6)(A) Each political committee shall notify the Sec-
22 retary or the Commission, and the Secretary of State, as
23 appropriate, in writing, of any contribution received by the
24 committee during the period which begins on the 20th day
25 before an election and ends at the time the polls close for

1 such election. This notification shall be made within 24
2 hours (or, if earlier, by midnight of the day on which the
3 contribution is deposited) after the receipt of such con-
4 tribution and shall include the name of the candidate and
5 the office sought by the candidate, the identification of
6 the contributor, and the date of receipt and amount of
7 the contribution.”.

8 (b) AVAILABILITY OF INFORMATION ON
9 INTERNET.—Section 304(a)(6) of such Act (2 U.S.C.
10 434(a)(6)) is amended by adding at the end the following
11 new subparagraph:

12 “(C)(i) The Commission shall make the information
13 contained in the reports submitted under this paragraph
14 available on the Internet and publicly available at the of-
15 fices of the Commission as soon as practicable (but in no
16 case later than 24 hours) after the information is received
17 by the Commission.

18 “(ii) In this subparagraph, the term ‘Internet’ means
19 the international computer network of both Federal and
20 non-Federal interoperable packet-switched data net-
21 works.”.

1 **SEC. 5. MODIFICATION OF PROHIBITION AGAINST SOLICI-**
2 **TATION OF CAMPAIGN CONTRIBUTIONS BY**
3 **FEDERAL OFFICIALS IN FEDERAL BUILD-**
4 **INGS.**

5 (a) SOLICITATION OF NON-FEDERAL FUNDS.—Sec-
6 tion 607 of title 18, United States Code, is amended—

7 (1) in subsection (a), by striking “within the
8 meaning of section 301(8) of the Federal Election
9 Campaign Act of 1971”; and

10 (2) by adding at the end the following new sub-
11 section:

12 “(c) In this section, the term ‘contribution’ means
13 any payment of any gift, subscription, loan, advance, or
14 deposit of money or anything of value made in support
15 of the activities of a political committee established and
16 maintained by a national political party or the party, or
17 otherwise made for purposes of influencing directly or in-
18 directly any election for Federal office.”.

19 (b) CLARIFICATION OF APPLICABILITY TO SOLICITA-
20 TION OF PERSONS OUTSIDE OF BUILDING AND PERSONS
21 WHO ARE NOT FEDERAL EMPLOYEES.—Section 607(a)
22 of title 18, United States Code, is amended by striking
23 the period at the end of the first sentence and inserting
24 the following: “, without regard to whether such person
25 or the person to whom the solicitation is directed is men-
26 tioned in such section, or to whether the person to whom

1 the solicitation is directed is in such room, building, navy
2 yard, fort, or arsenal at the time the solicitation is made.”.

3 (c) TREATMENT OF ALL AREAS OF WHITE HOUSE
4 AND VICE PRESIDENTIAL MANSION AS FEDERAL BUILD-
5 ING.—The first sentence of section 607(a) of title 18,
6 United States Code, is amended by striking “any room
7 or building” and inserting “any room in the White House
8 (including the Executive Residence) or the official resi-
9 dence of the Vice President, or in any room or building”.

10 **SEC. 6. EFFECTIVE DATE.**

11 Except where otherwise provided, the amendments
12 made by this Act shall apply with respect to elections oc-
13 ccurring after December 1998.

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