

**AMENDMENT TO H.R. 5175, AS REPORTED
OFFERED BY MR. LIPINSKI OF ILLINOIS**

Add at the end of title I the following new section:

1 **SEC. 106. PROHIBITING CORPORATIONS SUBJECT TO CER-**
2 **TAIN CRIMINAL OR CIVIL SANCTIONS FROM**
3 **ENGAGING IN CAMPAIGN-RELATED ACTIVITY.**

4 (a) PROHIBITION.—Section 316 of the Federal Elec-
5 tion Campaign Act of 1971 (2 U.S.C. 441b) is amended
6 by adding at the end the following new subsection:

7 “(d) PROHIBITING CORPORATIONS SUBJECT TO CER-
8 TAIN SANCTIONS FROM ENGAGING IN CAMPAIGN-RE-
9 LATED ACTIVITY.—

10 “(1) PROHIBITION.—Subject to paragraph (2),
11 a corporation described in subsection (a) may not
12 engage in any campaign-related activity if the cor-
13 poration has been subject to any of the following
14 sanctions:

15 “(A) The imposition of any criminal pen-
16 alty under any Federal law.

17 “(B) The imposition of a civil money pen-
18 alty under any Federal law in an amount equal
19 to or greater than \$1,000,000.

20 “(2) APPLICATION OF PROHIBITION.—

1 “(A) IN GENERAL.—Paragraph (1) shall
2 apply with respect to a corporation only during
3 such period of time (if any) as may be deter-
4 mined appropriate by the court or other entity
5 which imposes the sanction involved.

6 “(B) STATEMENT IF PROHIBITION NOT AP-
7 PLIED.—If the court or other entity which im-
8 poses a sanction on a corporation determines
9 that it is not appropriate to apply paragraph
10 (1) to the corporation for any period of time,
11 the court or other entity shall, at the time of
12 imposing the sanction, publicly disseminate and
13 file with the Commission a statement of the
14 court’s or other entity’s reasons for not apply-
15 ing paragraph (1) to the corporation.

16 “(3) CAMPAIGN-RELATED ACTIVITY DEFINED.—
17 In this paragraph, the term ‘campaign-related activ-
18 ity’ means, with respect to a corporation—

19 “(A) the making of a contribution by a
20 separate segregated fund of the organization es-
21 tablished and administered pursuant to sub-
22 section (b)(2)(C);

23 “(B) the disbursement of funds for an
24 independent expenditure; or

1 “(C) the disbursement of funds for an elec-
2 tioneering communication described in section
3 304(f).”.

4 (b) DISSEMINATION OF INFORMATION ON AVAIL-
5 ABILITY OF SANCTION.—Upon the enactment of this Act,
6 the Federal Election Commission shall disseminate infor-
7 mation to the public, and shall notify each State, regard-
8 ing the availability of the prohibition described in section
9 316(d) of the Federal Election Campaign Act of 1971, as
10 added by subsection (a), as a sanction applicable to cor-
11 porations subject to any of the sanctions described in sec-
12 tion 316(d)(1) of such Act.

13 (c) EFFECTIVE DATE.—The amendment made by
14 subsection (a) shall apply with respect to penalties im-
15 posed on or after the date of the enactment of this Act.

