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H.R. 5175 - Democracy Is Strengthened by Casting Light on Spending in Elections (DISCLOSE) Act Amendments

Order of Business: H.R. 5175 is scheduled to be considered on Thursday, June 24, 2010, under a structured rule (H.Res. 1468) that waives all points of order against consideration of the bill except for clause 9 of Rule XXI (earmarks) and clause 10 of Rule XXI (PAYGO) and makes in order 5 amendments. The rule provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on House Administration. The rule provides for one motion to recommit with or without instructions. All amendments are debatable for 10 minutes, except for the Manager's Amendment, which will self-enact upon passage of the rule.

The rules also provides for suspensions through Friday and for the same-day consideration of the rule for H.R. 4213, the deficit extenders bill, by simple majority.

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AMENDMENTS MADE IN ORDER UNDER THE RULE

- **1.** *Ackerman (D-NY).* The underlying bill requires covered organizations to report disclosures to shareholders, members, or donors. This amendment would require that covered organizations report required disclosures to shareholders, members, or donors in a "clear and conspicuous manner."
- 2. Steve King (R-IA). The amendment would eliminate all limitations on federal election campaign contributions. Disclosure requirements in current law would still apply.
- **3.** *Kucinich (D-OH)*. The amendment states that individuals holding leases for drilling on the Outer Continental Shelf may not make any campaign-related contribution or expenditure. This is a broad restriction that is a clear violation of the First Amendment.

- **4.** *Pascrell (D-NJ)*. The amendment would further expand the limitations on *American* corporations that have foreign involvement. Specifically, the amendment would prohibit campaign expenditures by corporations where a foreign government owns or controls 5 percent or more of the voting shares. It would also prohibit expenditures by corporations with 20% or more of the voting shares owned by non-government foreign nationals. The amendment also prohibits expenditures where two or more foreign nationals indirectly own or control 50% or more of the voting shares.
- 5. *P. Murphy* (*D-PA*). The amendment would amend Section 214(b)(2), the "Stand by your Ad" section in the bill to require, among other things, that not only does an individual disclosure statement need to state the name of the individual who approves the message, it must include the local jurisdiction in which the individual resides, and the state in which the individual resides. For organizational disclosure statements, and for the significant funder statements, the amendment requires the name of the local jurisdiction and the state in which the organization's office is located or where the significant funder resides. The same requirements apply to significant funders that are not individuals. This amendment would increase the time awarded to already-onerous disclosure requirements.