

**AMENDMENT TO H.R. 5175, AS REPORTED
OFFERED BY MS. GIFFORDS OF ARIZONA**

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

1 **SEC. 106. REQUIRING INCUMBENT CANDIDATES TO IN-**
2 **CLUDE INFORMATION ON CONGRESSIONAL**
3 **EARMARKS IN QUARTERLY CAMPAIGN RE-**
4 **PORTS.**

5 (a) REQUIRING REPORTS TO INCLUDE INFORMA-
6 TION.—Section 304(b) of the Federal Election Campaign
7 Act of 1971 (2 U.S.C. 434(b)) is amended—

8 (1) by striking “and” at the end of paragraph
9 (7);

10 (2) by striking the period at the end of para-
11 graph (8) and inserting “; and”; and

12 (3) by adding at the end the following new
13 paragraph:

14 “(9) in the case of an authorized committee of
15 a candidate for election for Federal office who is a
16 Member of Congress (including a Delegate or Resi-
17 dent Commissioner to the Congress), the informa-
18 tion described in subsection (j).”.

1 (b) INFORMATION DESCRIBED.—Section 304 of such
2 Act (2 U.S.C. 434) is amended by adding at the end the
3 following new subsection:

4 “(j) DESCRIPTION OF EARMARK INFORMATION RE-
5 QUIRED TO BE INCLUDED IN QUARTERLY REPORTS
6 FILED BY INCUMBENT CANDIDATES.—

7 “(1) IN GENERAL.—For purposes of subsection
8 (b)(9), the information described in this subsection
9 is, with respect to a candidate and the authorized
10 committee of a candidate—

11 “(A) a description of each request for a
12 Congressional earmark which was made by the
13 candidate during the election cycle; and

14 “(B) the identification of any individual
15 who made a contribution to the committee dur-
16 ing the cycle who, at any time during the
17 cycle—

18 “(i) was a senior executive of any en-
19 tity for which the candidate sought such a
20 Congressional earmark, or

21 “(ii) was registered as a lobbyist
22 under the Lobbying Disclosure Act of 1995
23 (2 U.S.C. 1601 et seq.) and for whom an
24 entity described in clause (i) was a client
25 for purposes of such Act.

1 “(2) CONGRESSIONAL EARMARK DEFINED.—In
2 this subsection, the term ‘Congressional earmark’
3 means a provision or report language which—

4 “(A) is included in a bill or joint resolu-
5 tion, a committee report to accompany a bill or
6 joint resolution, or a conference report to ac-
7 company a bill or joint resolution (including a
8 joint explanatory statement prepared by the
9 managers of the conference) primarily at the re-
10 quest of a Member of Congress; and

11 “(B) provides, authorizes, or recommends
12 a specific amount of discretionary budget au-
13 thority, credit authority, or other spending au-
14 thority for a contract, loan, loan guarantee,
15 grant, loan authority, or other expenditure with
16 or to an entity, other than through a statutory
17 or administrative formula-driven or competitive
18 award process.

19 “(3) ELECTION CYCLE DEFINED.—In this sub-
20 section, the term ‘election cycle’ has the meaning
21 given such term in section 301(25), without regard
22 to the second sentence of such section.

23 “(4) SENIOR EXECUTIVE DEFINED.—In this
24 subsection, the term ‘senior executive’ means, with
25 respect to an entity, the President, Chief Executive

1 Officer, Chief Operating Officer, or Chief Financial
2 Officer of the entity.”.

3 (c) EFFECTIVE DATE.—The amendments made by
4 subsection (a) shall apply with respect to reports required
5 to be filed on or after the date of the enactment of this
6 Act.

