

MOTION TO RECOMMIT H.R. 5175
OFFERED BY MR. DANIEL E. LUNGREN OF
CALIFORNIA

Mr. Daniel E. Lungren of California moves to recommit the bill H.R. 5175 to the Committee on House Administration with instructions to report the same back to the House forthwith with the following amendment:

Strike section 401 and insert the following:

1 SEC. 401. TREATMENT OF CERTAIN LOBBYISTS AS FOREIGN
2 NATIONALS.

3 Section 319(b) of the Federal Election Campaign Act
4 of 1971 (2 U.S.C. 441e(b)), as amended by section
5 102(a), is further amended—

6 (1) by striking “or” at the end of paragraph

7 (2);

8 (2) by striking the period at the end of para-
9 graph (3) and inserting “; or”; and

10 (3) by adding at the end the following new
11 paragraph:

12 “(4) any person who is a registered lobbyist
13 under the Lobbying Disclosure Act of 1995 whose
14 clients under such Act include—

1 “(A) a country the government of which
2 the Secretary of State has determined, for pur-
3 poses of section 6(j) of the Export Administra-
4 tion Act of 1979 (as continued in effect pursu-
5 ant to the International Emergency Economic
6 Powers Act), section 40 of the Arms Export
7 Control Act, section 620A of the Foreign As-
8 sistance Act of 1961, or any other provision of
9 law, is a government that has repeatedly pro-
10 vided support for acts of international ter-
11 rorism; or

12 “(B) any other foreign national described
13 in this subsection.”.

14 **SEC. 402. PROHIBITING USE OF CAMPAIGN FUNDS FOR PO-**
15 **LITICAL ROBOCALLS MADE TO INDIVIDUALS**
16 **ON DO-NOT-CALL REGISTRY.**

17 Section 318(f) of the Federal Election Campaign Act
18 of 1971 (2 U.S.C. 441d(f)), as added by section 214(b)(4),
19 is further amended—

20 (1) by redesignating paragraph (3) as para-
21 graph (4); and

22 (2) by inserting after paragraph (2) the fol-
23 lowing new paragraph:

24 “(3) COMPLIANCE WITH DO-NOT-CALL REG-
25 ISTRY.—No contribution, independent expenditure,

1 electioneering communication, or other donation of
2 funds which is subject to the requirements of this
3 Act may be used for a political robocall which is
4 made to a telephone number which is registered on
5 the national do-not-call registry implemented by the
6 Federal Trade Commission.”.

7 **SEC. 403. JUDICIAL REVIEW.**

8 (a) SPECIAL RULES FOR ACTIONS BROUGHT ON
9 CONSTITUTIONAL GROUNDS.—If any action is brought for
10 declaratory or injunctive relief to challenge the constitu-
11 tionality of any provision of this Act or any amendment
12 made by this Act, including an action brought to challenge
13 the constitutionality of granting an unfair advantage in
14 representation in the House of Representatives to resi-
15 dents of the District of Columbia, the following rules shall
16 apply:

17 (1) The action shall be filed in the United
18 States District Court for the District of Columbia
19 and shall be heard by a 3-judge court convened pur-
20 suant to section 2284 of title 28, United States
21 Code.

22 (2) A copy of the complaint shall be delivered
23 promptly to the Clerk of the House of Representa-
24 tives and the Secretary of the Senate.

1 (3) A final decision in the action shall be re-
2 viewable only by appeal directly to the Supreme
3 Court of the United States. Such appeal shall be
4 taken by the filing of a notice of appeal within 10
5 days, and the filing of a jurisdictional statement
6 within 30 days, of the entry of the final decision.

7 (4) It shall be the duty of the United States
8 District Court for the District of Columbia and the
9 Supreme Court of the United States to expedite to
10 the greatest possible extent the disposition of the ac-
11 tion and appeal.

12 (b) INTERVENTION BY MEMBERS OF CONGRESS.—In
13 any action in which the constitutionality of any provision
14 of this Act or any amendment made by this Act is raised
15 (including but not limited to an action described in sub-
16 section (a)), any member of the House of Representatives
17 (including a Delegate or Resident Commissioner to the
18 Congress) or Senate shall have the right to intervene ei-
19 ther in support of or opposition to the position of a party
20 to the case regarding the constitutionality of the provision
21 or amendment. To avoid duplication of efforts and reduce
22 the burdens placed on the parties to the action, the court
23 in any such action may make such orders as it considers
24 necessary, including orders to require intervenors taking

1 similar positions to file joint papers or to be represented
2 by a single attorney at oral argument.

3 (c) CHALLENGE BY MEMBERS OF CONGRESS.—Any
4 Member of Congress may bring an action, subject to the
5 special rules described in subsection (a), for declaratory
6 or injunctive relief to challenge the constitutionality of any
7 provision of this Act or any amendment made by this Act.

