

Ron Wyden^{TR}

MCG16266

S.L.C.

AMENDMENT NO. _____ Calendar No. _____

Purpose: To amend the Federal Election Campaign Act of 1971 to require candidates of major parties for the office of President to disclose recent tax return information.

IN THE SENATE OF THE UNITED STATES—114th Cong., 2d Sess.

S. 2943

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	GPO: 2010 63-070 (mac)	

AMENDMENT intended to be proposed by Mr. WYDEN (for himself and Mr. BENNET)

Viz:

- 1 At the end of subtitle I of title X, add the following:
- 2 **SEC. 1097. DISCLOSURE OF RECENT TAX RETURNS OF CER-**
- 3 **TAIN PRESIDENTIAL CANDIDATES.**
- 4 (a) IN GENERAL.—Section 304 of the Federal Elec-
- 5 tion Campaign Act of 1971 (52 U.S.C. 30104) is amended
- 6 by adding at the end the following new subsection:
- 7 “(j) DISCLOSURE OF TAX RETURNS OF CERTAIN
- 8 PRESIDENTIAL CANDIDATES.—

1 “(1) IN GENERAL.—Not later than 15 days
2 after the nomination of any candidate of a major
3 party for the office of President, such candidate
4 shall file with the Commission a copy of the income
5 tax returns of such candidate for the 3 most recent
6 taxable years for which such a return has been filed
7 with the Internal Revenue Service as of the date of
8 the nomination.

9 “(2) PROCEDURE IF NO INFORMATION
10 FILED.—In any case in which the candidate of a
11 major party for the office of President has not filed
12 with the Commission the income tax returns de-
13 scribed in paragraph (1) before the date which is 30
14 days after the date such candidate is nominated, the
15 Chairman of the Commission shall request the Sec-
16 retary of the Treasury to provide such returns.

17 “(3) RETURNS MADE PUBLIC.—A tax return
18 provided to the Commission by a candidate under
19 paragraph (1) or by the Secretary of the Treasury
20 pursuant to paragraph (2) shall be treated in the
21 same manner as a report filed by the candidate and,
22 except as provided in paragraph (4), shall be made
23 publicly available at the same time and in the same
24 manner as other reports and statements under this
25 section.

1 “(4) REDACTION OF CERTAIN INFORMATION.—

2 Before making any return described in paragraph
3 (1) or (2) available to the public, the Commission
4 shall redact such information as the Commission, in
5 consultation with the Secretary of the Treasury (or
6 the Secretary’s delegate), determines appropriate.

7 “(5) DEFINITIONS.—For purposes of this sub-
8 section:

9 “(A) MAJOR PARTY.—The term ‘major
10 party’ has the meaning given such term by sec-
11 tion 9002(6) of the Internal Revenue Code of
12 1986.

13 “(B) INCOME TAX RETURN.—The term
14 ‘income tax return’ means any return (as de-
15 fined in section 6103(b)(1) of the Internal Rev-
16 enue Code of 1986) relating to Federal income
17 taxes.”.

18 (b) AUTHORITY TO DISCLOSE INFORMATION.—

19 “(1) IN GENERAL.—Section 6103(l) of the Inter-
20 nal Revenue Code of 1986 is amended by adding at
21 the end the following new paragraph:

22 “(23) DISCLOSURE OF RETURN INFORMATION
23 OF CERTAIN PRESIDENTIAL CANDIDATES BY FED-
24 ERAL ELECTION COMMISSION.—

1 “(A) IN GENERAL.—The Federal Election
2 Commission may disclose to the public the ap-
3 plicable returns of any person who has been
4 nominated as a candidate of a major party (as
5 defined in section 9002(6)) for the office of
6 President.

7 “(B) DISCLOSURE TO FEC IN CASES
8 WHERE CANDIDATE DOES NOT PROVIDE RE-
9 TURNS.—The Secretary shall, upon written re-
10 quest from the Chairman of the Federal Elec-
11 tion Commission pursuant to section 304(j)(2)
12 of the Federal Election Campaign Act of 1971,
13 provide to officers and employees of the Federal
14 Election Commission copies of the applicable re-
15 turns of any person who has been nominated as
16 a candidate of a major party (as defined in sec-
17 tion 9002(6)) for the office of President.

18 “(C) APPLICABLE RETURNS.—For pur-
19 poses of this paragraph, the term ‘applicable re-
20 turns’ means, with respect to any candidate for
21 the office of President, income tax returns for
22 the 3 most recent taxable years for which a re-
23 turn has been filed as of the date of the nomi-
24 nation.”.

1 (2) CONFORMING AMENDMENTS.—Section
2 6103(p)(4) of such Code, in the matter preceding
3 subparagraph (A) and in subparagraph (F)(ii), is
4 amended by striking “or (22)” and inserting “(22),
5 or (23)” each place it appears.

6 (c) EFFECTIVE DATE.—The amendments made by
7 this section shall take effect on the date of the enactment
8 of this Act.