DISCRETIONARY APPROPRIATIONS FOR FISCAL YEAR 2001—COMPARISON OF CURRENT LEVEL WITH SUBALLOCATIONS PURSUANT TO BUDGET ACT SECTION 302(b)—Continued

[In millions of dollars]

	Revised 302(b) suballocations as of June 8, 2000 (H. Rpt. 106–660)		Current level reflecting action completed as of June 15, 2000		Difference	
	BA	O	BA	O		
Labor, HHS & Education	97,159	91,156	18,954	64,188	(78,205)	(26,968)
Legislative Branch	2,355	2,383	0	352	(2,355)	(2,031)
Military Construction	8,634	8,684	0	6,101	(8,634)	(2,583)
Transportation [1]	14,989	48,513	20	28,651	(14,969)	(19,862)
Treasury-Postal Service	14,088	14,563	62	3,202	(14,026)	(11,361)
VA–HUD–Independent Agencies	76,194	84,154	3,561	47,808	(72,633)	(36,346)
Reserve/Offsets	0	0	0	0	0	0
Unassigned	273	273	0	768	(273)	495
Grand Total	601,681	625,975	22,958	279,511	(578,723)	(346,464)

[1] Transportation does not include mass transit BA.

COMPARISON OF CURRENT LEVEL TO DISCRETIONARY SPENDING LEVELS SET FORTH IN SEC. 251(c) OF THE BALANCED BUDGET & EMERGENCY DEFICIT CONTROL ACT OF 1985

[Dollars in millions]

	Defense [1]		Nondefense [1]		General purpose		Highway category		Mass transit category	
	BA	O	BA	O	BA	O	BA	O	BA	O
Statutory Caps [2]	(3)	(3)	(3)	(3)	541,095	547,279	0	26,920	(3)	4,639
Current Level	0	99,470	22,958	156,530	22,958	256,000	0	18,968	0	4,543
Difference (Current Level—Caps)	(3)	(3)	(3)	(3)	−518,137	−291,279	(3)	−7,952	(3)	−96

[1] Defense and nondefense categories are advisory rather than statutory.
[2] Established by OMB Budget Enforcement Act Preview Report.
[3] Not applicable.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, June 19, 2000.

Hon. JOHN R. KASICH,
Chairman, Committee on the Budget,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the fiscal year 2001 budget and is current through June 15, 2000. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of H. Con. Res. 290, the Concurrent Resolution on the Budget for Fiscal Year 2001. The budget resolution figures incorporate revisions submitted by the Committee on the Budget to the House to reflect funding for emergency requirements, disability reviews, and adoption assistance. These revisions are required by section 314 of the Congressional Budget Act, as amended. This is my first letter for fiscal year 2001.

Since the beginning of the second session of the 106th Congress, the Congress has cleared and the President has signed an act to amend the Food Stamp Act of 1977 (P.L. 106–17), the Omnibus Parks Technical Corrections Act of 1999 (P.L. 106–176), the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century (P.L. 106–181), the Civil Asset Forfeiture Reform Act of 2000 (P.L. 106–185), and the Trade and Development Act of 2000 (P.L. 106–200). In addition, the Congress cleared for the President's signature the Agricultural Risk Protection Act of 2000 (H.R. 2559).

Sincerely,

ROBERT A. SUNSHINE
(For Dan L. Crippen, Director).

Enclosure.

FISCAL YEAR 2001 HOUSE CURRENT LEVEL REPORT AS OF JUNE 15, 2000

[In millions of dollars]

	Budget (authority)	Outlays	Revenues	Surplus
Enacted in previous sessions:				
Revenues	0	0	1,514,800	
Permanents and other spending legislation	961,064	916,715	0	
Appropriation legislation [1]	0	266,010	0	
Offsetting receipts	−297,807	−297,807	0	
Total, previously enacted	663,257	884,918	1,514,800	n.a.
Enacted this session: An act to amend the Food Stamp Act of 1977 (P.L. 106–171)	1	1	0	
Omnibus Parks Technical Corrections Act of 1999 (P.L. 106–176)	8	6	0	
Wendell H. Ford Aviation Investment & Reform Act for the 21st Century (P.L. 106–181)	3,200	0	−2	
Civil Asset Forfeiture Reform Act of 2000 (P.L. 106–185)	−114	−75	−115	
Trade and Development Act of 2000 (P.L. 106–200)	−47	−47	−442	
Total, enacted this session	3,048	−115	−559	n.a.
Cleared pending signature:				
Agricultural Risk Protection Act of 2000 (H.R. 2559)	3,060	2,165	0	n.a.
Entitlements and Mandatories:				
Budget resolution baseline estimates of appropriated entitlements and other mandatory programs not yet enacted	283,602	262,778	0	n.a.
Total Current Level [1]	952,967	1,149,381	1,514,241	364,860
Total Budget Resolution	1,529,886	1,495,196	1,503,200	8,004
Current Level Over Budget Resolution	0	0	11,041	356,856
Current Level Under Budget Resolution	−576,919	−345,815	0	0
Memorandum:				
Revenues, 2001–2005:				
House Current Level	0	0	8,169,171	n.a.
House Budget Resolution	0	0	8,022,400	n.a.
Current Level Over Budget Resolution	0	0	146,771	n.a.
2001 Advances:				
FY 2002 House Current Level	0	0	0	n.a.
FY 2001 House Budget Resolution	0	0	23,500	n.a.
Current Level Under Budget Resolution	0	0	−23,500	n.a.

[1] For purposes of enforcing section 311 of the Congressional Budget Act in the House, the budget resolution does not include budget authority or outlays for Social Security administrative expenses. As a result, current level excludes these items.

Source: Congressional Budget Office.
Notes.—P.L.=Public Law; n.a.=not applicable.

OPPOSE H.R. 4717

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Mr. Speaker, as chairman of the Values Action Team, I rise to bring to the Members' attention the strong opposition of many of the outside pro-family groups to the Archer-Houghton disclosure bill, H.R. 4717.

Since this bill has been broadened to include, not only 527s, but now

501(c)(4)s, (c)(5)s, (c)(6)s, and it is being marketed as a disclosure bill, the provision would result in such burdensome regulations that many of these organizations feel they would be out of business as far as issue advocacy and representing their constituencies in lobbying.

I submit for the RECORD about 30 letters from 30 organizations, including the Family Research Council, Eagle Forum, Christian Coalition, National Right to Life, Concerned Women for America, American Conservative Union, Traditional Values Coalition, U.S. Business and Industry Council, Citizens Against Government Waste, and many others, and trust that Members will take this into consideration.

The letters are as follows:

NATIONAL RIGHT TO LIFE COMMITTEE, INC.,
Washington, DC, June 23, 2000.

DEAR MEMBER OF CONGRESS: We are writing to express the strong objections of the National Right to Life Committee (NRLC) to the punitive and unconstitutional legislation approved yesterday by the Ways & Means Committee, which is expected to come before the full House during the week of June 26.

NRLC, Inc. and its state affiliates are 501(c)(4) corporations. These organizations have non-profit status simply because they exist not to make a profit but to promote a cause—the protection of innocent human life. Contributions to 501(c)(4) corporations are not tax-deductible.

HR 4717 is being marketed as merely requiring ''disclosure'' by organizations, including 501(c)(4) corporations, that engage in so-called ''political activities.'' But in fact it would impose extremely burdensome regulations on the day-to-day advocacy and grassroots lobbying activities of many long-established and respectable membership organizations, including NRLC and NRLC's state affiliates. The bill would required groups such as NRLC and NRLC affiliates to file reports with the IRS giving a ''detailed description,'' including ''the purpose and intended results,'' of communications to our members or to members of the public merely because those communications mention the name of a member of Congress, or Vice-president Gore or some other ''candidate.'' (Under current federal law, the term ''candidate'' includes every member of Congress who has not announced his retirement, including each senator throughout his six-year term.)

These requirements are triggered by an expenditure of as little as $1,000 on any such activity. This requirement would apply, among other things, to routine grassroots alerts regarding upcoming legislative events—whether disseminated by mail, telephone, paid ads, e-mail alert systems, or websites.

Incredibly, these requirements would apply even to communications to our own members that mention the name of a member of Congress or other federal politician, if the communication ''urges such members to communicate with another person or to take an action as a result of such communication.'' Thus, an ''action alert'' in the National Right to Life News, urging our members to write ''letters to the editor'' of local newspapers expressing support for the ''Hyde Amendment,'' would need to be reported to the IRS. Indeed, if a group spent $1,000 on a mailing to urge its members to ''pray for the defeat of the Kennedy bill,'' that group would be required to give a ''detailed description'' of that activity to the IRS, including a listing of ''the candidates intended to be affected.''

In addition, the bill would unconstitutionally require that our organizations report to the government—and place in the public domain—the name, address, occupation, and employer of any person who contributes $1,000 per year or more to our organizations. Stripping our best donors of privacy in this manner will expose them to harassment and exploitation by fly-by-night telemarketers and other outside parties. It would also expose them to retribution from employers or pro-abortion activists who do not agree with their support for the right-to-life cause. This is not a hypothetical concern—pro-abortion activists have in the past used boycotts and other means to ''punish'' businessmen and others who support pro-life causes.

Respectfully, we do not believe that the Constitution permits our elected representatives to demand that groups of citizens, organized to promote a cause, must report to government bureaucrats every instance in which they dare to utter the name of a federal politician to multiple listeners. The Constitution protects the rights of our members to associate, to express opinions on the actions of federal politicians, and to urge other citizens to communicate with their elected representatives, without being subjected to intrusive oversight by politicians, political appointees, or federal bureaucrats.

Finally, it is worth noting that the burdens imposed by HR 4417 would not apply to the largest organizational sponsor of pro-abortion lobbying and issue advocacy—the Planned Parenthood Federation of America (PPFA). That is because PPFA is 501(c)(3) organization, which are not covered by the bill. Private donors to PPFA obtain tax deductions, unlike donors to NRLC. Yet, because PPFA files under the special 501(h) category, PPFA can and does engage extensively in mass communications that mention the names of members of Congress (issue advocacy), including grassroots lobbying campaigns aimed at Congress. Inclusion of 501(h) organizations would not make the bill constitutional, but the exclusion of PPFA makes the bill even more outrageous.

We strongly urge you to oppose this legislation. We intend to inform our members and donors regarding how members of the House vote regarding protection of their rights to privacy and their ability to collectively petition their elected representatives.

Sincerely,

DAVID N. O'STEEN, PH.D.,
Executive Director.
DOUGLAS JOHNSON,
Legislative Director.

CHRISTIAN COALITION,
Chesapeake, VA, June 26, 2000.

DEAR MEMBER OF CONGRESS: I am writing to you about one of the most important votes for the Christian Coalition membership that you may ever cast in your career—that is the upcoming vote on campaign finance reform. The Christian Coalition strongly opposes H.R. 4717, the ''Full and Fair Political Activity Disclosure Act,'' because of the impact it would have on the Christian Coalition as an organization by forcing us to publicly disclose the names of our donors, and because of its intrusive and burdensome reporting requirements. H.R. 4717 is a blatant violation of our constitutional right to free speech and to freedom of association. Be assured that the Christian Coalition intends to publicize to our supporters in the clearest possible terms how you vote on H.R. 4717, and the impact of your vote on the Christian Coalition.

H.R. 4717 would require the Christian Coalition and many of our affiliates to publicly report the name, address, occupation, and employer of any contributors who contribute an aggregate of $1,000 or more during the reporting period. Freedom of speech and freedom of association are two of the most fundamental rights acknowledged by the U.S. Constitution. The freedom to donate money to support controversial or unpopular views is crucial to both these rights. Activists committed to social change will never be able to lead the rest of us to a better life without the financial support of generous souls willing to sacrifice their hard earned capital as an investment for the future. H.R. 4717 would punish individuals who support political action on controversial issues. Opposition activists could target contributors for harassment, both legal and illegal. What would have happened to the Civil Rights movement of the 1950's and 60's if the KKK had access to the donor lists for the NAACP and the ACLU? Americans must never be forced to risk their jobs, their homes, their friends, or their lives merely because they choose to contribute money for causes that others may not yet understand.

The United States Supreme Court has recognized that the public disclosure of donors has ''the practical effect of discouraging the exercise of constitutionally protected political rights,'' *Buckley* v. *Valeo*, 424 U.S. 1, 65 (1976), since ''revelation of the identity of rank-and-file members expose[s] these members to economic reprisal, loss of employment, threat of physical coercion and other manifestations of public hostility.'' *NAACP* v. *Alabama*, 357 U.S. 449, 462 (1958). In light of the controversial issues that the Christian Coalition has been willing to stand and fight for over the years, the public reporting of our donor base cold cripple the Christian Coalition as our donations dry up.

H.R. 4717 would also require the Christian Coalition to file quarterly reports of any communications over $1,000 that involve the name or likeness of a candidate, or which meet the IRS definition of political intervention—an extremely vague and nebulous definition. But the bill goes even further and goes so far as to force disclosure of the money spent for internal communications from an organization's officers to its general membership regarding elected officials if the communication calls for the membership to take action. Even legislative alerts and other communications to our membership regarding pending legislation would need to be reported to the government if they exceed the $1,000 threshold. We reject the notion that Congress can require grassroots citizen organizations like the Christian Coalition that are organized to promote a cause, to constantly report to the government our internal communications with our membership regarding pending legislation would need to be reported to the government if they exceed the $1,000 threshold. We reject the notion that Congress can require grassroots citizen organizations like the Christian Coalition that are organized to promote a cause, to constantly report to the government our internal communications with our membership, or our communications with the public merely because they mention the name of a candidate, and be subjected to intrusive oversight by political appointees and other government employees.

It is particularly offensive that H.R. 4717 applies to groups like the Christian Coalition, but not to the Planned Parenthood Federation of America, a 501c3 organization that is the largest organizational sponsor of pro-abortion lobbying.

On behalf of the members and supporters of the Christian Coalition, I urge you to stand up for the rights of our membership and vote against H.R. 4717.

Sincerely,

SUSAN T. MUSKETT,
Director, Legislative Affairs.

EAGLE FORUM,
June 23, 2000.

DEAR SPEAKER HASTERT, MAJORITY LEADER ARMEY, AND MAJORITY WHIP DELAY: On behalf of Eagle Forum members nationwide, I am writing in strong opposition to the Full and Fair Political Activity Disclosure Act of 2000 (H.R. 4717), which was approved by the Ways and Means Committee yesterday. This bill gives the federal government the authority to police the activities of section 527, 501(c)(4), 501(c)(5), and section 501(c)(6) organizations.

Eagle Forum functions as a 501(c)(4) tax-exempt organization and does not receive tax-deductible contributions. While H.R. 4717 is being marketed as a ''disclosure'' bill, implementing its provisions would result in burdensome paperwork that would take a heavy toll on our day-to-day activities and grassroots lobbying. Once Eagle Forum spends $10,000 on legislative activities that merely mention the name of a Member of Congress or a candidate, we would be required to file reports with the Internal Revenue Service giving a ''detailed description . . . including the purpose and intended results'' of our communications. We do not want the IRS knocking on our door every time we send an alert, conduct a postcard campaign, or generate phone calls.

It is Eagle Forum's policy to respect and protect the privacy of our members. Therefore, we do not rent or share our lists. However, H.R. 4717 would force us to report to the government, thereby placing in the public domain, the name, address, occupation, and employer of any person who contributes $1,000 or more in one year to Eagle Forum. This requirement would force our members into the public sphere despite our longstanding policy of protecting our members' privacy, which is guaranteed by the First Amendment, see *NAACP* v. *Patterson,* 357 U.S. 449 (1958).

Finally, our system of government relies on citizen participation. The U.S. Constitution does not give federal government the authority to police or force organizations, such as Eagle Forum, to report to government bureaucrats. Freedom of speech and association are fundamental principles. Yet, H.R. 4717 replaces these freedoms with intrusive government oversight.

I urge you to pull the bill from the legislative calendar. If this bill in fact reaches the floor, I encourage you to oppose it. Eagle Forum members in your district will be waiting to hear our report on how you voted.

Faithfully,

PHYLLIS SCHLAFLY,
President.

FAMILY RESEARCH COUNCIL,
Washington DC, June 26, 2000.

Re: HR 4717, ''Exempt Organization Political Activity Disclosure Act of 2000''

DEAR MEMBER OF CONGRESS: The Family Research Council urges you in the strongest possible terms to vote ''NO'' on the ''Exempt Organization Political Activity Disclosure Act of 2000'' (H.R. 4417) and the Doggett substitute. These measures would unconstitutionally restrict First Amendment freedom of speech rights and permit the government to intrude egregiously on the privacy of millions of Americans. The measures also would impose an undue burden on the constitutional right to petition government for the grievances and unnecessarily limit freedom of association.

Requiring non-profit organizations to report all contributions in excess of $1,000 would needlessly expose donors to possible harassment, reprisals and public abuse. The U.S. Supreme Court already has ruled that non-profit donor confidentiality is constitutional and an important privacy protection for those who wish to exercise their constitutional rights by expressing their opinions on matters of public policy. Two weeks ago, a federal appeals court struck down a Vermont law that sought to force disclosure by groups that sponsor issue ads. ''The constitutional defects are particularly serious because of their impact on anonymous communications, which have played a central role in the development of free expression and democratic governance,'' the appeals court said.

Information regarding donors, moreover, is proprietary. Making such information public through government agencies would allow competing groups, unscrupulous hucksters or other outside parties to target an organization's supporters.

Extending donor reporting requirements to non-profit organizations is unneeded. Such organizations already are ''explicitly barred from having a primarily electoral purpose.'' H.R. 4417 has nothing to do with ''campaign finance.'' It would, however, subject non-profit organizations to unwarranted government scrutiny when they are engaged in good faith, lawful public policy advocacy. This requirement would have a profound chilling effect on public policy debate and almost all grassroots issues advocacy.

H.R. 4417 would inappropriately cede too much power to the IRS to scrutinize the daily activities of issue advocacy groups. The bill would not only require the reporting of gifts and contributions to non-profit organizations, but would compel them to disclose the ''purpose and intended results'' of such donations. This would drive the IRS into the mind-reading business. The potential here for abuses of power or manipulation of the tax-collecting agency for political purposes is painfully self-evident. H.R. 4417 effectively would empower the government to control and limit public debate on policy issues or pending legislation. This would be fatal to participatory democracy.

Our nation's founders neither intended nor imagined that one day American citizens would be required to subject themselves to the dictates of the government, federal bureaucrats or political appointees, or be required to obtain permission simply to exercise their unalienable rights. The Constitution protects the rights of the American people to freely associate, to petition their elected representatives and express their opinions individually or collectively without intrusive oversight by the government.

The Family Research Council strongly urges you to oppose the misguided provisions contained in H.R. 4417 and the Doggett substitute.

Sincerely,

CHARLES A. DONOVAN,
Executive Vice President.

CONCERNED WOMEN FOR AMERICA,
Washington, DC, June 26, 2000.

Hon. JOE PITTS,
House of Representatives, Washington, DC.

DEAR REPRESENTATIVE PITTS, Concerned Women for America (CWA) is writing to express our firm opposition to the Houghton 527 amendment. This amendment *threatens the future of ''issue advocacy''* for many non-profit public policy groups.

This measure is over-broad and attempts to solve a perceived problem with one type of organization by targeting even 501(c)(4) non-profit educational groups. Reporting their donors is wholly unwarranted and a violation of the donor's right of association.

Furthermore, the IRS definition of ''political activity'' is vague and may change in the future. Organizations which in good faith attempt law-abiding efforts to further their public policy agenda could be held hostage by the IRS and this legislation.

This measure has been hastily drawn and it shows. Therefore, the over 500,000 members of Concerned Women for America urge the House of Representatives and House leadership to oppose the Houghton 527 amendment.

Sincerely,

BEVERLY LAHAYE,
Chairman and Founder.

June 23, 2000.

HON. J. DENNIS HASTERT,
Speaker of the House of Representatives, Washington, DC.

DEAR SPEAKER HASTERT: A vote on a bill sponsored by Representative Amo Houghton (R–NY) in regard to disclosure of tax-exempt group's political activities is scheduled to take place prior to the Congressional July 4th recess. This vote should be postponed.

The signers of this letter are gravely concerned that this important issue is being treated with undue haste. Hasty, ill-considered legislation may not only fail to address the problem this legislation purports to solve, by may also broadly impact all public policy organizations.

The current version of the ''Exempt Organization Political Activity Disclosure Act of 2000'' suffers from several drafting problems. The legislation includes language which would require the Internal Revenue Service to hire mind readers to conduct audits by establishing an intent standard (e.g. page 2, lines 12 & 13: ''The intended results for the major categories of expenditures'').

Exactly how the IRS will verify compliance with the reporting requirements this legislation imposes on all law-abiding 501(c)(4) organizations also merits scrutiny. Will an organization's entire computer membership file be turned over to the IRS during an audit in order to allow the IRS computers to search for undisclosed donors? The security of this information, which is the lifeblood of any organization, may well be compromised if accessed by persons opposed to the organization's beliefs.

This chilling effect of membership disclose on Constitutionally-protected activity has been addressed by the Supreme Court in NAACP v. Alabama 78 S. Ct. 1163 (1958): ''It is hardly a novel perception that compelled disclosure of affiliation with groups engaged in advocacy may constitute a(n) effective restraint on freedom of association.''

Please postpone consideration of the ''Exempt Organization Political Activity Disclosure Act of 2000'' until affected organizations and concerned Members of Congress can properly and fully evaluate the scope and impact of this legislation.

(Titles and organizations of signers listed for identification purposes only)

Paul Weyrich, National Chairman, Coalitions for America; Beverly LaHaye, Founder and Chairman, Concerned Women for America; David Keene, Chairman, American Conservative Union; Larry Pratt, Executive Director, Gun Owners of America; Rev. Lou Sheldon, Chairman, Traditional Values Coalition; Gordon S. Jones, President, Association of Concerned Taxpayers; Joe Glover, President, Family Policy Network; Ronald W. Pearson, Executive Director, Conservative Victory Fund Kent Snyder, Executive Director, Liberty Study Committee; Joe Douglas, Director, Redwood Institute; Dr. Emillio-Adolpho Rivera, Popular Republican Party of Cuba; Tom DeWeese, President, American Policy Center; David N. O'Steen,

Ph.D., Executive Director, National Right to Life Committee; Tom Schatz, President, Council for Citizens Against Government Waste; Kevin L. Kearns, President, U.S. Business and Industry Council; Linda Chavez, President, One Nation Indivisible; Jennifer Bingham, Executive Director, Susan B. Anthony List; C. Preston Noell, III, President, Traditio, Family, Property, Inc.; Jim Boulet, Jr., Exeutive Director, English First; Laszlo Pasztor, Honorary Chairman, National Republican Heritage Groups Council; Juraj Slavik, Washington Representative, Czechoslovak National Council of America; Jack Clayton, Washington Representative, Public Advocate; Joan Hueter, American Council for Immigration Reform; Wes Vernon, Writer & Broadcaster.