In section 541(b) of the Federal Election Campaign Act of 1971, as proposed to be added by section 5111 of the bill, strike paragraph (1) and insert the following:

“(1) ASSESSMENTS AGAINST FINES, SETTLEMENTS, AND PENALTIES.—Amounts transferred under section 3015 of title 18, United States Code, section 9707 of title 31, United States Code, and section 6761 of the Internal Revenue Code of 1986.”.

Insert after section 5113 the following new sections (and redesignate the succeeding section accordingly):

SEC. 5114. ASSESSMENTS AGAINST FINES AND PENALTIES.

(a) ASSESSMENTS RELATING TO CRIMINAL OFFENSES.—

(1) IN GENERAL.—Chapter 201 of title 18, United States Code, is amended by adding at the end the following new section:
"§ 3015. Special assessments for Freedom From Influence Fund

(a) ASSESSMENTS.—

"(1) Convictions of crimes.—In addition to any assessment imposed under this chapter, the court shall assess on any organizational defendant or any defendant who is a corporate officer or person with equivalent authority in any other organization who is convicted of a criminal offense under Federal law an amount equal to 2.75 percent of any fine imposed on that defendant in the sentence imposed for that conviction.

"(2) Settlements.—The court shall assess on any organizational defendant or defendant who is a corporate officer or person with equivalent authority in any other organization who has entered into a settlement agreement or consent decree with the United States in satisfaction of any allegation that the defendant committed a criminal offense under Federal law an amount equal to 2.75 percent of the amount of the settlement.

(b) MANNER OF COLLECTION.—An amount assessed under subsection (a) shall be collected in the manner in which fines are collected in criminal cases.

(c) TRANSFERS.—In a manner consistent with section 3302(b) of title 31, there shall be transferred from
the General Fund of the Treasury to the Freedom From
Influence Fund under section 541 of the Federal Election
Campaign Act of 1971 an amount equal to the amount
of the assessments collected under this section.”.

(2) CLERICAL AMENDMENT.—The table of sec-
tions of chapter 201 of title 18, United States Code,
is amended by adding at the end the following:

“3015. Special assessments for Freedom From Influence Fund.”.

(b) ASSESSMENTS RELATING TO CIVIL PEN-
ALTIES.—

(1) IN GENERAL.—Chapter 97 of title 31,
United States Code, is amended by adding at the
end the following new section:

“§ 9707. Special assessments for Freedom From Influ-
ence Fund

“(a) ASSESSMENTS.—

“(1) CIVIL PENALTIES.—Any entity of the Fed-
eral Government which is authorized under any law,
rule, or regulation to impose a civil penalty shall as-
sess on each person, other than a natural person
who is not a corporate officer or person with equiva-
 lent authority in any other organization, on whom
such a penalty is imposed an amount equal to 2.75
percent of the amount of the penalty.

“(2) ADMINISTRATIVE PENALTIES.—Any entity
of the Federal Government which is authorized
under any law, rule, or regulation to impose an admin-
istrative penalty shall assess on each person, other than a natural person who is not a corporate
officer or person with equivalent authority in any other organization, on whom such a penalty is im-
posed an amount equal to 2.75 percent of the amount of the penalty.

“(3) SETTLEMENTS.—Any entity of the Federal Government which is authorized under any law, rule, or regulation to enter into a settlement agreement or consent decree with any person, other than a natural person who is not a corporate officer or person with equivalent authority in any other organization, in satisfaction of any allegation of an action or omission by the person which would be subject to a civil penalty or administrative penalty shall assess on such person an amount equal to 2.75 percent of the amount of the settlement.

“(b) MANNER OF COLLECTION.—An amount assessed under subsection (a) shall be collected—

“(1) in the case of an amount assessed under paragraph (1) of such subsection, in the manner in which civil penalties are collected by the entity of the Federal Government involved; and
“(2) in the case of an amount assessed under paragraph (2) of such subsection, in the manner in which administrative penalties are collected by the entity of the Federal Government involved.

“(3) in the case of an amount assessed under paragraph (3) of such subsection, in the manner in which amounts are collected pursuant to settlement agreements or consent decrees entered into by the entity of the Federal Government involved;

“(c) TRANSFERS.—In a manner consistent with section 3302(b) of this title, there shall be transferred from the General Fund of the Treasury to the Freedom From Influence Fund under section 541 of the Federal Election Campaign Act of 1971 an amount equal to the amount of the assessments collected under this section.

“(d) EXCEPTION FOR PENALTIES AND SETTLEMENTS UNDER AUTHORITY OF THE INTERNAL REVENUE CODE OF 1986.—

“(1) IN GENERAL.—No assessment shall be made under subsection (a) with respect to any civil or administrative penalty imposed, or any settlement agreement or consent decree entered into, under the authority of the Internal Revenue Code of 1986.

“(2) CROSS REFERENCE.—For application of special assessments for the Freedom From Influence
Fund with respect to certain penalties under the Internal Revenue Code of 1986, see section 6761 of the Internal Revenue Code of 1986.”.

(2) Clerical Amendment.—The table of sections of chapter 97 of title 31, United States Code, is amended by adding at the end the following:

“9707. Special assessments for Freedom From Influence Fund.”.

(c) Assessments Relating to Certain Penalties Under the Internal Revenue Code of 1986.—

(1) In General.—Chapter 68 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subchapter:

“Subchapter D—Special Assessments for Freedom From Influence Fund

“Sec. 6761. Special Assessments for Freedom From Influence Fund.

“(a) In General.—Each person required to pay a covered penalty shall pay an additional amount equal to 2.75 percent of the amount of such penalty.

“(b) Covered Penalty.—For purposes of this section, the term ‘covered penalty’ means any addition to tax, additional amount, penalty, or other liability provided under subchapter A or B.

“(c) Exception for Certain Individuals.—
“(1) IN GENERAL.—In the case of a taxpayer who is an individual, subsection (a) shall not apply to any covered penalty if such taxpayer is an exempt taxpayer for the taxable year for which such covered penalty is assessed.

“(2) EXEMPT TAXPAYER.—For purposes of this subsection, a taxpayer is an exempt taxpayer for any taxable year if the taxable income of such taxpayer for such taxable year does not exceed the dollar amount at which begins the highest rate bracket in effect under section 1 with respect to such taxpayer for such taxable year.

“(d) APPLICATION OF CERTAIN RULES.—Except as provided in subsection (e), the additional amount determined under subsection (a) shall be treated for purposes of this title in the same manner as the covered penalty to which such additional amount relates.

“(e) TRANSFER TO FREEDOM FROM INFLUENCE FUND.—The Secretary shall deposit any additional amount under subsection (a) in the General Fund of the Treasury and shall transfer from such General Fund to the Freedom From Influence Fund established under section 541 of the Federal Election Campaign Act of 1971 an amount equal to the amounts so deposited (and, notwithstanding subsection (d), such additional amount shall
not be the basis for any deposit, transfer, credit, appropriation, or any other payment, to any other trust fund or account). Rules similar to the rules of section 9601 shall apply for purposes of this subsection.”.

(2) CLERICAL AMENDMENT.—The table of subchapters for chapter 68 of such Code is amended by adding at the end the following new item:

“SUBCHAPTER D—SPECIAL ASSESSMENTS FOR FREEDOM FROM INFLUENCE FUND”.

(d) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply with respect to convictions, agreements, and penalties which occur on or after the date of the enactment of this Act.

(2) ASSESSMENTS RELATING TO CERTAIN PENALTIES UNDER THE INTERNAL REVENUE CODE OF 1986.—The amendments made by subsection (c) shall apply to covered penalties assessed after the date of the enactment of this Act.

In section 5116(a) of the bill (as so redesignated), strike “This part” and insert “Except as may otherwise be provided in this part and in the amendments made by this part, this part”.

X