

103D CONGRESS
1ST SESSION

S. 3

AN ACT

Entitled the "Congressional Spending Limit and
Election Reform Act of 1993".

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Entitled the “Congressional Spending Limit and Election Reform Act of 1993”.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; AMENDMENT OF CAMPAIGN ACT;**

4 **TABLE OF CONTENTS.**

5 (a) SHORT TITLE.—This Act may be cited as the
6 “Congressional Campaign Spending Limit and Election
7 Reform Act of 1993”.

1 (b) AMENDMENT OF FECA.—When used in this Act,
2 the term “FECA” means the Federal Election Campaign
3 Act of 1971 (2 U.S.C. 431 et seq.).

4 (c) TABLE OF CONTENTS.—

Sec. 1. Short title; amendment of Campaign Act; table of contents.

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- Sec. 102. Ban on activities of political action committees in Federal elections.
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- Sec. 313. Provisions relating to national, State, and local party committees.
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- Sec. 402. Contributions by dependents not of voting age.
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- Sec. 501. Change in certain reporting from a calendar year basis to an election cycle basis.
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- Sec. 708. Deposit of repayments of excess payments from the Presidential Election Campaign Fund.
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- Sec. 710. Prohibition of contributions to Presidential candidates who receive public funding in the general election campaign.
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- Sec. 713. Sense of the Senate.

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1 **TITLE I—CONTROL OF CON-**
 2 **GRESSIONAL CAMPAIGN**
 3 **SPENDING**

4 **Subtitle A—Senate Election Cam-**
 5 **paign Spending Limits and Ben-**
 6 **efits**

7 **SEC. 101. SENATE SPENDING LIMITS AND BENEFITS.**

8 (a) IN GENERAL.—FECA is amended by adding at
 9 the end thereof the following new title:

10 **“TITLE V—SPENDING LIMITS**
 11 **AND BENEFITS FOR SENATE**
 12 **ELECTION CAMPAIGNS**

13 **“SEC. 501. CANDIDATES ELIGIBLE TO RECEIVE BENEFITS.**

14 “(a) IN GENERAL.—For purposes of this title, a can-
 15 didate is an eligible Senate candidate if the candidate—

16 “(1) meets the primary and general election fil-
 17 ing requirements of subsections (b) and (c);

18 “(2) meets the primary and runoff election ex-
 19 penditure limits of subsection (d); and

1 “(3) meets the threshold contribution require-
2 ments of subsection (e).

3 “(b) PRIMARY FILING REQUIREMENTS.—(1) The re-
4 quirements of this subsection are met if the candidate files
5 with the Secretary of the Senate a declaration that—

6 “(A) the candidate and the candidate’s author-
7 ized committees—

8 “(i) will meet the primary and runoff elec-
9 tion expenditure limits of subsection (d); and

10 “(ii) will only accept contributions for the
11 primary and runoff elections which do not ex-
12 ceed such limits;

13 “(B) the candidate and the candidate’s author-
14 ized committees will meet the general election ex-
15 penditure limit under section 502(b);

16 “(C) the candidate and the candidate’s author-
17 ized committees will meet the limitation on expendi-
18 tures from personal funds under section 502(a); and

19 “(D) the candidate and the candidate’s author-
20 ized committees will meet the closed captioning re-
21 quirements of section 509.

22 “(2) The declaration under paragraph (1) shall be
23 filed not later than the date the candidate files as a can-
24 didate for the primary election.

1 “(c) GENERAL ELECTION FILING REQUIREMENTS.—

2 (1) The requirements of this subsection are met if the can-
3 didate certifies to the Secretary of the Senate, under
4 penalty of perjury, that—

5 “(A) the candidate and the candidate’s author-
6 ized committees—

7 “(i) met the primary and runoff election
8 expenditure limits under subsection (d); and

9 “(ii) did not accept contributions for the
10 primary or runoff election in excess of the pri-
11 mary or runoff expenditure limit under sub-
12 section (d), whichever is applicable, reduced by
13 any amounts transferred to this election cycle
14 from a preceding election cycle;

15 “(B) the candidate met the threshold contribu-
16 tion requirement under subsection (e), and that only
17 allowable contributions were taken into account in
18 meeting such requirement;

19 “(C) at least one other candidate has qualified
20 for the same general election ballot under the law of
21 the State involved;

22 “(D) such candidate and the authorized com-
23 mittees of such candidate—

24 “(i) except as otherwise provided by this
25 title, will not make expenditures which exceed

1 the general election expenditure limit under sec-
2 tion 502(b);

3 “(ii) will not accept any contributions in
4 violation of section 315;

5 “(iii) except as otherwise provided by this
6 title, will not accept any contribution for the
7 general election involved to the extent that such
8 contribution would cause the aggregate amount
9 of such contributions to exceed the sum of the
10 amount of the general election expenditure limit
11 under section 502(b) and the amounts de-
12 scribed in subsections (c), (d), and (e) of sec-
13 tion 502, reduced by any amounts transferred
14 to this election cycle from a previous election
15 cycle and not taken into account under sub-
16 paragraph (A)(ii);

17 “(iv) will deposit all payments received
18 under this title in an account insured by the
19 Federal Deposit Insurance Corporation from
20 which funds may be withdrawn by check or
21 similar means of payment to third parties;

22 “(v) will furnish campaign records, evi-
23 dence of contributions, and other appropriate
24 information to the Commission;

1 “(vi) will cooperate in the case of any audit
2 and examination by the Commission under sec-
3 tion 505 and will pay any amounts required to
4 be paid under that section; and

5 “(vii) will meet the closed captioning re-
6 quirements of section 509; and

7 “(E) the candidate intends to make use of the
8 benefits provided under section 503.

9 “(2) The certification under paragraph (1) shall be
10 filed not later than 7 days after the earlier of—

11 “(A) the date the candidate qualifies for the
12 general election ballot under State law; or

13 “(B) if, under State law, a primary or runoff
14 election to qualify for the general election ballot oc-
15 curs after September 1, the date the candidate wins
16 the primary or runoff election.

17 “(d) PRIMARY AND RUNOFF EXPENDITURE LIM-
18 ITS.—(1) The requirements of this subsection are met if:

19 “(A) The candidate or the candidate’s author-
20 ized committees did not make expenditures for the
21 primary election in excess of the lesser of—

22 “(i) 67 percent of the general election ex-
23 penditure limit under section 502(b); or

24 “(ii) \$2,750,000.

1 “(B) The candidate and the candidate’s author-
2 ized committees did not make expenditures for any
3 runoff election in excess of 20 percent of the general
4 election expenditure limit under section 502(b).

5 “(2) The limitations under subparagraphs (A) and
6 (B) of paragraph (1) with respect to any candidate shall
7 be increased by the aggregate amount of independent ex-
8 penditures in opposition to, or on behalf of any opponent
9 of, such candidate during the primary or runoff election
10 period, whichever is applicable, which are required to be
11 reported to the Secretary of the Senate or to the Commis-
12 sion with respect to such period under section 304.

13 “(3)(A) If the contributions received by the candidate
14 or the candidate’s authorized committees for the primary
15 election or runoff election exceed the expenditures for ei-
16 ther such election, such excess contributions shall be treat-
17 ed as contributions for the general election and expendi-
18 tures for the general election may be made from such ex-
19 cess contributions.

20 “(B) Subparagraph (A) shall not apply to the extent
21 that such treatment of excess contributions—

22 “(i) would result in the violation of any limita-
23 tion under section 315; or

1 “(ii) would cause the aggregate contributions
2 received for the general election to exceed the limits
3 under subsection (c)(1)(D)(iii).

4 “(e) THRESHOLD CONTRIBUTION REQUIREMENTS.—

5 (1) The requirements of this subsection are met if the can-
6 didate and the candidate’s authorized committees have re-
7 ceived allowable contributions during the applicable period
8 in an amount at least equal to 5 percent of the general
9 election expenditure limit under section 502(b).

10 “(2) For purposes of this section and subsections (b)
11 and (c) of section 503—

12 “(A) The term ‘allowable contributions’ means
13 contributions which are made as gifts of money by
14 an individual pursuant to a written instrument iden-
15 tifying such individual as the contributor.

16 “(B) The term ‘allowable contributions’ shall
17 not include—

18 “(i) contributions made directly or indi-
19 rectly through an intermediary or conduit which
20 are treated as made by such intermediary or
21 conduit under section 315(a)(8)(B);

22 “(ii) contributions from any individual dur-
23 ing the applicable period to the extent such con-
24 tributions exceed \$250; or

1 “(iii) contributions from individuals resid-
2 ing outside the candidate’s State.

3 Clauses (ii) and (iii) shall not apply for purposes of
4 section 503(b).

5 “(3) For purposes of this subsection and subsections
6 (b) and (c) of section 503, the term ‘applicable period’
7 means—

8 “(A) the period beginning on January 1 of the
9 calendar year preceding the calendar year of the
10 general election involved and ending on—

11 “(i) the date on which the certification
12 under subsection (c) is filed by the candidate;
13 or

14 “(ii) for purposes of subsections (b) and
15 (c) of section 503, the date of such general elec-
16 tion; or

17 “(B) in the case of a special election for the of-
18 fice of United States Senator, the period beginning
19 on the date the vacancy in such office occurs and
20 ending on the date of the general election involved.

21 “(f) INDEXING.—The \$2,750,000 amount under sub-
22 section (d)(1) shall be increased as of the beginning of
23 each calendar year based on the increase in the price index
24 determined under section 315(c), except that, for purposes

1 of subsection (d)(1) and section 502(b)(3), the base period
2 shall be calendar year 1996.

3 **“SEC. 502. LIMITATIONS ON EXPENDITURES.**

4 “(a) LIMITATION ON USE OF PERSONAL FUNDS.—

5 (1) The aggregate amount of expenditures which may be
6 made during an election cycle by an eligible Senate can-
7 didate or such candidate’s authorized committees from the
8 sources described in paragraph (2) shall not exceed
9 \$25,000.

10 “(2) A source is described in this paragraph if it is—

11 “(A) personal funds of the candidate and mem-
12 bers of the candidate’s immediate family; or

13 “(B) personal debt incurred by the candidate
14 and members of the candidate’s immediate family.

15 “(b) GENERAL ELECTION EXPENDITURE LIMIT.—

16 (1) Except as otherwise provided in this title, the aggre-
17 gate amount of expenditures for a general election by an
18 eligible Senate candidate and the candidate’s authorized
19 committees shall not exceed the lesser of—

20 “(A) \$5,500,000; or

21 “(B) the greater of—

22 “(i) \$1,200,000; or

23 “(ii) \$400,000; plus

1 “(I) 30 cents multiplied by the voting
2 age population not in excess of 4,000,000;
3 and

4 “(II) 25 cents multiplied by the voting
5 age population in excess of 4,000,000.

6 “(2) In the case of an eligible Senate candidate in
7 a State which has no more than 1 transmitter for a com-
8 mercial Very High Frequency (VHF) television station li-
9 censed to operate in that State, paragraph (1)(B)(ii) shall
10 be applied by substituting—

11 “(A) ‘80 cents’ for ‘30 cents’ in subclause (I);
12 and

13 “(B) ‘70 cents’ for ‘25 cents’ in subclause (II).

14 “(3) The amount otherwise determined under para-
15 graph (1) for any calendar year shall be increased by the
16 same percentage as the percentage increase for such cal-
17 endar year under section 501(f) (relating to indexing).

18 “(c) LEGAL AND ACCOUNTING COMPLIANCE
19 FUND.—(1) The limitation under subsection (b) shall not
20 apply to qualified legal and accounting expenditures made
21 by a candidate or the candidate’s authorized committees
22 or a Federal officeholder from a legal and accounting com-
23 pliance fund meeting the requirements of paragraph (2).

24 “(2) A legal and accounting compliance fund meets
25 the requirements of this paragraph if—

1 “(A) the fund is established with respect to
2 qualified legal and accounting expenditures incurred
3 with respect to a particular general election;

4 “(B) the only amounts transferred to the fund
5 are amounts received in accordance with the limita-
6 tions, prohibitions, and reporting requirements of
7 this Act;

8 “(C) the aggregate amounts transferred to, and
9 expenditures made from, the fund with respect to
10 the election cycle do not exceed the sum of—

11 “(i) the lesser of—

12 “(I) 15 percent of the general election
13 expenditure limit under subsection (b) for
14 the general election for which the fund was
15 established; or

16 “(II) \$300,000; plus

17 “(ii) the amount determined under para-
18 graph (4); and

19 “(D) no funds received by the candidate pursu-
20 ant to section 503(a)(3) may be transferred to the
21 fund.

22 “(3) For purposes of this subsection, the term ‘quali-
23 fied legal and accounting expenditures’ means the follow-
24 ing:

1 “(A) Any expenditures for costs of legal and ac-
2 counting services provided in connection with—

3 “(i) any administrative or court proceeding
4 initiated pursuant to this Act for the general
5 election for which the legal and accounting fund
6 was established; or

7 “(ii) the preparation of any documents or
8 reports required by this Act or the Commission.

9 “(B) Any expenditures for legal and accounting
10 services provided in connection with the general elec-
11 tion for which the legal and accounting compliance
12 fund was established to ensure compliance with this
13 Act with respect to the election cycle for such gen-
14 eral election.

15 “(4)(A) If, after a general election, a candidate deter-
16 mines that the qualified legal and accounting expenditures
17 will exceed the limitation under paragraph (2)(C)(i), the
18 candidate may petition the Commission by filing with the
19 Secretary of the Senate a request for an increase in such
20 limitation. The Commission shall authorize an increase in
21 such limitation in the amount (if any) by which the Com-
22 mission determines the qualified legal and accounting ex-
23 penditures exceed such limitation. Such determination
24 shall be subject to judicial review under section 506.

1 “(B) Except as provided in section 315, any contribu-
2 tion received or expenditure made pursuant to this para-
3 graph shall not be taken into account for any contribution
4 or expenditure limit applicable to the candidate under this
5 title.

6 “(5) Any funds in a legal and accounting compliance
7 fund shall be treated for purposes of this Act as a separate
8 segregated fund, except that any portion of the fund not
9 used to pay qualified legal and accounting expenditures,
10 and not transferred to a legal and accounting compliance
11 fund for the election cycle for the next general election,
12 shall be treated in the same manner as other campaign
13 funds for purposes of section 313(b).

14 “(d) PAYMENT OF TAXES ON EARNINGS.—The limi-
15 tation under subsection (b) shall not apply to any expendi-
16 ture for Federal, State, or local income taxes on the earn-
17 ings of a candidate’s authorized committees.

18 “(e) CERTAIN EXPENSES.—In the case of an eligible
19 Senate candidate who holds a Federal office, the limitation
20 under subsection (b) shall not apply to ordinary and nec-
21 essary expenses of travel of such individual and the indi-
22 vidual’s spouse and children between Washington, D.C.
23 and the individual’s State in connection with the individ-
24 ual’s activities as a holder of Federal office.

1 tions, or makes (or obligates to make) expenditures, for
2 such election in excess of the general election expenditure
3 limit under section 502(b), the excess expenditure amount.

4 “(2) For purposes of paragraph (1), the excess ex-
5 penditure amount is the amount determined as follows:

6 “(A) In the case of a major party candidate, an
7 amount equal to the sum of—

8 “(i) if the excess described in paragraph
9 (1) is less than $133\frac{1}{3}$ percent of the general
10 election expenditure limit under section 502(b),
11 an amount equal to one-third of such limit ap-
12 plicable to the eligible Senate candidate for the
13 election; plus

14 “(ii) if such excess equals or exceeds $133\frac{1}{3}$
15 percent but is less than $166\frac{2}{3}$ percent of such
16 limit, an amount equal to one-third of such
17 limit; plus

18 “(iii) if such excess equals or exceeds
19 $166\frac{2}{3}$ percent of such limit, an amount equal
20 to one-third of such limit.

21 “(B) In the case of an eligible Senate candidate
22 who is not a major party candidate, an amount
23 equal to the least of the following:

24 “(i) The allowable contributions of the eli-
25 gible Senate candidate during the applicable pe-

1 riod in excess of the threshold contribution re-
2 quirement under section 501(e).

3 “(ii) 50 percent of the general election ex-
4 penditure limit applicable to the eligible Senate
5 candidate under section 502(b).

6 “(iii) The excess described in paragraph
7 (1).

8 “(c) INDEPENDENT EXPENDITURE AMOUNT.—For
9 purposes of subsection (a)(3)(B), the amount determined
10 under this subsection is the total amount of independent
11 expenditures made, or obligated to be made, during the
12 general election period by 1 or more persons in opposition
13 to, or on behalf of an opponent of, an eligible Senate can-
14 didate which are required to be reported by such persons
15 under section 304(c) with respect to the general election
16 period and are certified by the Commission under section
17 304(c).

18 “(d) WAIVER OF EXPENDITURE AND CONTRIBUTION
19 LIMITS.—(1)(A) An eligible Senate candidate who receives
20 payments under subsection (a)(3) may make expenditures
21 from such payments to defray expenditures for the general
22 election without regard to the general election expenditure
23 limit under section 502(b).

24 “(B) In the case of an eligible Senate candidate who
25 is not a major party candidate, the general election ex-

1 penditure limit under section 502(b) with respect to such
2 candidate shall be increased by the amount (if any) by
3 which the excess described in subsection (b)(1) exceeds the
4 amount determined under subsection (b)(2)(B) with re-
5 spect to such candidate.

6 “(2)(A) An eligible Senate candidate who receives
7 benefits under this section may make expenditures for the
8 general election without regard to clause (i) of section
9 501(c)(1)(D) or subsection (a) or (b) of section 502 if any
10 one of the eligible Senate candidate’s opponents who is
11 not an eligible Senate candidate either raises aggregate
12 contributions, or makes or becomes obligated to make ag-
13 gregate expenditures, for the general election that exceed
14 200 percent of the general election expenditure limit appli-
15 cable to the eligible Senate candidate under section
16 502(b).

17 “(B) The amount of the expenditures which may be
18 made by reason of subparagraph (A) shall not exceed 100
19 percent of the general election expenditure limit under sec-
20 tion 502(b).

21 “(3)(A) A candidate who receives benefits under this
22 section may receive contributions for the general election
23 without regard to clause (iii) of section 501(c)(1)(D) if—

24 “(i) a major party candidate in the same gen-
25 eral election is not an eligible Senate candidate; or

1 “(ii) any other candidate in the same general
2 election who is not an eligible Senate candidate
3 raises aggregate contributions, or makes or becomes
4 obligated to make aggregate expenditures, for the
5 general election that exceed 75 percent of the gen-
6 eral election expenditure limit applicable to such
7 other candidate under section 502(b).

8 “(B) The amount of contributions which may be re-
9 ceived by reason of subparagraph (A) shall not exceed 100
10 percent of the general election expenditure limit under sec-
11 tion 502(b).

12 “(e) USE OF PAYMENTS.—Payments received by a
13 candidate under subsection (a)(3) shall be used to defray
14 expenditures incurred with respect to the general election
15 period for the candidate. Such payments shall not be
16 used—

17 “(1) except as provided in paragraph (4), to
18 make any payments, directly or indirectly, to such
19 candidate or to any member of the immediate family
20 of such candidate;

21 “(2) to make any expenditure other than ex-
22 penditures to further the general election of such
23 candidate;

1 “(3) to make any expenditures which constitute
2 a violation of any law of the United States or of the
3 State in which the expenditure is made; or

4 “(4) subject to the provisions of section 315(j),
5 to repay any loan to any person except to the extent
6 the proceeds of such loan were used to further the
7 general election of such candidate.

8 **“SEC. 504. CERTIFICATION BY COMMISSION.**

9 “(a) IN GENERAL.—(1) The Commission shall certify
10 to any candidate meeting the requirements of section 501
11 that such candidate is an eligible Senate candidate entitled
12 to benefits under this title. The Commission shall revoke
13 such certification if it determines a candidate fails to con-
14 tinue to meet such requirements.

15 “(2) No later than 48 hours after an eligible Senate
16 candidate files a request with the Secretary of the Senate
17 to receive benefits under section 503, the Commission
18 shall issue a certification stating whether such candidate
19 is eligible for payments under this title from the Senate
20 Election Campaign Fund and the amount of such pay-
21 ments to which such candidate is entitled. The request re-
22 ferred to in the preceding sentence shall contain—

23 “(A) such information and be made in accord-
24 ance with such procedures as the Commission may
25 provide by regulation; and

1 believe that such candidate may have violated any provi-
2 sion of this title.

3 “(b) EXCESS PAYMENTS; REVOCATION OF STA-
4 TUS.—(1) If the Commission determines that payments
5 were made to an eligible Senate candidate under this title
6 in excess of the aggregate amounts to which such can-
7 didate was entitled, the Commission shall so notify such
8 candidate, and such candidate shall pay an amount equal
9 to the excess.

10 “(2) If the Commission revokes the certification of
11 a candidate as an eligible Senate candidate under section
12 504(a)(1), the Commission shall notify the candidate, and
13 the candidate shall pay an amount equal to the payments
14 received under this title.

15 “(c) MISUSE OF BENEFITS.—If the Commission de-
16 termines that any amount of any benefit made available
17 to an eligible Senate candidate under this title was not
18 used as provided for in this title, the Commission shall
19 so notify such candidate and such candidate shall pay the
20 amount of such benefit.

21 “(d) EXCESS EXPENDITURES.—If the Commission
22 determines that any eligible Senate candidate who has re-
23 ceived benefits under this title has made expenditures
24 which in the aggregate exceed—

1 “(1) the primary or runoff expenditure limit
2 under section 501(d); or

3 “(2) the general election expenditure limit
4 under section 502(b),

5 the Commission shall so notify such candidate and such
6 candidate shall pay an amount equal to the amount of the
7 excess expenditures.

8 “(e) CIVIL PENALTIES.—(1) If the Commission de-
9 termines that a candidate has committed a violation de-
10 scribed in subsection (c), the Commission may assess a
11 civil penalty against such candidate in an amount not
12 greater than 200 percent of the amount involved.

13 “(2)(A) LOW AMOUNT OF EXCESS EXPENDITURES.—
14 Any eligible Senate candidate who makes expenditures
15 that exceed any limitation described in paragraph (1) or
16 (2) of subsection (d) by 2.5 percent or less shall pay an
17 amount equal to the amount of the excess expenditures.

18 “(B) MEDIUM AMOUNT OF EXCESS EXPENDI-
19 TURES.—Any eligible Senate candidate who makes ex-
20 penditures that exceed any limitation described in para-
21 graph (1) or (2) of subsection (d) by more than 2.5 per-
22 cent and less than 5 percent shall pay an amount equal
23 to three times the amount of the excess expenditures.

24 “(C) LARGE AMOUNT OF EXCESS EXPENDITURES.—
25 Any eligible Senate candidate who makes expenditures

1 that exceed any limitation described in paragraph (1) or
2 (2) of subsection (d) by 5 percent or more shall pay an
3 amount equal to the sum of—

4 “(i) three times the amount of the excess ex-
5 penditures plus an additional amount determined by
6 the Commission, plus

7 “(ii) if the Commission determines such excess
8 expenditures were willful, an amount equal to the
9 benefits the candidate received under this title.

10 “(f) UNEXPENDED FUNDS.—Any amount received by
11 an eligible Senate candidate under this title and not ex-
12 pended on or before the date of the general election shall
13 be repaid within 30 days of the election, except that a rea-
14 sonable amount may be retained for a period not exceeding
15 120 days after the date of the general election for the liq-
16 uidation of all obligations to pay expenditures for the gen-
17 eral election incurred during the general election period.
18 At the end of such 120-day period, any unexpended funds
19 received under this title shall be promptly repaid.

20 “(g) PAYMENTS RETURNED TO SOURCE.—Any pay-
21 ment, repayment, or civil penalty required by this section
22 shall be paid to the entity from which benefits under this
23 title were paid to the eligible Senate candidate.

24 “(h) LIMIT ON PERIOD FOR NOTIFICATION.—No no-
25 tification shall be made by the Commission under this sec-

1 tion with respect to an election more than three years after
2 the date of such election.

3 **“SEC. 506. JUDICIAL REVIEW.**

4 “(a) JUDICIAL REVIEW.—Any agency action by the
5 Commission made under the provisions of this title shall
6 be subject to review by the United States Court of Appeals
7 for the District of Columbia Circuit upon petition filed in
8 such court within thirty days after the agency action by
9 the Commission for which review is sought. It shall be the
10 duty of the Court of Appeals, ahead of all matters not
11 filed under this title, to advance on the docket and expedi-
12 tiously take action on all petitions filed pursuant to this
13 title.

14 “(b) APPLICATION OF TITLE 5.—The provisions of
15 chapter 7 of title 5, United States Code, shall apply to
16 judicial review of any agency action by the Commission.

17 “(c) AGENCY ACTION.—For purposes of this section,
18 the term ‘agency action’ has the meaning given such term
19 by section 551(13) of title 5, United States Code.

20 **“SEC. 507. PARTICIPATION BY COMMISSION IN JUDICIAL**
21 **PROCEEDINGS.**

22 “(a) APPEARANCES.—The Commission is authorized
23 to appear in and defend against any action instituted
24 under this section and under section 506 either by attor-
25 neys employed in its office or by counsel whom it may ap-

1 point without regard to the provisions of title 5, United
2 States Code, governing appointments in the competitive
3 service, and whose compensation it may fix without regard
4 to the provisions of chapter 51 and subchapter III of chap-
5 ter 53 of such title.

6 “(b) INSTITUTION OF ACTIONS.—The Commission is
7 authorized, through attorneys and counsel described in
8 subsection (a), to institute actions in the district courts
9 of the United States to seek recovery of any amounts de-
10 termined under this title to be payable to any entity from
11 which benefits under this title were paid.

12 “(c) INJUNCTIVE RELIEF.—The Commission is au-
13 thorized, through attorneys and counsel described in sub-
14 section (a), to petition the courts of the United States for
15 such injunctive relief as is appropriate in order to imple-
16 ment any provision of this title.

17 “(d) APPEALS.—The Commission is authorized on
18 behalf of the United States to appeal from, and to petition
19 the Supreme Court for certiorari to review, judgments or
20 decrees entered with respect to actions in which it appears
21 pursuant to the authority provided in this section.

22 **“SEC. 508. REPORTS TO CONGRESS; REGULATIONS.**

23 “(a) REPORTS.—The Commission shall, as soon as
24 practicable after each election, submit a full report to the
25 Senate setting forth—

1 “(1) the expenditures (shown in such detail as
2 the Commission determines appropriate) made by
3 each eligible Senate candidate and the authorized
4 committees of such candidate;

5 “(2) the amounts certified by the Commission
6 under section 504 as benefits available to each eligi-
7 ble Senate candidate;

8 “(3) the amount of repayments, if any, required
9 under section 505 and the reasons for each repay-
10 ment required; and

11 “(4) the balance in the Senate Election Cam-
12 paign Fund (and any account thereof).

13 Each report submitted pursuant to this section shall be
14 printed as a Senate document.

15 “(b) RULES AND REGULATIONS.—The Commission
16 is authorized to prescribe (in accordance with the provi-
17 sions of subsection (c)) such rules and regulations, to con-
18 duct such examinations and investigations, and to require
19 the keeping and submission of such books, records, and
20 information, as it deems necessary to carry out the func-
21 tions and duties imposed on it by this title.

22 “(c) STATEMENT TO SENATE.—Thirty days before
23 prescribing any rule or regulation under subsection (b),
24 the Commission shall transmit to the Senate a statement
25 setting forth the proposed rule or regulation and contain-

1 ing a detailed explanation and justification of such rule
2 or regulation.

3 **“SEC. 509. CLOSED CAPTIONING REQUIREMENT FOR TELE-**
4 **VISION COMMERCIALS OF ELIGIBLE SENATE**
5 **CANDIDATES.**

6 “No eligible Senate candidate may receive amounts
7 under section 503(a)(3) under section 503(a)(4) unless
8 such candidate has certified that any television commercial
9 prepared or distributed by the candidate will be prepared
10 in a manner that contains, is accompanied by, or otherwise
11 readily permits closed captioning of the oral content of the
12 commercial to be broadcast by way of line 21 of the verti-
13 cal blanking interval, or by way of comparable successor
14 technologies.

15 **“SEC. 510. SENATE ELECTION CAMPAIGN FUND.**

16 “(a) ESTABLISHMENT OF CAMPAIGN FUND.—(1)
17 There is hereby established on the books of the Treasury
18 of the United States a special fund to be known as the
19 Senate Election Campaign Fund (hereafter in this section
20 referred to as ‘the Fund’).

21 “(2) There are hereby appropriated to the Fund the
22 following amounts:

23 “(A) Amounts received in the Treasury
24 which are equivalent to the increase in Federal
25 revenues by reason of the repeal of the exempt

1 function income exclusion under section 527 of
2 the Internal Revenue Code of 1986 for author-
3 ized committees, and the graduated rates under
4 such section for the principal campaign commit-
5 tee, of any candidate who does not abide by the
6 campaign expenditure limits under this title,
7 but only to the extent such amounts do not ex-
8 ceed the amount certified by the Commission as
9 necessary to carry out the purposes of this title.

10 “(B) Amounts received in the Treasury
11 which are equivalent to the increase in Federal
12 revenues by reason of the disallowance of de-
13 ductions for lobbying expenditures, but only to
14 the extent such amounts do not exceed the
15 amount certified by the Commission under sub-
16 paragraph (A) reduced by amounts appro-
17 priated to the Fund under subparagraph (A).

18 “(C) Amounts transferred to the Fund
19 under any provision of this Act.

20 “(D) Amounts credited to the Fund under
21 paragraph (3).

22 “(3) The Secretary of the Treasury shall transfer
23 amounts to, and manage, the Fund in the manner pro-
24 vided under subchapter B of chapter 98 of the Internal
25 Revenue Code of 1986.

1 “(4) Amounts in the Fund shall, subject to the avail-
2 ability of appropriations, be available only for the purposes
3 of—

4 “(A) providing benefits under this title; and

5 “(B) making expenditures in connection with
6 the administration of the Fund.

7 “(5) The Secretary shall maintain such accounts in
8 the Fund as may be required by this title or which the
9 Secretary determines to be necessary to carry out the pro-
10 visions of this title.

11 “(b) PAYMENTS UPON CERTIFICATION.—Upon re-
12 ceipt of a certification from the Commission under section
13 504, except as provided in subsection (c), the Secretary
14 shall, subject to the availability of appropriations, prompt-
15 ly pay the amount certified by the Commission to the can-
16 didate out of the Fund.

17 “(c) REDUCTIONS IN PAYMENTS IF FUNDS INSUFFI-
18 CIENT.—(1) If, at the time of a certification by the Com-
19 mission under section 504 for payment to an eligible can-
20 didate, the Secretary determines that the monies in the
21 Fund are not, or may not be, sufficient to satisfy the full
22 entitlement of all eligible candidates, the Secretary shall
23 withhold from the amount of such payment or voucher
24 such amount as the Secretary determines to be necessary

1 to assure that each eligible candidate will receive the same
2 pro rata share of such candidate's full entitlement.

3 “(2) Amounts withheld under paragraph (1) shall be
4 paid when the Secretary determines that there are suffi-
5 cient monies in the Fund to pay all, or a portion thereof,
6 to all eligible candidates from whom amounts have been
7 withheld, except that if only a portion is to be paid, it
8 shall be paid in such manner that each eligible candidate
9 receives an equal pro rata share of such portion.

10 “(3)(A) Not later than December 31 of any calendar
11 year preceding a calendar year in which there is a regu-
12 larly scheduled general election, the Secretary, after con-
13 sultation with the Commission, shall make an estimate
14 of—

15 “(i) the amount of monies in the Fund which
16 will be available to make payments required by this
17 title in the succeeding calendar year; and

18 “(ii) the amount of expenditures which will be
19 required under this title in such calendar year.

20 “(B) If the Secretary determines that there will be
21 insufficient monies in the Fund to make the expenditures
22 required by this title for any calendar year, the Secretary
23 shall notify each candidate on January 1 of such calendar
24 year (or, if later, the date on which an individual becomes
25 a candidate) of the amount which the Secretary estimates

1 will be the pro rata reduction in each eligible candidate's
2 payments under this subsection. Such notice shall be by
3 registered mail.

4 “(C) The amount of the eligible candidate's contribu-
5 tion limit under section 501(c)(1)(D)(iii) shall be in-
6 creased by the amount of the estimated pro rata reduction.

7 “(4) The Secretary shall notify the Commission and
8 each eligible candidate by registered mail of any actual
9 reduction in the amount of any payment by reason of this
10 subsection. If the amount of the reduction exceeds the
11 amount estimated under paragraph (3), the candidate's
12 contribution limit under section 501(c)(1)(D)(iii) shall be
13 increased by the amount of such excess.”.

14 (b) EFFECTIVE DATES.—(1) Except as provided in
15 this subsection, the amendment made by subsection (a)
16 shall apply to elections occurring after December 31,
17 1994.

18 (2) For purposes of any expenditure or contribution
19 limit imposed by the amendment made by subsection (a)—

20 (A) no expenditure made before January 1,
21 1994, shall be taken into account, except that there
22 shall be taken into account any such expenditure for
23 goods or services to be provided after such date; and

24 (B) all cash, cash items, and Government secu-
25 rities on hand as of January 1, 1994, shall be taken

1 into account in determining whether the contribution
2 limit is met, except that there shall not be taken into
3 account amounts used during the 60-day period be-
4 ginning on January 1, 1994, to pay for expenditures
5 which were incurred (but unpaid) before such date.

6 (c) EFFECT OF INVALIDITY ON OTHER PROVISIONS
7 OF ACT.—If section 501, 502, or 503 of title V of FECA
8 (as added by this section), or any part thereof, is held
9 to be invalid, all provisions of, and amendments made by,
10 this Act shall be treated as invalid.

11 **SEC. 102. BAN ON ACTIVITIES OF POLITICAL ACTION COM-**
12 **MITTEES IN FEDERAL ELECTIONS.**

13 (a) IN GENERAL.—Title III of FECA (2 U.S.C. 431
14 et seq.), as amended by section 404, is amended by adding
15 at the end thereof the following new section:

16 “BAN ON FEDERAL ELECTION ACTIVITIES BY POLITICAL
17 ACTION COMMITTEES

18 “SEC. 327. (a) Notwithstanding any other provision
19 of this Act, no person other than an individual or a politi-
20 cal committee may make contributions, solicit or receive
21 contributions, or make expenditures for the purpose of in-
22 fluencing an election for Federal office.

23 “(b) In the case of individuals who are executive or
24 administrative personnel of an employer—

25 “(1) no contributions may be made by such in-
26 dividuals—

1 “(A) to any political committees estab-
2 lished and maintained by any political party; or

3 “(B) to any candidate for nomination for
4 election, or election, to Federal office or the
5 candidate’s authorized committees,

6 unless such contributions are not being made at the
7 direction of, or otherwise controlled or influenced by,
8 the employer; and

9 “(2) the aggregate amount of such contribu-
10 tions by all such individuals in any calendar year
11 shall not exceed—

12 “(A) \$20,000 in the case of such political
13 committees; and

14 “(B) \$5,000 in the case of any such can-
15 didate and the candidate’s authorized commit-
16 tees.”.

17 (b) DEFINITION OF POLITICAL COMMITTEE.—(1)

18 Paragraph (4) of section 301 of FECA (2 U.S.C. 431(4))

19 is amended to read as follows:

20 “(4) The term ‘political committee’ means—

21 “(A) the principal campaign committee of
22 a candidate;

23 “(B) any national, State, or district com-
24 mittee of a political party, including any subor-
25 dinate committee thereof; and

1 “(C) any local committee of a political
2 party which—

3 “(i) receives contributions aggregating
4 in excess of \$5,000 during a calendar year;

5 “(ii) makes payments exempted from
6 the definition of contribution or expendi-
7 ture under paragraph (8) or (9) aggregat-
8 ing in excess of \$5,000 during a calendar
9 year;

10 “(iii) makes contributions or expendi-
11 tures aggregating in excess of \$1,000 dur-
12 ing a calendar year; or

13 “(D) any committee described in section
14 315(a)(8)(D)(i)(III).”.

15 (2) Section 316(b)(2) of FECA (2 U.S.C.
16 441b(b)(2)) is amended by striking subparagraph (C).

17 (c) CANDIDATE’S COMMITTEES.—(1) Section 315(a)
18 of FECA (2 U.S.C. 441a(a)) is amended by adding at the
19 end thereof the following new paragraph:

20 “(9) For the purposes of the limitations provided by
21 paragraphs (1) and (2), any political committee which is
22 established or financed or maintained or controlled by any
23 candidate or Federal officeholder shall be deemed to be
24 an authorized committee of such candidate or officeholder.
25 Nothing in this paragraph shall be construed to permit

1 the establishment, financing, maintenance, or control of
2 any committee which is prohibited by paragraph (3) or
3 (6) of section 302(e).”.

4 (2) Section 302(e)(3) of FECA (2 U.S.C. 432) is
5 amended to read as follows:

6 “(3) No political committee that supports or has sup-
7 ported more than one candidate may be designated as an
8 authorized committee, except that—

9 (A) a candidate for the office of President
10 nominated by a political party may designate the na-
11 tional committee of such political party as the can-
12 didate’s principal campaign committee, but only if
13 that national committee maintains separate books of
14 account with respect to its functions as a principal
15 campaign committee; and

16 (B) a candidate may designate a political com-
17 mittee established solely for the purpose of joint
18 fundraising by such candidates as an authorized
19 committee.”.

20 (d) RULES APPLICABLE WHEN BAN NOT IN EF-
21 FECT.—For purposes of the Federal Election Campaign
22 Act of 1971, during any period beginning after the effec-
23 tive date in which the limitation under section 327 of such
24 Act (as added by subsection (a)) is not in effect—

1 (1) the amendments made by subsections (a),
2 (b), and (c) shall not be in effect;

3 (2) in the case of a candidate for election, or
4 nomination for election, to Federal office (and such
5 candidate's authorized committees), section
6 315(a)(2)(A) of FECA (2 U.S.C. 441a(a)(2)(A))
7 shall be applied by substituting "\$1,000" for
8 "\$5,000";

9 (3) it shall be unlawful for a multicandidate po-
10 litical committee to make a contribution to a can-
11 didate for election, or nomination for election, to
12 Federal office (or an authorized committee) to the
13 extent that the making or accepting of the contribu-
14 tion will cause the amount of contributions received
15 by the candidate and the candidate's authorized
16 committees from multicandidate political committees
17 to exceed the lesser of—

18 (A) \$825,000; or

19 (B) 20 percent of the aggregate Federal
20 election spending limits applicable to the can-
21 didate for the election cycle.

22 The \$825,000 amount in paragraph (3) shall be in-
23 creased as of the beginning of each calendar year
24 based on the increase in the price index determined
25 under section 315(c) of FECA, except that for pur-

1 poses of paragraph (3), the base period shall be the
2 calendar year 1996. A candidate or authorized com-
3 mittee that receives a contribution from a
4 multicandidate political committee in excess of the
5 amount allowed under paragraph (3) shall return
6 the amount of such excess contribution to the con-
7 tributor.

8 (e) RULE ENSURING PROHIBITION ON DIRECT COR-
9 PORATE AND LABOR SPENDING.—If section 316(a) of the
10 Federal Election Campaign Act of 1971 is held to be in-
11 valid by reason of the amendments made by this section,
12 then the amendments made by subsections (a), (b), and
13 (c) of this section shall not apply to contributions by any
14 political committee that is directly or indirectly estab-
15 lished, administered, or supported by a connected organi-
16 zation which is a bank, corporation, or other organization
17 described in such section 316(a).

18 (f) RESTRICTIONS ON CONTRIBUTIONS TO POLITICAL
19 COMMITTEES.—Paragraphs (1)(D) and (2)(D) of section
20 315(a) of FECA (2 U.S.C. 441a(a) (1)(D) and (2)(D)),
21 as redesignated by section 312, are each amended by strik-
22 ing “\$5,000” and inserting “\$1,000”.

23 (g) EFFECTIVE DATES.—(1) Except as provided in
24 paragraph (2), the amendments made by this section shall

1 apply to elections (and the election cycles relating thereto)
2 occurring after December 31, 1994.

3 (2) In applying the amendments made by this section,
4 there shall not be taken into account—

5 (A) contributions made or received before Janu-
6 ary 1, 1994; or

7 (B) contributions made to, or received by, a
8 candidate on or after January 1, 1994, to the extent
9 such contributions are not greater than the excess
10 (if any) of—

11 (i) such contributions received by any op-
12 ponent of the candidate before January 1,
13 1994, over

14 (ii) such contributions received by the can-
15 didate before January 1, 1994.

16 **SEC. 103. REPORTING REQUIREMENTS.**

17 Title III of FECA is amended by adding after section
18 304 the following new section:

19 “REPORTING REQUIREMENTS FOR SENATE CANDIDATES

20 “SEC. 304A. (a) CANDIDATE OTHER THAN ELIGI-
21 BLE SENATE CANDIDATE.—(1) Each candidate for the of-
22 fice of United States Senator who does not file a certifi-
23 cation with the Secretary of the Senate under section
24 501(c) shall file with the Secretary of the Senate a dec-
25 laration as to whether such candidate intends to make ex-
26 penditures for the general election in excess of the general

1 election expenditure limit applicable to an eligible Senate
2 candidate under section 502(b). Such declaration shall be
3 filed at the time provided in section 501(c)(2).

4 “(2) Any candidate for the United States Senate who
5 qualifies for the ballot for a general election—

6 “(A) who is not an eligible Senate candidate
7 under section 501; and

8 “(B) who either raises aggregate contributions,
9 or makes or obligates to make aggregate expendi-
10 tures, for the general election which exceed 75 per-
11 cent of the general election expenditure limit appli-
12 cable to an eligible Senate candidate under section
13 502(b),

14 shall file a report with the Secretary of the Senate within
15 2 business days after such contributions have been raised
16 or such expenditures have been made or obligated to be
17 made (or, if later, within 2 business days after the date
18 of qualification for the general election ballot), setting
19 forth the candidate’s total contributions and total expendi-
20 tures for such election as of such date. Thereafter, such
21 candidate shall file additional reports (until such contribu-
22 tions or expenditures exceed 200 percent of such limit)
23 with the Secretary of the Senate within 2 business days
24 after each time additional contributions are raised, or ex-
25 penditures are made or are obligated to be made, which

1 in the aggregate exceed an amount equal to 10 percent
2 of such limit and after the total contributions or expendi-
3 tures exceed 100, 133 $\frac{1}{3}$, 166 $\frac{2}{3}$, and 200 percent of such
4 limit.

5 “(3) The Commission—

6 “(A) shall, within 2 business days of receipt of
7 a declaration or report under paragraph (1) or (2),
8 notify each eligible Senate candidate in the election
9 involved about such declaration or report; and

10 “(B) if an opposing candidate has raised aggre-
11 gate contributions, or made or has obligated to make
12 aggregate expenditures, in excess of the applicable
13 general election expenditure limit under section
14 502(b), shall certify, pursuant to the provisions of
15 subsection (d), such eligibility for payment of any
16 amount to which such eligible Senate candidate is
17 entitled under section 503(a).

18 “(4) Notwithstanding the reporting requirements
19 under this subsection, the Commission may make its own
20 determination that a candidate in a general election who
21 is not an eligible Senate candidate has raised aggregate
22 contributions, or made or has obligated to make aggregate
23 expenditures, in the amounts which would require a report
24 under paragraph (2). The Commission shall, within 2
25 business days after making each such determination, no-

1 tify each eligible Senate candidate in the general election
2 involved about such determination, and shall, when such
3 contributions or expenditures exceed the general election
4 expenditure limit under section 502(b), certify (pursuant
5 to the provisions of subsection (d)) such candidate's eligi-
6 bility for payment of any amount under section 503(a).

7 “(b) REPORTS ON PERSONAL FUNDS.—(1) Any can-
8 didate for the United States Senate who during the elec-
9 tion cycle expends more than the limitation under section
10 502(a) during the election cycle from his personal funds,
11 the funds of his immediate family, and personal loans in-
12 curred by the candidate and the candidate's immediate
13 family shall file a report with the Secretary of the Senate
14 within 2 business days after such expenditures have been
15 made or loans incurred.

16 “(2) The Commission within 2 business days after
17 a report has been filed under paragraph (1) shall notify
18 each eligible Senate candidate in the election involved
19 about each such report.

20 “(3) Notwithstanding the reporting requirements
21 under this subsection, the Commission may make its own
22 determination that a candidate for the United States Sen-
23 ate has made expenditures in excess of the amount under
24 paragraph (1). The Commission within 2 business days
25 after making such determination shall notify each eligible

1 Senate candidate in the general election involved about
2 each such determination.

3 “(c) CANDIDATES FOR OTHER OFFICES.—(1) Each
4 individual—

5 “(A) who becomes a candidate for the office of
6 United States Senator;

7 “(B) who, during the election cycle for such of-
8 fice, held any other Federal, State, or local office or
9 was a candidate for such other office; and

10 “(C) who expended any amount during such
11 election cycle before becoming a candidate for the of-
12 fice of United States Senator which would have been
13 treated as an expenditure if such individual had
14 been such a candidate, including amounts for activi-
15 ties to promote the image or name recognition of
16 such individual,

17 shall, within 7 days of becoming a candidate for the office
18 of United States Senator, report to the Secretary of the
19 Senate the amount and nature of such expenditures.

20 “(2) Paragraph (1) shall not apply to any expendi-
21 tures in connection with a Federal, State, or local election
22 which has been held before the individual becomes a can-
23 didate for the office of United States Senator.

24 “(3) The Commission shall, as soon as practicable,
25 make a determination as to whether the amounts included

1 in the report under paragraph (1) were made for purposes
2 of influencing the election of the individual to the office
3 of United States Senator.

4 “(4) The Commission shall certify to the individual
5 and such individual’s opponents the amounts the Commis-
6 sion determines to be described in paragraph (3) and such
7 amounts shall be treated as expenditures for purposes of
8 this Act.

9 “(d) CERTIFICATIONS.—Notwithstanding section
10 504(a), the certification required by this section shall be
11 made by the Commission on the basis of reports filed in
12 accordance with the provisions of this Act, or on the basis
13 of the Commission’s own investigation or determination.

14 “(e) SHORTER PERIODS FOR REPORTS AND NOTICES
15 DURING ELECTION WEEK.—Any report, determination,
16 or notice required by reason of an event occurring during
17 the 7-day period ending with the general election shall be
18 made within 24 hours (rather than 2 business days) of
19 the event.

20 “(f) COPIES OF REPORTS AND PUBLIC INSPEC-
21 TION.—The Secretary of the Senate shall transmit a copy
22 of any report or filing received under this section or under
23 title V as soon as possible (but no later than 4 working
24 hours of the Commission) after receipt of such report or
25 filing, and shall make such report or filing available for

1 public inspection and copying in the same manner as the
2 Commission under section 311(a)(4), and shall preserve
3 such reports and filings in the same manner as the Com-
4 mission under section 311(a)(5).

5 “(g) DEFINITIONS.—For purposes of this section,
6 any term used in this section which is used in title V shall
7 have the same meaning as when used in title V.”.

8 **SEC. 104. DISCLOSURE BY NONELIGIBLE CANDIDATES.**

9 Section 318 of FECA (2 U.S.C. 441d), as amended
10 by section 134, is amended by adding at the end thereof
11 the following:

12 “(f) If a broadcast, cablecast, or other communication
13 is paid for or authorized by a candidate in the general
14 election for the office of United States Senator who is not
15 an eligible Senate candidate, or the authorized committee
16 of such candidate, such communication shall contain the
17 following sentence: ‘This candidate has not agreed to vol-
18 untary campaign spending limits.’”.

19 **SEC. 105. EXCESS CAMPAIGN FUNDS OF SENATE CAN-**
20 **DIDATES.**

21 Section 313 of FECA (2 U.S.C. 439a) is amended—

22 (1) by inserting “(a) IN GENERAL.—” before
23 “Amounts”; and

24 (2) by adding at the end the following new sub-
25 section:

1 “(b) RETURN OF EXCESS CAMPAIGN FUNDS.—(1)
2 Except as provided in paragraph (2), and notwithstanding
3 subsection (a), if a candidate for the Senate has amounts
4 in excess of amounts necessary to defray campaign ex-
5 penditures for any election cycle, including any fines or
6 penalties relating thereto, such candidate shall, not later
7 than 1 year after the date of the general election for such
8 cycle, expend such excess in the manner described in sub-
9 section (a) or transfer it to the Senate Election Campaign
10 Fund established under section 510.

11 “(2) Paragraph (1) shall not apply to any amounts—

12 “(A) transferred to a legal and accounting com-
13 pliance fund established under section 502(c); or

14 “(B) transferred for use in the next election
15 cycle to the extent such amounts do not exceed 20
16 percent of the sum of the primary election expendi-
17 ture limit under section 501(d)(1)(A) and the gen-
18 eral election expenditure limit under section 502(b)
19 for the election cycle from which the amounts are
20 being transferred.”.

21 **SEC. 106. RESTRICTIONS ON USE OF CAMPAIGN FUNDS.**

22 (a) RESTRICTIONS ON USE OF CAMPAIGN FUNDS.—
23 Title III of the Federal Election Campaign Act of 1971
24 (2 U.S.C. 431 et seq.) is amended by adding at the end
25 the following new section:

1 “SEC. 327. (a) An individual who receives contribu-
2 tions as a candidate for Federal office—

3 “(1) may use such contributions only for legiti-
4 mate and verifiable campaign expenses; and

5 “(2) may not use such contributions for any in-
6 herently personal purpose.

7 “(b) As used in this subsection—

8 “(1) the term ‘campaign expenses’ means ex-
9 penses attributable solely to bona fide campaign pur-
10 poses; and

11 “(2) the term ‘inherently personal purpose’
12 means a purpose that, by its nature, confers a per-
13 sonal benefit, and such term includes, but is not lim-
14 ited to, a home mortgage payment, clothing pur-
15 chase, noncampaign automobile expense, country
16 club membership, vacations or trips of a non-cam-
17 paign nature, and any other inherently personal liv-
18 ing expense as determined under the regulations
19 mandated by section 106(b) of the Congressional
20 Campaign Spending Limit and Election Reform Act
21 of 1993.’”.

22 (b) REGULATIONS.—For the purposes of subsection
23 (a), the Federal Election Commission shall, not later than
24 90 days after the date of enactment of subsection (a), pre-
25 scribe regulations to implement the subsection. Such regu-

1 lations shall apply to all contributions possessed by an in-
2 dividual at the time of implementation of this section.

3 **Subtitle B—General Provisions**

4 **SEC. 131. BROADCAST RATES AND PREEMPTION.**

5 (a) BROADCAST RATES.—Section 315(b) of the Com-
6 munications Act of 1934 (47 U.S.C. 315(b)) is amended—

7 (1) in paragraph (1)—

8 (A) by striking “forty-five” and inserting
9 “30”; and

10 (B) by striking “lowest unit charge of the
11 station for the same class and amount of time
12 for the same period” and inserting “lowest
13 charge of the station for the same amount of
14 time for the same period on the same date”;
15 and

16 (2) by adding at the end the following new sen-
17 tence:

18 “In the case of an eligible Senate candidate (as defined
19 in section 301(19) of the Federal Election Campaign Act
20 of 1971), the charges for the use of a television broadcast-
21 ing station during the 60-day period referred to in para-
22 graph (1) shall not exceed 50 percent of the lowest charge
23 described in paragraph (1), except that this sentence shall
24 not apply to broadcasts which are to be paid by vouchers

1 which are received under section 503(c)(4) by reason of
2 the independent expenditure amount.”.

3 (b) PREEMPTION; ACCESS.—Section 315 of such Act
4 (47 U.S.C. 315) is amended by redesignating subsections
5 (c) and (d) as subsections (d) and (e), respectively, and
6 by inserting immediately after subsection (b) the following
7 new subsection:

8 “(c)(1) Except as provided in paragraph (2), a li-
9 censee shall not preempt the use, during any period speci-
10 fied in subsection (b)(1), of a broadcasting station by a
11 legally qualified candidate for public office who has pur-
12 chased and paid for such use pursuant to the provisions
13 of subsection (b)(1).

14 “(2) If a program to be broadcast by a broadcasting
15 station is preempted because of circumstances beyond the
16 control of the broadcasting station, any candidate adver-
17 tising spot scheduled to be broadcast during that program
18 may also be preempted.”.

19 (c) REVOCATION OF LICENSE FOR FAILURE TO PER-
20 MIT ACCESS.—Section 312(a)(7) of such Act (47 U.S.C.
21 312(a)(7)) is amended—

22 (1) by striking “or repeated”;

23 (2) by inserting “or cable system” after “broad-
24 casting station”; and

1 (3) by striking “his candidacy” and inserting
2 “his or her candidacy, under the same terms, condi-
3 tions, and business practices as apply to its most fa-
4 vored advertiser”.

5 **SEC. 132. EXTENSION OF REDUCED THIRD-CLASS MAILING**
6 **RATES TO ELIGIBLE SENATE CANDIDATES.**

7 Section 3626(e) of title 39, United States Code, is
8 amended—

9 (1) in paragraph (2)(A)—

10 (A) by striking “and the National” and in-
11 serting “the National”; and

12 (B) by striking “Committee;” and insert-
13 ing “Committee, and, subject to paragraph (3),
14 the principal campaign committee of an eligible
15 Senate candidate;”;

16 (2) in paragraph (2)(B), by striking “and”
17 after the semicolon;

18 (3) in paragraph (2)(C), by striking the period
19 and inserting “; and”;

20 (4) by adding after paragraph (2)(C) the fol-
21 lowing new subparagraph:

22 “(D) the terms ‘eligible Senate candidate’ and
23 ‘principal campaign committee’ have the meanings
24 given those terms in section 301 of the Federal
25 Election Campaign Act of 1971.”; and

1 (5) by adding after paragraph (2) the following
2 new paragraph:

3 “(3) The rate made available under this subsection
4 with respect to an eligible Senate candidate shall apply
5 only to—

6 “(A) the general election period (as defined in
7 section 301 of the Federal Election Campaign Act of
8 1971); and

9 “(B) that number of pieces of mail equal to 2
10 times the number of individuals in the voting age
11 population (as certified under section 315(e) of such
12 Act) of the State.”.

13 **SEC. 133. REPORTING REQUIREMENTS FOR CERTAIN INDE-**
14 **PENDENT EXPENDITURES.**

15 (a) IN GENERAL.—Section 304 of FECA (2 U.S.C.
16 434) is amended by adding at the end the following new
17 subsection:

18 “(d) TIME FOR REPORTING CERTAIN EXPENDI-
19 TURES.—(1) Any person making independent expendi-
20 tures aggregating \$1,000 or more after the 20th day, but
21 more than 24 hours, before any election shall file a report
22 of such expenditures within 24 hours after such expendi-
23 tures are made.

24 “(2) Any person making independent expenditures
25 aggregating \$10,000 or more at any time up to and in-

1 cluding the 20th day before any election shall file a report
2 within 48 hours after such expenditures are made. An ad-
3 ditional statement shall be filed each time independent ex-
4 penditures aggregating \$10,000 are made with respect to
5 the same election as the initial statement filed under this
6 section.

7 “(3) Any statement under this subsection shall be
8 filed with the Secretary of the Senate or the Commission,
9 and the Secretary of State of the State involved, as appro-
10 priate, and shall contain the information required by sub-
11 section (b)(6)(B)(iii) of this section, including whether the
12 independent expenditure is in support of, or in opposition
13 to, the candidate involved. The Secretary of the Senate
14 shall as soon as possible (but not later than 4 working
15 hours of the Commission) after receipt of a statement
16 transmit it to the Commission. Not later than 48 hours
17 after the Commission receives a report, the Commission
18 shall transmit a copy of the report to each candidate seek-
19 ing nomination or election to that office.

20 “(4) For purposes of this subsection, an expenditure
21 shall be treated as made when it is made or obligated to
22 be made.

23 “(5)(A) If any person intends to make independent
24 expenditures totaling \$5,000 or more during the 20 days

1 before an election, such person shall file a statement no
2 later than the 20th day before the election.

3 “(B) Any statement under subparagraph (A) shall be
4 filed with the Secretary of the Senate or the Commission,
5 and the Secretary of State of the State involved, as appro-
6 priate, and shall identify each candidate whom the expend-
7 iture will support or oppose. The Secretary of the Senate
8 shall as soon as possible (but not later than 4 working
9 hours of the Commission) after receipt of a statement
10 transmit it to the Commission. Not later than 48 hours
11 after the Commission receives a statement under this
12 paragraph, the Commission shall transmit a copy of the
13 statement to each candidate identified.

14 “(6) The Commission may make its own determina-
15 tion that a person has made, or has incurred obligations
16 to make, independent expenditures with respect to any
17 Federal election which in the aggregate exceed the applica-
18 ble amounts under paragraph (1) or (2). The Commission
19 shall notify each candidate in such election of such deter-
20 mination within 24 hours of making it.

21 “(7) At the same time as a candidate is notified
22 under paragraph (3), (5), or (6) with respect to expendi-
23 tures during a general election period, the Commission
24 shall certify eligibility to receive benefits under section
25 503(a).

1 “(8) The Secretary of the Senate shall make any
2 statement received under this subsection available for pub-
3 lic inspection and copying in the same manner as the Com-
4 mission under section 311(a)(4), and shall preserve such
5 statements in the same manner as the Commission under
6 section 311(a)(5).”.

7 (b) CONFORMING AMENDMENT.—Section 304(c)(2)
8 of FECA (2 U.S.C. 434(c)(2)) is amended by striking the
9 undesignated matter after subparagraph (C).

10 **SEC. 134. CAMPAIGN ADVERTISING AMENDMENTS.**

11 Section 318 of FECA (2 U.S.C. 441d) is amended—

12 (1) in the matter before paragraph (1) of sub-
13 section (a), by striking “Whenever” and inserting
14 “Whenever a political committee makes a disburse-
15 ment for the purpose of financing any communica-
16 tion through any broadcasting station, newspaper,
17 magazine, outdoor advertising facility, mailing, or
18 any other type of general public political advertising,
19 or whenever”;

20 (2) in the matter before paragraph (1) of sub-
21 section (a), by striking “an expenditure” and insert-
22 ing “a disbursement”;

23 (3) in the matter before paragraph (1) of sub-
24 section (a), by striking “direct”;

1 (4) in paragraph (3) of subsection (a), by in-
2 serting after “name” the following “and permanent
3 street address”; and

4 (5) by adding at the end the following new sub-
5 sections:

6 “(c) Any printed communication described in sub-
7 section (a) shall be—

8 “(1) of sufficient type size to be clearly read-
9 able by the recipient of the communication;

10 “(2) contained in a printed box set apart from
11 the other contents of the communication; and

12 “(3) consist of a reasonable degree of color con-
13 trast between the background and the printed state-
14 ment.

15 “(d)(1) Any broadcast or cablecast communication
16 described in subsection (a)(1) or subsection (a)(2) shall
17 include, in addition to the requirements of those sub-
18 sections, an audio statement by the candidate that identi-
19 fies the candidate and states that the candidate has ap-
20 proved the communication.

21 “(2) If a broadcast or cablecast communication de-
22 scribed in paragraph (1) is broadcast or cablecast by
23 means of television, the communication shall include, in
24 addition to the audio statement under paragraph (1), a
25 written statement which—

1 **SEC. 135. DEFINITIONS.**

2 (a) IN GENERAL.—Section 301 of FECA (2 U.S.C.
3 431) is amended by striking paragraph (19) and inserting
4 the following new paragraphs:

5 “(19) The term ‘eligible Senate candidate’ means a
6 candidate who is certified under section 504 as eligible to
7 receive benefits under title V.

8 “(20) The term ‘general election’ means any election
9 which will directly result in the election of a person to a
10 Federal office. Such term includes a primary election
11 which may result in the election of a person to a Federal
12 office.

13 “(21) The term ‘general election period’ means, with
14 respect to any candidate, the period beginning on the day
15 after the date of the primary or runoff election for the
16 specific office the candidate is seeking, whichever is later,
17 and ending on the earlier of—

18 “(A) the date of such general election; or

19 “(B) the date on which the candidate withdraws
20 from the campaign or otherwise ceases actively to
21 seek election.

22 “(22) The term ‘immediate family’ means—

23 “(A) a candidate’s spouse;

24 “(B) a child, stepchild, parent, grandparent,
25 brother, half-brother, sister or half-sister of the can-
26 didate or the candidate’s spouse; and

1 “(C) the spouse of any person described in sub-
2 paragraph (B).

3 “(23) The term ‘major party’ has the meaning given
4 such term in section 9002(6) of the Internal Revenue Code
5 of 1986, except that if a candidate qualified for the ballot
6 in a general election in an open primary in which all the
7 candidates for the office participated and which resulted
8 in the candidate and at least one other candidate qualify-
9 ing for the ballot in the general election, such candidate
10 shall be treated as a candidate of a major party for pur-
11 poses of title V.

12 “(24) The term ‘primary election’ means an election
13 which may result in the selection of a candidate for the
14 ballot in a general election for a Federal office.

15 “(25) The term ‘primary election period’ means, with
16 respect to any candidate, the period beginning on the day
17 following the date of the last election for the specific office
18 the candidate is seeking and ending on the earlier of—

19 “(A) the date of the first primary election for
20 that office following the last general election for that
21 office; or

22 “(B) the date on which the candidate withdraws
23 from the election or otherwise ceases actively to seek
24 election.

1 “(26) The term ‘runoff election’ means an election
2 held after a primary election which is prescribed by appli-
3 cable State law as the means for deciding which candidate
4 will be on the ballot in the general election for a Federal
5 office.

6 “(27) The term ‘runoff election period’ means, with
7 respect to any candidate, the period beginning on the day
8 following the date of the last primary election for the spe-
9 cific office such candidate is seeking and ending on the
10 date of the runoff election for such office.

11 “(28) The term ‘voting age population’ means the
12 resident population, 18 years of age or older, as certified
13 pursuant to section 315(e).

14 “(29) The term ‘election cycle’ means—

15 “(A) in the case of a candidate or the author-
16 ized committees of a candidate, the term beginning
17 on the day after the date of the most recent general
18 election for the specific office or seat which such
19 candidate seeks and ending on the date of the next
20 general election for such office or seat; or

21 “(B) for all other persons, the term beginning
22 on the first day following the date of the last general
23 election and ending on the date of the next general
24 election.”.

1 (b) IDENTIFICATION.—Section 301(13) of FECA (2
2 U.S.C. 431(13)) is amended by striking “mailing address”
3 and inserting “permanent residence address”.

4 **SEC. 136. PROVISIONS RELATING TO FRANKED MASS**
5 **MAILINGS.**

6 Section 3210(a)(6)(C) of title 39, United States
7 Code, is amended—

8 (1) by striking “if such mass mailing is post-
9 marked fewer than 60 days immediately before the
10 date” and inserting “if such mass mailing is post-
11 marked during the calendar year”; and

12 (2) by inserting “or reelection” immediately be-
13 fore the period.

14 **TITLE II—INDEPENDENT**
15 **EXPENDITURES**

16 **SEC. 201. CLARIFICATION OF DEFINITIONS RELATING TO**
17 **INDEPENDENT EXPENDITURES.**

18 (a) INDEPENDENT EXPENDITURE DEFINITION
19 AMENDMENT.—Section 301 of FECA (2 U.S.C. 431) is
20 amended by striking paragraphs (17) and (18) and insert-
21 ing the following:

22 “(17)(A) The term ‘independent expenditure’ means
23 an expenditure for an advertisement or other communica-
24 tion that—

25 “(i) contains express advocacy; and

1 “(ii) is made without the participation or co-
2 operation of a candidate or a candidate’s representa-
3 tive.

4 “(B) The following shall not be considered an inde-
5 pendent expenditure:

6 “(i) An expenditure made by a political commit-
7 tee of a political party.

8 “(ii) An expenditure made by a person who,
9 during the election cycle, has communicated with or
10 received information from a candidate or a rep-
11 resentative of that candidate regarding activities
12 that have the purpose of influencing that candidate’s
13 election to Federal office, where the expenditure is
14 in support of that candidate or in opposition to an-
15 other candidate for that office.

16 “(iii) An expenditure if there is any arrange-
17 ment, coordination, or direction with respect to the
18 expenditure between the candidate or the candidate’s
19 agent and the person making the expenditure.

20 “(iv) An expenditure if, in the same election
21 cycle, the person making the expenditure is or has
22 been—

23 “(I) authorized to raise or expend funds on
24 behalf of the candidate or the candidate’s au-
25 thorized committees; or

1 “(II) serving as a member, employee, or
2 agent of the candidate’s authorized committees
3 in an executive or policymaking position.

4 “(v) An expenditure if the person making the
5 expenditure has advised or counseled the candidate
6 or the candidate’s agents at any time on the can-
7 didate’s plans, projects, or needs relating to the can-
8 didate’s pursuit of nomination for election, or elec-
9 tion, to Federal office, in the same election cycle, in-
10 cluding any advice relating to the candidate’s deci-
11 sion to seek Federal office.

12 “(vi) An expenditure if the person making the
13 expenditure retains the professional services of any
14 individual or other person also providing services in
15 the same election cycle to the candidate in connec-
16 tion with the candidate’s pursuit of nomination for
17 election, or election, to Federal office, including any
18 services relating to the candidate’s decision to seek
19 Federal office.

20 “(vii) An expenditure if the person making the
21 expenditure has consulted at any time during the
22 calendar year in which the election is to be held
23 about the candidate’s plans, projects, or needs relat-
24 ing to the candidate’s pursuit of nomination for elec-
25 tion, or election, to Federal office, with—

1 “(I) any officer, director, employee or
2 agent of a party committee that has made or
3 intends to make expenditures or contributions,
4 pursuant to subsections (a), (d), or (h) of sec-
5 tion 315 in connection with the candidate’s
6 campaign; or

7 “(II) any person whose professional serv-
8 ices have been retained by a political party com-
9 mittee that has made or intends to make ex-
10 penditures or contributions pursuant to sub-
11 sections (a), (d), or (h) of section 315 in con-
12 nection with the candidate’s campaign.

13 For purposes of this subparagraph, the person making the
14 expenditure shall include any officer, director, employee,
15 or agent of such person, and the term ‘professional serv-
16 ices shall include any services (other than legal and ac-
17 counting services for purposes of ensuring compliance with
18 this Act) in support of any candidate’s or candidates’ pur-
19 suit of nomination for election, or election, to Federal of-
20 fice.

21 “(18) The term ‘express advocacy’ means, when a
22 communication is taken as a whole and with limited ref-
23 erence to external events, an expression of support for or
24 opposition to a specific candidate, to a specific group of
25 candidates, or to candidates of a particular political party,

1 or a suggestion to take action with respect to an election,
2 such as to vote for or against, make contributions to, or
3 participate in campaign activity.”.

4 (b) CONTRIBUTION DEFINITION AMENDMENT.—Sec-
5 tion 301(8)(A) of FECA (2 U.S.C. 431(8)(A)) is amend-
6 ed—

7 (1) in clause (i), by striking “or” after the
8 semicolon at the end;

9 (2) in clause (ii), by striking the period at the
10 end and inserting “; or”; and

11 (3) by adding at the end the following new
12 clause:

13 “(iii) any payment or other transaction referred
14 to in paragraph (17)(A)(i) that does not qualify as
15 an independent expenditure under paragraph
16 (17)(A)(ii).”.

17 **SEC. 202. EQUAL BROADCAST TIME.**

18 Section 315(a) of the Communications Act of 1934
19 (47 U.S.C. 315(a)) is amended to read as follows:

20 “(a)(1) If a licensee permits any person who is a le-
21 gally qualified candidate for public office to use a broad-
22 casting station other than any use required to be provided
23 under paragraph (2), the licensee shall afford equal oppor-
24 tunities to all other such candidates for that office in the
25 use of the broadcasting station.

1 “(2)(A) A person who reserves broadcast time the
2 payment for which would constitute an independent ex-
3 penditure within the meaning of section 301(17) of the
4 Federal Election Campaign Act of 1971 (2 U.S.C.
5 431(17)) shall—

6 “(i) inform the licensee that payment for the
7 broadcast time will constitute an independent ex-
8 penditure;

9 “(ii) inform the licensee of the names of all can-
10 didates for the office to which the proposed broad-
11 cast relates and state whether the message to be
12 broadcast is intended to be made in support of or in
13 opposition to each such candidate; and

14 “(iii) provide the licensee a copy of the state-
15 ment described in section 304(d) of the Federal
16 Election Campaign Act of 1971 (2 U.S.C. 434(d)).

17 “(B) A licensee who is informed as described in sub-
18 paragraph (A) shall—

19 “(i) if any of the candidates described in sub-
20 paragraph (A)(ii) has provided the licensee the name
21 and address of a person to whom notification under
22 this subparagraph is to be given—

23 “(I) notify such person of the proposed
24 making of the independent expenditure; and

1 “(II) allow any such candidate (other than
2 a candidate for whose benefit the independent
3 expenditure is made) to purchase the same
4 amount of broadcast time immediately after the
5 broadcast time paid for by the independent ex-
6 penditure; and

7 “(ii) in the case of an opponent of a candidate
8 for whose benefit the independent expenditure is
9 made who certifies to the licensee that the opponent
10 is eligible to have the cost of response broadcast
11 time paid using funds derived from a payment made
12 under section 503(a)(3)(B) of the Federal Election
13 Campaign Act of 1971, afford the opponent such
14 broadcast time without requiring payment in ad-
15 vance and at the cost specified in subsection (b).

16 “(3) A licensee shall have no power of censorship over
17 the material broadcast under this section.

18 “(4) Except as provided in paragraph (2), no obliga-
19 tion is imposed under this subsection upon any licensee
20 to allow the use of its station by any candidate.

21 “(5)(A) Appearance by a legally qualified candidate
22 on a—

23 “(i) bona fide newscast;

24 “(ii) bona fide news interview;

1 “(iii) bona fide news documentary (if the ap-
2 pearance of the candidate is incidental to the presen-
3 tation of the subject or subjects covered by the news
4 documentary); or

5 “(iv) on-the-spot coverage of bona fide news
6 events (including political conventions and activities
7 incidental thereto),

8 shall not be deemed to be use of a broadcasting station
9 within the meaning of this subsection.

10 “(B) Nothing in subparagraph (A) shall be construed
11 as relieving broadcasters, in connection with the presen-
12 tation of newscasts, news interviews, news documentaries,
13 and on-the-spot coverage of news events, from their obliga-
14 tion under this Act to operate in the public interest and
15 to afford reasonable opportunity for the discussion of con-
16 flicting views on issues of public importance.

17 “(6)(A) A licensee that endorses a candidate for Fed-
18 eral office in an editorial shall, within the time stated in
19 subparagraph (B), provide to all other candidates for elec-
20 tion to the same office—

21 “(i) notice of the date and time of broadcast of
22 the editorial;

23 “(ii) a taped or printed copy of the editorial;
24 and

1 “(iii) a reasonable opportunity to broadcast a
2 response using the licensee’s facilities.

3 “(B) In the case of an editorial described in subpara-
4 graph (A) that—

5 “(i) is first broadcast 72 hours or more prior to
6 the date of a primary, runoff, or general election,
7 the notice and copy described in subparagraph (A)
8 (i) and (ii) shall be provided not later than 24 hours
9 after the time of the first broadcast of the editorial,
10 and

11 “(ii) is first broadcast less than 72 hours before
12 the date of an election, the notice and copy shall be
13 provided at a time prior to the first broadcast that
14 will be sufficient to enable candidates a reasonable
15 opportunity to prepare and broadcast a response.”.

16 **TITLE III—EXPENDITURES**

17 **Subtitle A—Personal Loans; Credit**

18 **SEC. 301. PERSONAL CONTRIBUTIONS AND LOANS.**

19 Section 315 of FECA (2 U.S.C. 441a) is amended
20 by adding at the end the following new subsection:

21 “(j) LIMITATIONS ON PAYMENTS TO CANDIDATES.—

22 (1) If a candidate or a member of the candidate’s imme-
23 diate family made any loans to the candidate or to the
24 candidate’s authorized committees during any election
25 cycle, no contributions received after the date of the gen-

1 eral election for such election cycle may be used to repay
2 such loans.

3 “(2) No contribution by a candidate or member of
4 the candidate’s immediate family may be returned to the
5 candidate or member other than as part of a pro rata dis-
6 tribution of excess contributions to all contributors.”.

7 **SEC. 302. EXTENSIONS OF CREDIT.**

8 Section 301(8)(A) of FECA (2 U.S.C. 431(8)(A)), as
9 amended by section 201(b), is amended—

10 (1) by striking “or” at the end of clause (ii);

11 (2) by striking the period at the end of clause
12 (iii) and inserting “; or”; and

13 (3) by inserting at the end the following new
14 clause:

15 “(iv) with respect to a candidate and the
16 candidate’s authorized committees, any exten-
17 sion of credit for goods or services relating to
18 advertising on broadcasting stations, in news-
19 papers or magazines, or by mailings, or relating
20 to other similar types of general public political
21 advertising, if such extension of credit is—

22 “(I) in an amount of more than
23 \$1,000; and

24 “(II) for a period greater than the pe-
25 riod, not in excess of 60 days, for which

1 credit is generally extended in the normal
2 course of business after the date on which
3 such goods or services are furnished or the
4 date of a mailing.”.

5 **Subtitle B—Provisions Relating To**
6 **Soft Money of Political Parties**

7 **SEC. 311. DEFINITIONS.**

8 (a) CONTRIBUTION AND EXPENDITURE EXCEP-
9 TIONS.—(1) Clause (xii) of section 301(8)(B) of FECA
10 (2 U.S.C. 431(8)(B)(xii)) is amended—

11 (A) by inserting “in connection with volunteer
12 activities” after “such committee”; and

13 (B) by striking “and” at the end of subclause
14 (2), by inserting “and” at the end of subclause (3),
15 and by adding at the end the following new
16 subclause:

17 “(4) such activities are conducted solely
18 by, or any materials are distributed solely by,
19 volunteers;”.

20 (2) Clause (ix) of section 301(9)(B) of FECA (2
21 U.S.C. 431(9)(B)(ix)) is amended—

22 (A) by inserting “in connection with volunteer
23 activities” after “such committee”, and

24 (B) by striking “and” at the end of subclause
25 (2), by inserting “and” at the end of subclause (3),

1 and by adding at the end the following new
2 subclause:

3 “(4) any materials in connection with such
4 activities are prepared for distribution (and are
5 distributed) solely by volunteers;”.

6 (b) GENERIC ACTIVITIES; STATE PARTY GRASS-
7 ROOTS FUND.—Section 301 of FECA (2 U.S.C. 431), as
8 amended by section 135, is amended by adding at the end
9 thereof the following new paragraphs:

10 “(30) The term ‘generic campaign activity’
11 means a campaign activity that promotes a political
12 party rather than any particular Federal or non-
13 Federal candidate.

14 “(31) The term ‘State Party Grassroots Fund’
15 means a separate segregated fund established and
16 maintained by a State committee of a political party
17 solely for purposes of making expenditures and other
18 disbursements described in section 324(d).”.

19 **SEC. 312. CONTRIBUTIONS TO POLITICAL PARTY COMMIT-**
20 **TEES.**

21 (a) INDIVIDUAL CONTRIBUTIONS TO STATE
22 PARTY.—Paragraph (1) of section 315(a) of FECA (2
23 U.S.C. 441a(a)(1)) is amended by striking “or” at the end
24 of subparagraph (B), by redesignating subparagraph (C)

1 as subparagraph (D), and by inserting after subparagraph
2 (B) the following new subparagraph:

3 “(C) to—

4 “(i) a State Party Grassroots Fund estab-
5 lished and maintained by a State committee of
6 a political party in any calendar year which, in
7 the aggregate, exceed \$20,000;

8 “(ii) any other political committee estab-
9 lished and maintained by a State committee of
10 a political party in any calendar year which, in
11 the aggregate, exceed \$5,000,

12 except that the aggregate contributions described in
13 this subparagraph which may be made by a person
14 to the State Party Grassroots Fund and all commit-
15 tees of a State Committee of a political party in any
16 State in any calendar year shall not exceed \$20,000;
17 or”.

18 (b) MULTICANDIDATE COMMITTEE CONTRIBUTIONS
19 TO STATE PARTY.—Paragraph (2) of section 315(a) of
20 FECA (2 U.S.C. 441a(a)(2)) is amended by striking “or”
21 at the end of subparagraph (B), by redesignating subpara-
22 graph (C) as subparagraph (D), and by inserting after
23 subparagraph (B) the following new subparagraph:

24 “(C) to—

1 “(i) a State Party Grassroots Fund estab-
2 lished and maintained by a State committee of
3 a political party in any calendar year which, in
4 the aggregate, exceed \$15,000;

5 “(ii) to any other political committee estab-
6 lished and maintained by a State committee of
7 a political party which, in the aggregate, exceed
8 \$5,000,

9 except that the aggregate contributions described in
10 this subparagraph which may be made by a
11 multicandidate political committee to the State
12 Party Grassroots Fund and all committees of a
13 State Committee of a political party in any State in
14 any calendar year shall not exceed \$15,000; or”.

15 (c) OVERALL LIMIT.—Paragraph (3) of section
16 315(a) of FECA (2 U.S.C. 441a(a)(3)) is amended to read
17 as follows:

18 “(3)(A) No individual shall make contributions dur-
19 ing any election cycle (as defined in section 301(29)(B))
20 which, in the aggregate, exceed \$60,000.

21 “(B) No individual shall make contributions during
22 any calendar year—

23 “(i) to all candidates and their authorized polit-
24 ical committees which, in the aggregate, exceed
25 \$25,000; or

1 “(ii) to all political committees established and
2 maintained by State committees of a political party
3 which, in the aggregate, exceed \$20,000.

4 “(C) For purposes of subparagraph (B)(i), any con-
5 tribution made to a candidate or the candidate’s author-
6 ized political committees in a year other than the calendar
7 year in which the election is held with respect to which
8 such contribution is made shall be treated as made during
9 the calendar year in which the election is held.”.

10 (d) PRESIDENTIAL CANDIDATE COMMITTEE TRANS-
11 FERS.—(1) Subparagraph (B) of section 315(b)(1) of
12 FECA (2 U.S.C. 441a(b)(1)) is amended to read as fol-
13 lows:

14 “(B) in the case of a campaign for election
15 to such office, an amount equal to the sum of—

16 “(i) \$20,000,000, plus

17 “(ii) the lesser of—

18 “(I) 2 cents multiplied by the
19 voting age population of the United
20 States (as certified under subsection
21 (e) of this section), or

22 “(II) the amounts transferred by
23 the candidate and the authorized com-
24 mittees of the candidate to the na-
25 tional committee of the candidate’s

1 political party for distribution to State
2 Party Grassroots Funds.”.

3 (2) Subparagraph (A) of section 9002(11) of the In-
4 ternal Revenue Code of 1986 (defining qualified campaign
5 expense) is amended by striking “or” at the end of clause
6 (ii), by inserting “or” at the end of clause (iii), and by
7 inserting at the end the following new clause “(iv) any
8 transfers to the national committee of the candidate’s po-
9 litical party for distribution to State Party Grassroots
10 Funds (as defined in section 301(31) of the Federal Elec-
11 tion Campaign Act of 1971) to the extent such transfers
12 do not exceed the amount determined under section
13 315(b)(1)(B)(ii) of such Act.”.

14 **SEC. 313. PROVISIONS RELATING TO NATIONAL, STATE,**
15 **AND LOCAL PARTY COMMITTEES.**

16 (a) **SOFT MONEY OF COMMITTEES OF POLITICAL**
17 **PARTIES.**—Title III of FECA is amended by inserting
18 after section 323 the following new section:

19 “POLITICAL PARTY COMMITTEES

20 “SEC. 324. (a) **LIMITATIONS ON NATIONAL COMMIT-**
21 **TEE.**—(1) A national committee of a political party and
22 the congressional campaign committees of a political party
23 may not solicit or accept contributions or transfers not
24 subject to the limitations, prohibitions, and reporting re-
25 quirements of this Act.

26 “(2) Paragraph (1) shall not apply to contributions—

1 “(A) that—

2 “(i) are to be transferred to a State com-
3 mittee of a political party and are used solely
4 for activities described in clauses (xi) through
5 (xvii) of paragraph (9)(B) of section 301; or

6 “(ii) are described in section
7 301(8)(B)(viii); and

8 “(B) with respect to which contributors have
9 been notified that the funds will be used solely for
10 the purposes described in subparagraph (A).

11 “(b) ACTIVITIES SUBJECT TO THIS ACT.—Any
12 amount solicited, received, expended, or disbursed directly
13 or indirectly by a national, State, district, or local commit-
14 tee of a political party (including any subordinate commit-
15 tee) with respect to any of the following activities shall
16 be subject to the limitations, prohibitions, and reporting
17 requirements of this Act:

18 “(1)(A) Any get-out-the-vote activity conducted
19 during a calendar year in which an election for the
20 office of President is held.

21 “(B) Any other get-out-the-vote activity unless
22 subsection (c)(2) applies to the activity.

23 “(2) Any generic campaign activity.

24 “(3) Any activity that identifies or promotes a
25 Federal candidate, regardless of whether—

1 “(A) a State or local candidate is also
2 identified or promoted; or

3 “(B) any portion of the funds disbursed
4 constitutes a contribution or expenditure under
5 this Act.

6 “(4) Voter registration.

7 “(5) Development and maintenance of voter
8 files during an even-numbered calendar year.

9 “(6) Any other activity that—

10 “(A) significantly affects a Federal elec-
11 tion, or

12 “(B) is not otherwise described in section
13 301(8)(B)(xvii).

14 Any amount spent to raise funds that are used, in whole
15 or in part, in connection with activities described in the
16 preceding paragraphs shall be subject to the limitations,
17 prohibitions, and reporting requirements of this Act.

18 “(c) GET-OUT-THE-VOTE ACTIVITIES BY STATE,
19 DISTRICT, AND LOCAL COMMITTEES OF POLITICAL PAR-
20 TIES.—(1) Except as provided in paragraph (2), any get-
21 out-the-vote activity for a State or local candidate, or for
22 a ballot measure, which is conducted by a State, district,
23 or local committee of a political party (including any sub-
24 ordinate committee) shall be subject to the limitations,
25 prohibitions, and reporting requirements of this Act.

1 “(2) Paragraph (1) shall not apply to any activity
2 which the State committee of a political party certifies to
3 the Commission is an activity which—

4 “(A) is conducted during a calendar year other
5 than a calendar year in which an election for the of-
6 fice of President is held,

7 “(B) is exclusively on behalf of (and specifically
8 identifies only) one or more State or local candidates
9 or ballot measures, and

10 “(C) does not include any effort or means used
11 to identify or turn out those identified to be support-
12 ers of any Federal candidate (including any activity
13 that is undertaken in coordination with, or on behalf
14 of, a candidate for Federal office).

15 “(d) STATE PARTY GRASSROOTS FUNDS.—(1) A
16 State committee of a political party may make disburse-
17 ments and expenditures from its State Party Grassroots
18 Fund only for—

19 “(A) any generic campaign activity;

20 “(B) payments described in clauses (v), (x), and
21 (xii) of paragraph (8)(B) and clauses (iv), (viii), and
22 (ix) of paragraph (9)(B) of section 301;

23 “(C) subject to the limitations of section
24 315(d), payments described in clause (xii) of para-
25 graph (8)(B), and clause (ix) of paragraph (9)(B),

1 of section 301 on behalf of candidates other than for
2 President and Vice President;

3 “(D) voter registration; and

4 “(E) development and maintenance of voter
5 files during an even-numbered calendar year.

6 “(2) Notwithstanding section 315(a)(4), no funds
7 may be transferred by a State committee of a political
8 party from its State Party Grassroots Fund to any other
9 State Party Grassroots Fund or to any other political com-
10 mittee, except a transfer may be made to a district or local
11 committee of the same political party in the same State
12 if such district or local committee—

13 “(A) has established a separate segregated fund
14 for the purposes described in paragraph (1); and

15 “(B) uses the transferred funds solely for those
16 purposes.

17 “(e) AMOUNTS RECEIVED BY GRASSROOTS FUND
18 FROM STATE AND LOCAL CANDIDATE COMMITTEES.—(1)
19 Any amount received by a State Party Grassroots Fund
20 from a State or local candidate committee for expenditures
21 described in subsection (b) that are for the benefit of that
22 candidate shall be treated as meeting the requirements of
23 subsection (b) and section 304(e) if—

24 “(A) such amount is derived from funds which
25 meet the requirements of this Act with respect to

1 any limitation or prohibition as to source or dollar
2 amount specified in section 315(a) (1)(A) and
3 (2)(A); and

4 “(B) the State or local candidate committee—

5 “(i) maintains, in the account from which
6 payment is made, records of the sources and
7 amounts of funds for purposes of determining
8 whether such requirements are met; and

9 “(ii) certifies that such requirements were
10 met.

11 “(2) For purposes of paragraph (1)(A), in determin-
12 ing whether the funds transferred meet the requirements
13 of this Act described in such paragraph—

14 “(A) a State or local candidate committee’s
15 cash on hand shall be treated as consisting of the
16 funds most recently received by the committee, and

17 “(B) the committee must be able to dem-
18 onstrate that its cash on hand contains sufficient
19 funds meeting such requirements as are necessary to
20 cover the transferred funds.

21 “(3) Notwithstanding paragraph (1), any State Party
22 Grassroots Fund receiving any transfer described in para-
23 graph (1) from a State or local candidate committee shall
24 be required to meet the reporting requirements of this Act,
25 and shall submit to the Commission all certifications re-

1 ceived, with respect to receipt of the transfer from such
2 candidate committee.

3 “(4) For purposes of this subsection, a State or local
4 candidate committee is a committee established, financed,
5 maintained, or controlled by a candidate for other than
6 Federal office.

7 “(f) SOFT MONEY RESPONSE FUNDS.—(1) The na-
8 tional committee of any political party may establish a
9 separate fund for purposes of this subsection. Such fund
10 shall consist of contributions described in section 315(p).

11 “(2)(A) If a candidate or political party is notified
12 under section 304(h) that a person is making disburse-
13 ments in excess of \$10,000—

14 “(i) solely in opposition to such candidate or
15 solely in support of an opponent of such candidate,
16 or

17 “(ii) in opposition to such political party or in
18 support of another political party,

19 the national committee may make the transfers described
20 in subparagraph (B).

21 “(B) In the case of—

22 “(i) a notification described in subparagraph
23 (A)(i), the national committee may transfer funds to
24 authorized committees of the candidate described in
25 such paragraph, or

1 “(ii) a notification described in subparagraph
2 (A)(ii), the national committee may transfer funds
3 to the State Party Grassroots Fund in the State
4 where the disbursements are being made.

5 The aggregate amounts which may be transferred under
6 this subparagraph in response to any notification shall not
7 exceed the amount of disbursements specified in such no-
8 tice.

9 “(3) Any amount transferred under paragraph (2)
10 (and any amount expended by the State Party Grassroots
11 Fund or the candidate’s authorized committees from such
12 amount)—

13 “(A) shall not be treated as an expenditure for
14 purposes of applying any expenditure limit applica-
15 ble to the candidate under title V, and

16 “(B) shall not be taken into account in applying
17 the limit under section 315(d)(3) for expenditures by
18 a political party or committees thereof on behalf of
19 a candidate.”.

20 (b) CONTRIBUTIONS AND EXPENDITURES.—(1) Sec-
21 tion 301(8)(B) of FECA (2 U.S.C. 431(8)(B)) is amended
22 by striking “and” at the end of clause (xiii), by striking
23 the period at the end of clause (xiv) and inserting a semi-
24 colon, and by adding at the end the following new clauses:

1 “(xv) any amount contributed to a
2 candidate for other than Federal office;

3 “(xvi) any amount received or ex-
4 pended to pay the costs of a State or local
5 political convention;

6 “(xvii) any payment for campaign ac-
7 tivities that are exclusively on behalf of
8 (and specifically identify only) State or
9 local candidates and do not identify any
10 Federal candidate, and that are not activi-
11 ties described in section 324(b) (without
12 regard to paragraph (6)(B)) or section
13 324(c)(1);

14 “(xviii) any payment for administra-
15 tive expenses of a State or local committee
16 of a political party, including expenses
17 for—

18 “(I) overhead, including party
19 meetings;

20 “(II) staff (other than individuals
21 devoting a significant amount of their
22 time to elections for Federal office
23 and individuals engaged in conducting
24 get-out-the-vote activities for a Fed-
25 eral election); and

1 “(III) conducting party elections
2 or caucuses;

3 “(xix) any payment for research per-
4 taining solely to State and local candidates
5 and issues;

6 “(xx) any payment for development
7 and maintenance of voter files other than
8 during the 1-year period ending on the
9 date during an even-numbered calendar
10 year on which regularly scheduled general
11 elections for Federal office occur; and

12 “(xxi) any payment for any other ac-
13 tivity which is solely for the purpose of in-
14 fluencing, and which solely affects, an elec-
15 tion for non-Federal office and which is
16 not an activity described in section 324(b)
17 (without regard to paragraph (6)(B)) or
18 section 324(c)(1).”.

19 (2) Section 301(9)(B) of FECA (2 U.S.C.
20 431(9)(B)) is amended by striking “and” at the end of
21 clause (ix), by striking the period at the end of clause (x)
22 and inserting a semicolon, and by adding at the end the
23 following new clauses:

24 “(xi) any amount contributed to a
25 candidate for other than Federal office;

1 “(xii) any amount received or ex-
2 pended to pay the costs of a State or local
3 political convention;

4 “(xiii) any payment for campaign ac-
5 tivities that are exclusively on behalf of
6 (and specifically identify only) State or
7 local candidates and do not identify any
8 Federal candidate, and that are not activi-
9 ties described in section 324(b) (without
10 regard to paragraph (6)(B)) or section
11 324(c)(1);

12 “(xiv) any payment for administrative
13 expenses of a State or local committee of
14 a political party, including expenses for—

15 “(I) overhead, including party
16 meetings;

17 “(II) staff (other than individuals
18 devoting a significant amount of their
19 time to elections for Federal office
20 and individuals engaged in conducting
21 get-out-the-vote activities for a Fed-
22 eral election); and

23 “(III) conducting party elections
24 or caucuses;

1 “(xv) any payment for research per-
2 taining solely to State and local candidates
3 and issues;

4 “(xvi) any payment for development
5 and maintenance of voter files other than
6 during the 1-year period ending on the
7 date during an even-numbered calendar
8 year on which regularly scheduled general
9 elections for Federal office occur; and

10 “(xvii) any payment for any other ac-
11 tivity which is solely for the purpose of in-
12 fluencing, and which solely affects, an elec-
13 tion for non-Federal office and which is
14 not an activity described in section 324(b)
15 (without regard to paragraph (6)(B)) or
16 section 324(c)(1).”.

17 (c) LIMITATION APPLIED AT NATIONAL LEVEL.—
18 Paragraph (3) of section 315(d) of FECA (2 U.S.C.
19 441a(d)(3)) is amended by adding at the end the following
20 new sentence:

21 “Notwithstanding the preceding sentence, the applicable
22 congressional campaign committee of a political party
23 shall make the expenditures described in this paragraph
24 which are authorized to be made by a national or State
25 committee with respect to a candidate in any State unless

1 it allocates all or a portion of such expenditures to either
2 or both of such committees.”.

3 (d) LIMITATIONS APPLY FOR ENTIRE ELECTION
4 CYCLE.—Section 315(d)(1) of FECA (2 U.S.C.
5 441a(d)(1)) is amended by adding at the end the following
6 new sentence: “Each limitation under the following para-
7 graphs shall apply to the entire election cycle for an of-
8 fice.”.

9 (e) CONTRIBUTIONS TO RESPONSE FUNDS.—Section
10 315 of FECA (2 U.S.C. 441a), as amended by section
11 710, is amended by adding at the end the following new
12 subsection:

13 “(p) CONTRIBUTIONS TO RESPONSE FUNDS.—(1)
14 An individual may make contributions to a response fund
15 established by a political party under section 324(f) which,
16 in the aggregate, do not exceed \$7,500 for any calendar
17 year. For purposes of the preceding sentence, contribu-
18 tions during the calendar year preceding the calendar year
19 in which an election occurs shall be treated as made in
20 the year in which the election occurs.

21 “(2) Any contribution under paragraph (1) shall not
22 be taken into account for purposes of subsection (a)
23 (1)(B) or (3).”

1 **SEC. 314. RESTRICTIONS ON FUNDRAISING BY CANDIDATES**
2 **AND OFFICEHOLDERS.**

3 (a) STATE FUNDRAISING ACTIVITIES.—Section 315
4 of FECA (2 U.S.C. 441a), as amended by section 301,
5 is amended by adding at the end thereof the following new
6 subsection:

7 “(k) LIMITATIONS ON FUNDRAISING ACTIVITIES OF
8 FEDERAL CANDIDATES AND OFFICEHOLDERS AND CER-
9 TAIN POLITICAL COMMITTEES.—(1) For purposes of this
10 Act, a candidate for Federal office, an individual holding
11 Federal office, or any agent of the candidate or individual
12 may not solicit funds to, or receive funds on behalf of,
13 any Federal or non-Federal candidate or political commit-
14 tee—

15 “(A) which are to be expended in connection
16 with any election for Federal office unless such
17 funds are subject to the limitations, prohibitions,
18 and requirements of this Act; or

19 “(B) which are to be expended in connection
20 with any election for other than Federal office unless
21 such funds are not in excess of amounts permitted
22 with respect to Federal candidates and political com-
23 mittees under subsections (a) (1) and (2), and are
24 not from sources prohibited by such subsections with
25 respect to elections to Federal office.

1 “(2)(A) The aggregate amount which a person de-
2 scribed in subparagraph (B) may solicit from a
3 multicandidate political committee for State committees
4 described in subsection (a)(1)(C) (including subordinate
5 committees) for any calendar year shall not exceed the dol-
6 lar amount in effect under subsection (a)(2)(B) for the
7 calendar year.

8 “(B) A person is described in this subparagraph if
9 such person is a candidate for Federal office, an individual
10 holding Federal office, an agent of such a candidate or
11 individual, or any national, State, district, or local commit-
12 tee of a political party (including a subordinate committee)
13 and any agent of such a committee.

14 “(3) The appearance or participation by a candidate
15 for Federal office or individual holding Federal office in
16 any fundraising event conducted by a committee of a polit-
17 ical party or a candidate for other than Federal office shall
18 not be treated as a solicitation for purposes of paragraph
19 (1) if such candidate or individual does not solicit or re-
20 ceive, or make disbursements from, any funds resulting
21 from such activity.

22 “(4) Paragraph (1) shall not apply to the solicitation
23 or receipt of funds, or disbursements, by an individual who
24 is a candidate for other than Federal office if such activity
25 is permitted under State law.

1 “(5) For purposes of this subsection, an individual
2 shall be treated as holding Federal office if such individ-
3 ual—

4 “(A) holds a Federal office; or

5 “(B) holds a position described in level I of the
6 Executive Schedule under section 5312 of title 5,
7 United States Code.”.

8 (b) TAX-EXEMPT ORGANIZATIONS.—Section 315 of
9 FECA (2 U.S.C. 441a), as amended by subsection (a),
10 is amended by adding at the end thereof the following new
11 subsection:

12 “(l) TAX-EXEMPT ORGANIZATIONS.—(1) If an indi-
13 vidual is a candidate for, or holds, Federal office during
14 any period, such individual may not during such period
15 solicit contributions to, or on behalf of, any organization
16 which is described in section 501(c) of the Internal Reve-
17 nue Code of 1986 if a significant portion of the activities
18 of such organization include voter registration or get-out-
19 the-vote campaigns.

20 “(2) For purposes of this subsection, an individual
21 shall be treated as holding Federal office if such individ-
22 ual—

23 “(A) holds a Federal office; or

1 “(B) holds a position described in level I of the
2 Executive Schedule under section 5312 of title 5,
3 United States Code.”.

4 **SEC. 315. REPORTING REQUIREMENTS.**

5 (a) REPORTING REQUIREMENTS.—Section 304 of
6 FECA (2 U.S.C. 434), as amended by section 133(a), is
7 amended by adding at the end thereof the following new
8 subsection:

9 “(e) POLITICAL COMMITTEES.—(1) The national
10 committee of a political party and any congressional cam-
11 paign committee of a political party, and any subordinate
12 committee of either, shall report all receipts and disburse-
13 ments during the reporting period, whether or not in con-
14 nection with an election for Federal office.

15 “(2) A political committee (not described in para-
16 graph (1)) to which section 324 applies shall report all
17 receipts and disbursements including separate schedules
18 for receipts and disbursements for State Grassroots Funds
19 described in section 301(31).

20 “(3) Any political committee to which section 324 ap-
21 plies shall include in its report under paragraph (1) or
22 (2) the amount of any transfer described in section
23 324(d)(2) and shall itemize such amounts to the extent
24 required by section 304(b)(3)(A).

1 “(4) Any political committee to which paragraph (1)
2 or (2) does not apply shall report any receipts or disburse-
3 ments which are used in connection with a Federal elec-
4 tion.

5 “(5) If a political committee has receipts or disburse-
6 ments to which this subsection applies from any person
7 aggregating in excess of \$200 for any calendar year, the
8 political committee shall separately itemize its reporting
9 for such person in the same manner as subsection (b)
10 (3)(A), (5), or (6).

11 “(6) Reports required to be filed by this subsection
12 shall be filed for the same time periods required for politi-
13 cal committees under subsection (a).”.

14 (b) REPORT OF EXEMPT CONTRIBUTIONS.—Section
15 301(8) of the Federal Election Campaign Act of 1971 (2
16 U.S.C. 431(8)) is amended by inserting at the end thereof
17 the following:

18 “(C) The exclusion provided in clause (viii)
19 of subparagraph (B) shall not apply for pur-
20 poses of any requirement to report contribu-
21 tions under this Act, and all such contributions
22 aggregating in excess of \$200 shall be
23 reported.”.

24 (c) REPORTS BY STATE COMMITTEES.—Section 304
25 of FECA (2 U.S.C. 434), as amended by subsection (a),

1 is amended by adding at the end thereof the following new
2 subsection:

3 “(f) FILING OF STATE REPORTS.—In lieu of any re-
4 port required to be filed by this Act, the Commission may
5 allow a State committee of a political party to file with
6 the Commission a report required to be filed under State
7 law if the Commission determines such reports contain
8 substantially the same information.”.

9 (d) OTHER REPORTING REQUIREMENTS.—

10 (1) AUTHORIZED COMMITTEES.—Paragraph (4)
11 of section 304(b) of FECA (2 U.S.C. 434(b)(4)) is
12 amended by striking “and” at the end of subpara-
13 graph (H), by inserting “and” at the end of sub-
14 paragraph (I), and by adding at the end the follow-
15 ing new subparagraph:

16 “(J) in the case of an authorized commit-
17 tee, disbursements for the primary election, the
18 general election, and any other election in which
19 the candidate participates;”.

20 (2) NAMES AND ADDRESSES.—Subparagraph
21 (A) of section 304(b)(5) of FECA (2 U.S.C.
22 434(b)(5)(A)) is amended—

23 (A) by striking “within the calendar year”,
24 and

1 (B) by inserting “, and the election to
2 which the operating expenditure relates” after
3 “operating expenditure”.

4 **Subtitle C—Soft Money of Persons**
5 **Other Than Political Parties**

6 **SEC. 321. SOFT MONEY OF PERSONS OTHER THAN POLITI-**
7 **CAL PARTIES.**

8 Section 304 of FECA (2 U.S.C. 434), as amended
9 by section 602(d), is amended by adding at the end thereof
10 the following new subsection:

11 “(h) ELECTION ACTIVITY OF PERSONS OTHER THAN
12 POLITICAL PARTIES.—(1)(A) If any person to which sec-
13 tion 324 does not apply makes (or obligates to make) dis-
14 bursements for activities described in section 324(b) in ex-
15 cess of \$2,000, such person shall file a statement—

16 “(i) on or before the day which is 48 hours be-
17 fore the disbursements (or obligations) are made, or

18 “(ii) in the case of disbursements (or obliga-
19 tions) which are to be made within 14 days of the
20 election, on or before such 14th day.

21 An additional statement shall be filed each time additional
22 disbursements aggregating \$2,000 are made (or obligated
23 to be made) by such person.

24 “(B) This paragraph shall not apply to—

1 “(i) a candidate or a candidate’s authorized
2 committees, or

3 “(ii) an independent expenditure (as defined in
4 section 301(17)).

5 “(2) Any statement under this section shall be filed
6 with the Secretary of the Senate or the Clerk of the House
7 of Representatives, and the Secretary of State of the State
8 involved, as appropriate, and shall contain such informa-
9 tion as the Commission shall prescribe, including whether
10 the disbursement is in support of, or in opposition to, 1
11 or more candidates or any political party. The Secretary
12 of the Senate or Clerk of the House of Representatives
13 shall, as soon as possible (but not later than 24 hours
14 after receipt), transmit a statement to the Commission
15 and the Commission shall, not later than 48 hours after
16 receipt, transmit it—

17 “(A) to the candidates or political parties in-
18 volved, or

19 “(B) if the disbursement is not in support of,
20 or in opposition to, a candidate or political party, to
21 the State committees of each political party in the
22 State involved.

23 “(3) The Commission may make its own determina-
24 tion that disbursements described in paragraph (1) have
25 been made or obligated to be made. The Commission shall

1 notify the candidates or political parties described in para-
2 graph (2) within 24 hours of its determination.”

3 **TITLE IV—CONTRIBUTIONS**

4 **SEC. 401. CONTRIBUTIONS THROUGH INTERMEDIARIES** 5 **AND CONDUITS; PROHIBITION ON CERTAIN** 6 **CONTRIBUTIONS BY LOBBYISTS.**

7 (a) CONTRIBUTIONS THROUGH INTERMEDIARIES
8 AND CONDUITS.—Section 315(a)(8) of FECA (2 U.S.C.
9 441a(a)(8)) is amended to read as follows:

10 “(8) For the purposes of this subsection:

11 “(A) Contributions made by a person, either di-
12 rectly or indirectly, to or on behalf of a particular
13 candidate, including contributions that are in any
14 way earmarked or otherwise directed through an
15 intermediary or conduit to a candidate, shall be
16 treated as contributions from the person to the can-
17 didate.

18 “(B) Contributions made directly or indirectly
19 by a person to or on behalf of a particular candidate
20 through an intermediary or conduit, including con-
21 tributions made or arranged to be made by an
22 intermediary or conduit, shall be treated as contribu-
23 tions from the intermediary or conduit to the can-
24 didate if—

1 “(i) the contributions made through the
2 intermediary or conduit are in the form of a
3 check or other negotiable instrument made pay-
4 able to the intermediary or conduit rather than
5 the intended recipient; or

6 “(ii) the intermediary or conduit is—

7 “(I) a political committee;

8 “(II) an officer, employee, or agent of
9 such a political committee;

10 “(III) a political party;

11 “(IV) a partnership or sole proprietor-
12 ship;

13 “(V) a person who is required to reg-
14 ister or to report its lobbying activities, or
15 a lobbyist whose activities are required to
16 be reported, under section 308 of the Fed-
17 eral Regulation of Lobbying Act (2 U.S.C.
18 267), the Foreign Agents Registration Act
19 of 1938 (22 U.S.C. 611 et seq.), or any
20 successor Federal law requiring a person
21 who is a lobbyist or foreign agent to reg-
22 ister or a person to report its lobbying ac-
23 tivities; or

24 “(VI) an organization prohibited from
25 making contributions under section 316, or

1 an officer, employee, or agent of such an
2 organization acting on the organization's
3 behalf.

4 “(C)(i) The term ‘intermediary or conduit’ does
5 not include—

6 “(I) a candidate or representative of a can-
7 didate receiving contributions to the candidate's
8 principal campaign committee or authorized
9 committee;

10 “(II) a professional fundraiser com-
11 pensated for fundraising services at the usual
12 and customary rate, but only if the individual
13 is not described in subparagraph (B)(ii);

14 “(III) a volunteer hosting a fundraising
15 event at the volunteer's home, in accordance
16 with section 301(8)(B), but only if the individ-
17 ual is not described in subparagraph (B)(ii); or

18 “(IV) an individual who transmits a con-
19 tribution from the individual's spouse.

20 “(ii) The term ‘representative’ means an indi-
21 vidual who is expressly authorized by the candidate
22 to engage in fundraising, and who occupies a signifi-
23 cant position within the candidate's campaign orga-
24 nization, provided that the individual is not de-
25 scribed in subparagraph (B)(ii).

1 “(iii) The term ‘contributions made or arranged
2 to be made’ includes—

3 “(I) contributions delivered to a particular
4 candidate or the candidate’s authorized commit-
5 tee or agent; and

6 “(II) contributions directly or indirectly ar-
7 ranged to be made to a particular candidate or
8 the candidate’s authorized committee or agent,
9 in a manner that identifies directly or indirectly
10 to the candidate or authorized committee or
11 agent the person who arranged the making of
12 the contributions or the person on whose behalf
13 such person was acting.

14 Such term does not include contributions made, or
15 arranged to be made, by reason of an oral or written
16 communication by a Federal candidate or office-
17 holder expressly advocating the nomination for elec-
18 tion, or election, of any other Federal candidate and
19 encouraging the making of a contribution to such
20 other candidate.

21 “(iv) The term ‘acting on the organization’s be-
22 half’ includes the following activities by an officer,
23 employee or agent of a person described in subpara-
24 graph (B)(ii)(VI):

1 “(I) Soliciting or directly or indirectly ar-
2 ranging the making of a contribution to a par-
3 ticular candidate in the name of, or by using
4 the name of, such a person.

5 “(II) Soliciting or directly or indirectly ar-
6 ranging the making of a contribution to a par-
7 ticular candidate using other than incidental re-
8 sources of such a person.

9 “(III) Soliciting contributions for a par-
10 ticular candidate by substantially directing the
11 solicitations to other officers, employees, or
12 agents of such a person.

13 “(D) Nothing in this paragraph shall prohibit—

14 “(i) bona fide joint fundraising efforts con-
15 ducted solely for the purpose of sponsorship of
16 a fundraising reception, dinner, or other similar
17 event, in accordance with rules prescribed by
18 the Commission, by—

19 “(I) 2 or more candidates;

20 “(II) 2 or more national, State, or
21 local committees of a political party within
22 the meaning of section 301(4) acting on
23 their own behalf; or

24 “(III) a special committee formed by
25 2 or more candidates, or a candidate and

1 a national, State, or local committee of a
2 political party acting on their own behalf;

3 or

4 “(ii) fundraising efforts for the benefit of
5 a candidate that are conducted by another can-
6 didate.

7 When a contribution is made to a candidate through an
8 intermediary or conduit, the intermediary or conduit shall
9 report the original source and the intended recipient of
10 the contribution to the Commission and to the intended
11 recipient.”.

12 (b) PROHIBITION OF CERTAIN CONTRIBUTIONS BY
13 LOBBYISTS.—Section 315 of FECA (2 U.S.C. 441a), as
14 amended by section 314(b), is amended by adding at the
15 end the following new subsection:

16 “(m)(1) A lobbyist, or a political committee controlled
17 by a lobbyist, shall not make contributions to, or solicit
18 contributions for or on behalf of—

19 “(A) any member of Congress with whom the
20 lobbyist has, during the preceding 12 months, made
21 a lobbying contact; or

22 “(B) any authorized committee of the President
23 of the United States if, during the preceding 12
24 months, the lobbyist has made a lobbying contact
25 with a covered executive branch official.

1 “(2) A lobbyist who, or a lobbyist whose political com-
2 mittee, has made any contribution to, or solicited contribu-
3 tions for or on behalf of, any member of Congress or can-
4 didate for Congress (or any authorized committee of the
5 President) shall not, during the 12 months following such
6 contribution or solicitation, make a lobbying contact with
7 such member or candidate who becomes a member of Con-
8 gress (or a covered executive branch official).

9 “(3) If a lobbyist advises or otherwise suggests to a
10 client of the lobbyist (including a client that is the lobby-
11 ist’s regular employer), or to a political committee that
12 is funded or administered by such a client, that the client
13 or political committee should make a contribution to or
14 solicit a contribution for or on behalf of—

15 “(A) a member of Congress or candidate for
16 Congress, the making or soliciting of such a con-
17 tribution is prohibited if the lobbyist has made a lob-
18 bying contact with the member of Congress within
19 the preceding 12 months; or

20 “(B) an authorized committee of the President,
21 the making or soliciting of such a contribution shall
22 be unlawful if the lobbyist has made a lobbying con-
23 tact with a covered executive branch official within
24 the preceding 12 months.

25 “(4) For purposes of this subsection—

1 “(A) the term ‘covered executive branch official’
2 means the President, Vice-President, any officer or
3 employee of the executive office of the President
4 other than a clerical or secretarial employee, any of-
5 ficer or employee serving in an Executive Level I, II,
6 III, IV, or V position as designated in statute or Ex-
7 ecutive order, any officer or employee serving in a
8 senior executive service position (as defined in sec-
9 tion 3232(a)(2) of title 5, United States Code), any
10 member of the uniformed services whose pay grade
11 is at or in excess of 0-7 under section 201 of title
12 37, United States Code, and any officer or employee
13 serving in a position of confidential or policy-deter-
14 mining character under schedule C of the excepted
15 service pursuant to regulations implementing section
16 2103 of title 5, United States Code;

17 “(B) the term ‘lobbyist’ means—

18 “(i) a person required to register under
19 section 308 of the Federal Regulation of Lobby-
20 ing Act (2 U.S.C. 267) or the Foreign Agents
21 Registration Act of 1938 (22 U.S.C. 611 et
22 seq.) or any successor Federal law requiring a
23 person who is a lobbyist or foreign agent to reg-
24 ister or a person to report its lobbying activi-
25 ties; or

1 “(C) the term ‘lobbying contact’—

2 “(i) means an oral or written communica-
3 tion with or appearance before a member of
4 Congress or covered executive branch official
5 made by a lobbyist representing an interest of
6 another person with regard to—

7 “(I) the formulation, modification, or
8 adoption of Federal legislation (including a
9 legislative proposal);

10 “(II) the formulation, modification, or
11 adoption of a Federal rule, regulation, Ex-
12 ecutive order, or any other program, policy
13 or position of the United States Govern-
14 ment; or

15 “(III) the administration or execution
16 of a Federal program or policy (including
17 the negotiation, award, or administration
18 of a Federal contract, grant, loan, permit,
19 or license); but

20 “(ii) does not include a communication
21 that is—

22 “(I) made by a public official acting
23 in an official capacity;

24 “(II) made by a representative of a
25 media organization who is primarily en-

1 gaged in gathering and disseminating news
2 and information to the public;

3 “(III) made in a speech, article, publi-
4 cation, or other material that is widely dis-
5 tributed to the public or through the
6 media;

7 “(IV) a request for an appointment, a
8 request for the status of a Federal action,
9 or another similar ministerial contact, if
10 there is no attempt to influence a member
11 of Congress or covered executive branch of-
12 ficial at the time of the contact;

13 “(V) made in the course of participa-
14 tion in an advisory committee subject to
15 the Federal Advisory Committee Act (5
16 U.S.C. App.);

17 “(VI) testimony given before a com-
18 mittee, subcommittee, or office of Congress
19 a Federal agency, or submitted for inclu-
20 sion in the public record of a hearing con-
21 ducted by the committee, subcommittee, or
22 office;

23 “(VII) information provided in writing
24 in response to a specific written request

1 from a member of Congress or covered ex-
2 ecutive branch official;

3 “(VIII) required by subpoena, civil in-
4 vestigative demand, or otherwise compelled
5 by statute, regulation, or other action of
6 Congress or a Federal agency;

7 “(IX) made to an agency official with
8 regard to a judicial proceeding, criminal or
9 civil law enforcement inquiry, investigation,
10 or proceeding, or filing required by law;

11 “(X) made in compliance with written
12 agency procedures regarding an adjudica-
13 tion conducted by the agency under section
14 554 of title 5, United States Code, or sub-
15 stantially similar provisions;

16 “(XI) a written comment filed in a
17 public docket and other communication
18 that is made on the record in a public pro-
19 ceeding;

20 “(XII) a formal petition for agency
21 action, made in writing pursuant to estab-
22 lished agency procedures; or

23 “(XIII) made on behalf of a person
24 with regard to the person’s benefits, em-
25 ployment, other personal matters involving

1 only that person, or disclosures pursuant
2 to a whistleblower statute.”.

3 “(5) For purposes of this subsection, a lobbyist shall
4 be considered to make a lobbying contact or communica-
5 tion with a member of Congress if the lobbyist makes a
6 lobbying contact or communication with—

7 “(i) the member of Congress;

8 “(ii) any person employed in the office of
9 the member of Congress; or

10 “(iii) any person employed by a committee,
11 joint committee, or leadership office who, to the
12 knowledge of the lobbyist, was employed at the
13 request of or is employed at the pleasure of, re-
14 ports primarily to, represents, or acts as the
15 agent of the member of Congress.”.

16 **SEC. 402. CONTRIBUTIONS BY DEPENDENTS NOT OF VOT-**
17 **ING AGE.**

18 Section 315 of FECA (2 U.S.C. 441a), as amended
19 by section 401(b), is amended by adding at the end the
20 following new subsection:

21 “(n) For purposes of this section, any contribution
22 by an individual who—

23 “(1) is a dependent of another individual; and

24 “(2) has not, as of the time of such contribu-
25 tion, attained the legal age for voting for elections

1 to Federal office in the State in which such individ-
2 ual resides,
3 shall be treated as having been made by such other indi-
4 vidual. If such individual is the dependent of another indi-
5 vidual and such other individual's spouse, the contribution
6 shall be allocated among such individuals in the manner
7 determined by them.”.

8 **SEC. 403. CONTRIBUTIONS TO CANDIDATES FROM STATE**
9 **AND LOCAL COMMITTEES OF POLITICAL PAR-**
10 **TIES TO BE AGGREGATED.**

11 Section 315(a) of FECA (2 U.S.C. 441a(a)) is
12 amended by adding at the end the following new para-
13 graph:

14 “(9) Notwithstanding paragraph (5)(B), a candidate
15 for Federal office may not accept, with respect to an elec-
16 tion, any contribution from a State or local committee of
17 a political party (including any subordinate committee of
18 such committee), if such contribution, when added to the
19 total of contributions previously accepted from all such
20 committees of that political party, exceeds a limitation on
21 contributions to a candidate under this section.”.

1 **SEC. 404. CONTRIBUTIONS AND EXPENDITURES USING**
2 **MONEY SECURED BY PHYSICAL FORCE OR**
3 **OTHER INTIMIDATION.**

4 Title III of FECA, as amended by section 707, is
5 amended by adding at the end the following new section:

6 “CONTRIBUTIONS AND EXPENDITURES USING MONEY
7 SECURED BY PHYSICAL FORCE OR OTHER INTIMIDATION
8 “SEC. 326. It shall be unlawful for any person to—
9 “(1) cause another person to make a contribu-
10 tion or expenditure by using physical force, job dis-
11 crimination, financial reprisals, or the threat of
12 physical force, job discrimination, or financial re-
13 prisal; or
14 “(2) make a contribution or expenditure utiliz-
15 ing money or anything of value secured in the man-
16 ner described in paragraph (1).”.

17 **SEC. 405. PROHIBITION OF ACCEPTANCE BY A CANDIDATE**
18 **OF CASH CONTRIBUTIONS FROM ANY ONE**
19 **PERSON AGGREGATING MORE THAN \$100.**

20 Section 321 of FECA (2 U.S.C. 441g) is amended
21 by inserting “, and no candidate or authorized committee
22 of a candidate shall accept from any one person,” after
23 “make”.

24 **SEC. 406. OUT-OF-STATE FUNDRAISING.**

25 Title III of FECA, as amended by this Act, is amend-
26 ed by adding at the end the following new section:

1 “OUT-OF-STATE FUNDRAISING
 2 “SEC. 328. A person shall not solicit or accept a con-
 3 tribution from a person that is not a legal resident of the
 4 candidate’s State of residence prior to the date that is 2
 5 years prior to the date of a general election for a congres-
 6 sional office in which the person seeks to become a can-
 7 didate.”.

8 **TITLE V—REPORTING**
 9 **REQUIREMENTS**

10 **SEC. 501. CHANGE IN CERTAIN REPORTING FROM A CAL-**
 11 **ENDAR YEAR BASIS TO AN ELECTION CYCLE**
 12 **BASIS.**

13 Paragraphs (2) through (7) of section 304(b) of
 14 FECA (2 U.S.C. 434(b)(2)–(7)), as amended by section
 15 315(d), are amended by inserting after “calendar year”
 16 each place it appears the following: “(election cycle, in the
 17 case of an authorized committee of a candidate for Federal
 18 office)”.

19 **SEC. 502. PERSONAL AND CONSULTING SERVICES.**

20 (a) **REPORTING BY POLITICAL COMMITTEES.**—Sec-
 21 tion 304(b)(5)(A) of FECA (2 U.S.C. 434(b)(5)(A)) is
 22 amended by adding before the semicolon at the end the
 23 following: “, except that if a person to whom an expendi-
 24 ture is made is merely providing personal or consulting
 25 services and is in turn making expenditures to other per-

1 sons (not including employees) who provide goods or serv-
2 ices to the candidate or his or her authorized committees,
3 the name and address of such other person, together with
4 the date, amount and purpose of such expenditure shall
5 also be disclosed”.

6 (b) RECORDKEEPING AND REPORTING BY PERSONS
7 TO WHOM EXPENDITURES ARE PASSED THROUGH.—Sec-
8 tion 302 of FECA (2 U.S.C. 432) is amended by adding
9 at the end the following new subsection:

10 “(j) The person described in section 304(b)(5)(A)
11 who is providing personal or consulting services and who
12 is in turn making expenditures to other persons (not in-
13 cluding employees) for goods or services provided to a can-
14 didate shall maintain records of and shall provide to a po-
15 litical committee the information necessary to enable the
16 political committee to report the information described in
17 section 304(b)(5)(A).”.

18 **SEC. 503. COMPUTERIZED INDICES OF CONTRIBUTIONS.**

19 Section 311(a) of FECA (2 U.S.C. 438(a)) is amend-
20 ed—

21 (1) by striking “and” at the end of paragraph

22 (9);

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

1 (3) by adding at the end the following new
2 paragraph:

3 “(11) maintain computerized indices of con-
4 tributions of \$200 or more.”.

5 **SEC. 504. FILING OF REPORTS USING COMPUTERS AND**
6 **FACSIMILE MACHINES.**

7 Section 302(g) of FECA (2 U.S.C. 432(g)) is amend-
8 ed by adding at the end the following new paragraph:

9 “(6)(A) The Commission, in consultation with
10 the Secretary of the Senate and the Clerk of the
11 House of Representatives, shall prescribe regulations
12 under which persons required to file designations,
13 statements, and reports under this Act—

14 “(i) are required to maintain and file them
15 for any calendar year in electronic form acces-
16 sible by computers if the person has, or has
17 reason to expect to have, aggregate contribu-
18 tions or expenditures in excess of \$100,000
19 during the current calendar year, and

20 “(ii) may maintain and file them in that
21 manner if not required to do so under clause
22 (i).

23 “(B) The Commission, in consultation with the
24 Secretary of the Senate and the Clerk of the House
25 of Representatives, shall prescribe regulations which

1 allow persons to file designations, statements, and
2 reports required by this Act through the use of fac-
3 simile machines.

4 “(C) In prescribing regulations under this para-
5 graph, the Commission shall provide methods (other
6 than signing) for verifying designations, statements,
7 and reports covered by the regulations. Any docu-
8 ment verified under any of the methods shall be
9 treated for all purposes (including penalties for per-
10 jury) in the same manner as a document verified by
11 signature.

12 “(D) The Commission shall ensure that any
13 computer (or other) system developed and main-
14 tained by the Commission to receive designations,
15 statements, and reports in the forms required or
16 permitted under this paragraph are compatible with
17 the systems of the Secretary of the Senate and the
18 Clerk of the House of Representatives.”.

19 **SEC. 505. POLITICAL COMMITTEES.**

20 Section 303(b) of FECA (2 U.S.C. 433(b)) is amend-
21 ed—

22 (1) in paragraph (2), by inserting “, and if the
23 organization or committee is incorporated, the State
24 of incorporation” after “committee”,

1 (2) by striking the “name and address of the
2 treasurer” in paragraph (4) and inserting “the
3 names and addresses of the officers”, and

4 (3) by striking “and” at the end of paragraph
5 (5), by striking the period at the end of paragraph
6 (6) and inserting “; and”, and by adding at the end
7 the following new paragraph:

8 “(7) a statement of the purpose for which the
9 political committee was formed.”.

10 **TITLE VI—FEDERAL ELECTION** 11 **COMMISSION**

12 **SEC. 601. USE OF CANDIDATES’ NAMES.**

13 Section 302(e)(4) of FECA (2 U.S.C. 432(e)(4)) is
14 amended to read as follows:

15 “(4)(A) The name of each authorized committee shall
16 include the name of the candidate who authorized the com-
17 mittee under paragraph (1).

18 “(B) A political committee that is not an authorized
19 committee shall not—

20 “(i) include the name of any candidate in its
21 name, or

22 “(ii) except in the case of a national, State, or
23 local party committee, use the name of any can-
24 didate in any activity on behalf of such committee
25 in such a context as to suggest that the committee

1 is an authorized committee of the candidate or that
2 the use of the candidate's name has been authorized
3 by the candidate.”.

4 **SEC. 602. REPORTING REQUIREMENTS.**

5 (a) OPTION TO FILE MONTHLY REPORTS—Section
6 304(a)(2) of FECA (2 U.S.C. 434(a)(2)) is amended—

7 (1) in subparagraph (A) by striking “and” at
8 the end;

9 (2) in subparagraph (B) by striking the period
10 at the end and inserting “; and”; and

11 (3) by inserting the following new subparagraph
12 at the end:

13 “(C) in lieu of the reports required by subpara-
14 graphs (A) and (B), the treasurer may file monthly
15 reports in all calendar years, which shall be filed no
16 later than the 15th day after the last day of the
17 month and shall be complete as of the last day of
18 the month, except that, in lieu of filing the reports
19 otherwise due in November and December of any
20 year in which a regularly scheduled general election
21 is held, a pre-primary election report and a pre-gen-
22 eral election report shall be filed in accordance with
23 subparagraph (A)(i), a post-general election report
24 shall be filed in accordance with subparagraph

1 (A)(ii), and a year end report shall be filed no later
2 than January 31 of the following calendar year.”.

3 (b) FILING DATE.—(1) Section 304(a)(3) (A)(i) and
4 (B)(i) of FECA (2 U.S.C. 434(a)(3) (A)(i) and (B)(i))
5 are amended by striking “20th” and inserting “15th”.

6 (2) Section 304(a)(4) of FECA (2 U.S.C. 434(a)(4))
7 is amended—

8 (A) in subparagraph (A)(i) by inserting “, and
9 except that if at any time during the election year
10 a committee receives contributions in excess of
11 \$100,000 (\$10,000 in the case of a multicandidate
12 political committee), or makes disbursements in ex-
13 cess of \$100,000 (\$10,000 in the case of a
14 multicandidate political committee), monthly reports
15 on the 15th day of each month after the month in
16 which that amount of contributions is first received
17 or that amount of disbursements is first anticipated
18 to be made during that year” before the semicolon;
19 and

20 (B) in subparagraph (B) by striking “20th”
21 and inserting “15th”.

22 (c) INCOMPLETE OR FALSE CONTRIBUTOR INFORMA-
23 TION.—Section 302(i) of FECA (2 U.S.C. 432(i)) is
24 amended—

1 (1) by striking “submit” and inserting “re-
2 port”; and

3 (2) by adding the following at the end: “In the
4 case of a contribution required to be reported under
5 section 304(b)(3)(A), the contribution shall not be
6 used by the political committee to make an expendi-
7 ture until the political committee has obtained all of
8 the information that is required to be reported.”.

9 (d) **WAIVER.**—Section 304 of FECA (2 U.S.C. 434),
10 as amended by section 315(c), is amended by adding at
11 the end the following new subsection:

12 “(g) **WAIVER.**—The Commission may relieve any cat-
13 egory of political committees of the obligation to file 1 or
14 more reports required by this section, or may change the
15 due dates of such reports, if it determines that such action
16 is consistent with the purposes of this Act. The Commis-
17 sion may waive requirements to file reports in accordance
18 with this subsection through a rule of general applicability
19 or, in a specific case, may waive or change the due date
20 of a report by notifying all political committees affected.”.

21 **SEC. 603. PROVISIONS RELATING TO THE GENERAL COUN-**
22 **SEL OF THE COMMISSION.**

23 (a) **VACANCY IN THE OFFICE OF GENERAL COUN-**
24 **SEL.**—Section 306(f) of FECA (2 U.S.C. 437c(f)) is

1 amended by adding at the end the following new para-
2 graph:

3 “(5) In the event of a vacancy in the office of general
4 counsel, the next highest ranking enforcement official in
5 the general counsel’s office shall serve as acting general
6 counsel with full powers of the general counsel until a suc-
7 cessor is appointed.”.

8 (b) PAY OF THE GENERAL COUNSEL.—Section
9 306(f)(1) of FECA (2 U.S.C. 437c(f)(1)) is amended—
10 (1) by inserting “and the general counsel” after
11 “staff director” in the second sentence; and
12 (2) by striking the third sentence.

13 **SEC. 604. PENALTIES.**

14 (a) PENALTIES PRESCRIBED IN CONCILIATION
15 AGREEMENTS.—(1) Section 309(a)(5)(A) of FECA (2
16 U.S.C. 437g(a)(5)(A)) is amended by striking “which does
17 not exceed the greater of \$5,000 or an amount equal to
18 any contribution or expenditure involved in such viola-
19 tion.” and inserting “which—

20 “(i) is not less than 50 percent of all contribu-
21 tions and expenditures involved in the violation (or
22 such lesser amount as the Commission provides if
23 necessary to ensure that the penalty is not unjustly
24 disproportionate to the violation); and

1 “(ii) does not exceed the greater of \$5,000 or
2 all contributions and expenditures involved in the
3 violation.”.

4 (2) Section 309(a)(5)(B) of FECA (2 U.S.C.
5 437g(a)(5)(B)) is amended by striking “which does not
6 exceed the greater of \$10,000 or an amount equal to 200
7 percent of any contribution or expenditure involved in such
8 violation.” and inserting “which—

9 “(i) is not less than all contributions and ex-
10 penditures involved in the violation; and

11 “(ii) does not exceed the greater of \$10,000 or
12 150 percent of all contributions and expenditures in-
13 volved in the violation.”.

14 (b) PENALTIES WHEN VIOLATIONS ARE ADJU-
15 DICATED IN COURT.—(1) Section 309(a)(6)(A) of FECA
16 (2 U.S.C. 437g(a)(6)(A)) is amended by striking all that
17 follows “appropriate order” and inserting “, including an
18 order for a civil penalty in the amount determined under
19 subparagraph (B) or (C) in the district court of the United
20 States for the district in which the defendant resides,
21 transacts business, or may be found or in which the viola-
22 tion occurred.”.

23 (2) Section 309(a)(6)(B) of FECA (2 U.S.C.
24 437g(a)(6)(B)) is amended by striking all that follows

1 “other order” and inserting “, including an order for a
2 civil penalty which—

3 “(i) is not less than all contributions and ex-
4 penditures involved in the violation; and

5 “(ii) does not exceed the greater of \$10,000 or
6 200 percent of all contributions and expenditures in-
7 volved in the violation,

8 upon a proper showing that the person involved has com-
9 mitted, or is about to commit (if the relief sought is a
10 permanent or temporary injunction or a restraining
11 order), a violation of this Act or of chapter 95 or chapter
12 96 of the Internal Revenue Code of 1986.”.

13 (3) Section 309(a)(6)(C) of FECA (29 U.S.C.
14 437g(6)(C)) is amended by striking “a civil penalty” and
15 all that follows and inserting “a civil penalty which—

16 “(i) is not less than 200 percent of all contribu-
17 tions and expenditures involved in the violation; and

18 “(ii) does not exceed the greater of \$20,000 or
19 250 percent of all contributions and expenditures in-
20 volved in the violation.”.

21 **SEC. 605. AUDITS.**

22 (a) RANDOM AUDITS.—Section 311(b) of FECA (2
23 U.S.C. 438(b)) is amended—

24 (1) by inserting “(1)” before “The Commis-
25 sion”; and

1 (2) by adding at the end the following new
2 paragraph:

3 “(2) Notwithstanding paragraph (1), the Commission
4 may from time to time conduct random audits and inves-
5 tigations to ensure voluntary compliance with this Act.
6 The subjects of such audits and investigations shall be se-
7 lected on the basis of criteria established by vote of at
8 least 4 members of the Commission to ensure impartiality
9 in the selection process. This paragraph does not apply
10 to an authorized committee of a candidate for President
11 or Vice President subject to audit under section 9007 or
12 9038 of the Internal Revenue Code of 1986 or to an au-
13 thorized committee of an eligible Senate candidate subject
14 to audit under section 505(a).”.

15 (b) EXTENSION OF PERIOD DURING WHICH CAM-
16 PAIGN AUDITS MAY BE BEGUN.—Section 311(b) of
17 FECA (2 U.S.C. 438(b)) is amended by striking “6
18 months” and inserting “12 months”.

19 **SEC. 606. PROHIBITION OF FALSE REPRESENTATION TO**
20 **SOLICIT CONTRIBUTIONS.**

21 Section 322 of FECA (2 U.S.C. 441h) is amended—

22 (1) by inserting after “SEC. 322.” the follow-
23 ing: “(a)”; and

24 (2) by adding at the end the following:

1 “(2) There shall be credited to the fund an amount
2 equal to—

3 “(A) the expenses of the Commission incurred
4 in preparing copies of documents, publications, com-
5 puter tapes, and other forms of records sold to the
6 public;

7 “(B) the expenses of the Commission incurred
8 in responding to requests for records under section
9 552 of title 5, United States Code; and

10 “(C) costs awarded to the Commission in litiga-
11 tion.

12 “(3) Amounts credited to the fund shall be available
13 without fiscal year limitation to the Commission, in addi-
14 tion to amounts otherwise appropriated to the Commis-
15 sion, for the purpose of paying the expenses of the Com-
16 mission in providing records to the public as described in
17 subparagraphs (A) and (B) and in providing at no charge
18 to the public informational publications designed to assist
19 candidates, political committees, and other persons in
20 complying with this Act.”.

21 **SEC. 610. INSOLVENT POLITICAL COMMITTEES.**

22 Section 303(d) of FECA (2 U.S.C. 433(d)) is amend-
23 ed by adding at the end the following new paragraph:

24 “(3) Proceedings by the Commission under para-
25 graph (2) constitute the sole means, to the exclusion of

1 proceedings under title 11, United States Code, by which
2 a political committee that is determined by the Commis-
3 sion to be insolvent may compromise its debts, liquidate
4 its assets, and terminate its existence.”.

5 **TITLE VII—MISCELLANEOUS**

6 **SEC. 701. PROHIBITION OF LEADERSHIP COMMITTEES.**

7 Section 302(e) of FECA (2 U.S.C. 432(e)) is amend-
8 ed—

9 (1) by amending paragraph (3) to read as fol-
10 lows:

11 “(3) No political committee that supports or has sup-
12 ported more than one candidate may be designated as an
13 authorized committee, except that—

14 “(A) a candidate for the office of President
15 nominated by a political party may designate the na-
16 tional committee of such political party as the can-
17 didate’s principal campaign committee, but only if
18 that national committee maintains separate books of
19 account with respect to its functions as a principal
20 campaign committee; and

21 “(B) a candidate may designate a political com-
22 mittee established solely for the purpose of joint
23 fundraising by such candidates as an authorized
24 committee.”; and

1 (2) by adding at the end the following new
2 paragraph:

3 “(6)(A) A candidate for Federal office or any individ-
4 ual holding Federal office may not establish, finance,
5 maintain, or control any Federal or non-Federal political
6 committee other than a principal campaign committee of
7 the candidate, authorized committee, party committee, or
8 other political committee designated in accordance with
9 paragraph (3). A candidate for more than one Federal of-
10 fice may designate a separate principal campaign commit-
11 tee for each Federal office. This paragraph shall not pre-
12 clude a Federal officeholder who is a candidate for State
13 or local office from establishing, financing, maintaining,
14 or controlling a political committee for election of the indi-
15 vidual to such State or local office.

16 “(B) For one year after the effective date of this
17 paragraph, any political committee established before such
18 date but which is prohibited under subparagraph (A) may
19 continue to make contributions. At the end of that period
20 such political committee shall disburse all funds by one
21 or more of the following means: making contributions to
22 an entity qualified under section 501(c)(3) of the Internal
23 Revenue Code of 1986; making a contribution to the treas-
24 ury of the United States; contributing to the national,
25 State or local committees of a political party; or making

1 contributions not to exceed \$1,000 to candidates for elec-
2 tive office.”.

3 **SEC. 702. POLLING DATA CONTRIBUTED TO CANDIDATES.**

4 Section 301(8) of FECA (2 U.S.C. 431(8)), as
5 amended by section 315(b), is amended by inserting at
6 the end the following new subparagraph:

7 “(D) A contribution of polling data to a can-
8 didate shall be valued at the usual and normal
9 charge for the data on the date the poll was com-
10 pleted, depreciated at a rate not more than 1 per-
11 cent per day from such date to the date on which
12 the contribution was made.”.

13 **SEC. 703. DEBATES BY GENERAL ELECTION CANDIDATES**

14 **WHO RECEIVE AMOUNTS FROM THE PRESI-**
15 **DENTIAL ELECTION CAMPAIGN FUND.**

16 Section 315(b) of FECA (2 U.S.C. 441a(b)) is
17 amended by adding at the end the following new para-
18 graph:

19 “(3)(A) The candidates of a political party for
20 the offices of President and Vice President who are
21 receiving payments under section 9003 of the Inter-
22 nal Revenue Code of 1986 from the Secretary of the
23 Treasury shall refund such payments unless both of
24 such candidates agree in writing—

1 “(i) that the candidate for the office of
2 President will participate in at least 3 debates,
3 sponsored by a nonpartisan or bipartisan orga-
4 nization, with all other candidates for that of-
5 fice who are receiving payments under that sec-
6 tion; and

7 “(ii) that the candidate of the party for the
8 office of Vice President will participate in at
9 least 1 debate, sponsored by a nonpartisan or
10 bipartisan organization, with all other can-
11 didates for that office who are receiving pay-
12 ments under that section.

13 “(B) If the Commission determines that either
14 of the candidates of a political party failed to par-
15 ticipate in a debate under subparagraph (A) and
16 was responsible at least in part for such failure, the
17 candidate of the party involved shall—

18 “(i) not receive payments under section
19 9006 of the Internal Revenue Code of 1986;
20 and

21 “(ii) pay to the Secretary of the Treasury
22 an amount equal to the amount of the pay-
23 ments made to the candidate under that sec-
24 tion.”.

1 **SEC. 704. TELEPHONE VOTING BY PERSONS WITH DISABIL-**
2 **ITIES.**

3 (a) STUDY OF SYSTEMS TO PERMIT PERSONS WITH
4 DISABILITIES TO VOTE BY TELEPHONE.—

5 (1) IN GENERAL.—The Federal Election Com-
6 mission shall conduct a study to determine the fea-
7 sibility of developing a system or systems by which
8 persons with disabilities may be permitted to vote by
9 telephone.

10 (2) CONSULTATION.—The Federal Election
11 Commission shall conduct the study described in
12 paragraph (1) in consultation with State and local
13 election officials, representatives of the telecommuni-
14 cations industry, representatives of persons with dis-
15 abilities, and other concerned members of the public.

16 (3) CRITERIA.—The system or systems devel-
17 oped pursuant to paragraph (1) shall—

18 (A) propose a description of the kinds of
19 disabilities that impose such difficulty in travel
20 to polling places that a person with a disability
21 who may desire to vote is discouraged from un-
22 dertaking such travel;

23 (B) propose procedures to identify persons
24 who are so disabled; and

25 (C) describe procedures and equipment
26 that may be used to ensure that—

1 (i) only those persons who are entitled
2 to use the system are permitted to use it;

3 (ii) the votes of persons who use the
4 system are recorded accurately and remain
5 secret;

6 (iii) the system minimizes the possibil-
7 ity of vote fraud; and

8 (iv) the system minimizes the finan-
9 cial costs that State and local governments
10 would incur in establishing and operating
11 the system.

12 (4) REQUESTS FOR PROPOSALS.—In developing
13 a system described in paragraph (1), the Federal
14 Election Commission may request proposals from
15 private contractors for the design of procedures and
16 equipment to be used in the system.

17 (5) PHYSICAL ACCESS.—Nothing in this section
18 is intended to supersede or supplant efforts by State
19 and local governments to make polling places phys-
20 ically accessible to persons with disabilities.

21 (6) DEADLINE.—The Federal Election Commis-
22 sion shall submit to Congress the study required by
23 this section not later than 1 year after the effective
24 date of this Act.

1 **SEC. 705. PROVISIONS RELATING TO PRESIDENTIAL PRI-**
2 **MARY ELECTIONS.**

3 (a) LIMITATION ON PRESIDENTIAL PRIMARY EX-
4 PENDITURES.—Section 315(b)(1)(A) of FECA (2 U.S.C.
5 441a(b)(1)(A)) is amended to read as follows:

6 “(A) \$12,000,000, in the case of a campaign
7 for nomination for election to such office; or”.

8 (b) MINIMUM CONTRIBUTIONS.—Section 9033(b)(3)
9 of the Internal Revenue Code of 1986 is amended—

10 (1) by striking “\$5,000” and inserting
11 “\$15,000”; and

12 (2) by striking “20 States” and inserting “26
13 States”.

14 (c) CONFORMING AMENDMENT.—Clause (vi) of sec-
15 tion 301(9)(B) of FECA (2 U.S.C. 431(9)(B)(vi)) is here-
16 by repealed.

17 **SEC. 706. CERTAIN TAX-EXEMPT ORGANIZATIONS NOT SUB-**
18 **JECT TO CORPORATE LIMITS.**

19 Section 316 of FECA (2 U.S.C. 441b) is amended
20 by adding at the end the following new subsection:

21 “(c) PROHIBITIONS NOT TO APPLY TO INDEPEND-
22 ENT EXPENDITURES OF CERTAIN TAX-EXEMPT ORGANI-
23 ZATIONS.—(1) Nothing in this section shall preclude a
24 qualified nonprofit corporation from making independent
25 expenditures (as defined in section 301(17)).

1 “(2) For purposes of this subsection, the term ‘quali-
2 fied nonprofit corporation’ means a corporation exempt
3 from taxation under section 501(a) of the Internal Reve-
4 nue Code of 1986 which is described in section 501(c)(4)
5 of such Code and which meets the following requirements:

6 “(A) Its only express purpose is the promotion
7 of political ideas.

8 “(B) It cannot and does not engage in any ac-
9 tivities that constitute a trade or business.

10 “(C) Its gross receipts for the calendar year
11 have not (and will not) exceed \$100,000, and the net
12 value of its total assets at any time during the cal-
13 endar year do not exceed \$250,000.

14 “(D) It was not established by a person de-
15 scribed in section 501(c)(6) of the Internal Revenue
16 Code of 1986 that is exempt from taxation under
17 section 501(a) of such Code, a corporation engaged
18 in carrying out a trade or business, or a labor orga-
19 nization, and it cannot and does not directly or indi-
20 rectly accept donations of anything of value from
21 any such person, corporation, or labor organization.

22 “(E) It—

23 “(i) has no shareholder or other person af-
24 filiated with it that could make a claim on its
25 assets or earnings, and

1 “(ii) offers no incentives or disincentives
2 for associating or not associating with it other
3 than on the basis of its position on any political
4 issue.

5 “(3) If a major purpose of a qualified nonprofit cor-
6 poration is the making of independent expenditures, and
7 the requirements of section 301(4) are met with respect
8 to the corporation, the corporation shall be treated as a
9 political committee.

10 “(4) All solicitations by a qualified nonprofit corpora-
11 tion shall include a notice informing contributors that do-
12 nations may be used by the corporation to make independ-
13 ent expenditures.

14 “(5) A qualified nonprofit corporation shall file re-
15 ports as required by section 304 (c) and (d).

16 **SEC. 707. AIDING AND ABETTING VIOLATIONS OF FECA.**

17 Title III of FECA, as amended by section 313, is
18 amended by adding at the end the following new section:

19 “AIDING AND ABETTING VIOLATIONS

20 “SEC. 325. With reference to any provision of this
21 Act that places a requirement or prohibition on any person
22 acting in a particular capacity, any person who knowingly
23 aids or abets the person in that capacity in violating that
24 provision may be proceeded against as a principal in the
25 violation.”.

1 **SEC. 708. DEPOSIT OF REPAYMENTS OF EXCESS PAYMENTS**
2 **FROM THE PRESIDENTIAL ELECTION CAM-**
3 **PAIGN FUND.**

4 Subsection (d) of section 9007 of the Internal Reve-
5 nue Code of 1986 (relating to examinations, audits, and
6 repayments) is amended to read as follows:

7 “(d) DEPOSIT OF REPAYMENTS.—All payments re-
8 ceived by the Secretary under this section shall be depos-
9 ited in the fund.”.

10 **SEC. 709. DISQUALIFICATION FROM RECEIVING PUBLIC**
11 **FUNDING FOR PRESIDENTIAL ELECTION**
12 **CAMPAIGNS.**

13 (a) GENERAL ELECTION.—Section 9003 of the Inter-
14 nal Revenue Code of 1986 (relating to condition for eligi-
15 bility to receive payments) is amended by adding at the
16 end the following new subsection:

17 “(e) DISQUALIFICATION.—A person who has been
18 convicted of a violation of this chapter or chapter 96 shall
19 be ineligible to receive benefits under this chapter on and
20 after the date of the conviction.”.

21 (b) PRIMARY ELECTION.—Section 9033 of the Inter-
22 nal Revenue Code of 1986 (relating to condition for eligi-
23 bility to receive payments) is amended by adding at the
24 end the following new subsection:

25 “(d) DISQUALIFICATION.—A person who has been
26 convicted of a violation of this chapter or chapter 95 shall

1 be ineligible to receive benefits under this chapter on and
2 after the date of the conviction.”.

3 **SEC. 710. PROHIBITION OF CONTRIBUTIONS TO PRESI-**
4 **DENTIAL CANDIDATES WHO RECEIVE PUBLIC**
5 **FUNDING IN THE GENERAL ELECTION CAM-**
6 **PAIGN.**

7 Section 315 of FECA (2 U.S.C. 441a), as amended
8 by section 402, is amended by adding at the end the fol-
9 lowing new subsection:

10 “(o) Except to the extent permitted under sections
11 9003 (b)(2) and (c)(2) of the Internal Revenue Code of
12 1986, no person shall make a contribution to a candidate
13 who has become eligible to receive benefits under chapter
14 95 of such Code by making a certification described in
15 section 9003 (b) and (c) of such Code.”.

16 **SEC. 711. APPLICATION OF INCREASED REVENUES TO RE-**
17 **DUCE THE DEFICIT.**

18 (a) DEFICIT REDUCTION.—The amount of increased
19 revenue to the United States that is determined to be at-
20 tributable to the disallowance of a deduction from income
21 tax for lobbying expenses made by any law shall be paid
22 into the general fund of the Treasury, to reduce the deficit
23 and, to the extent provided by law, shall be used to reduce
24 the role of special interests in congressional elections by

1 funding the provision of benefits to candidates to encour-
2 age their agreement to campaign expenditure limits.

3 **SEC. 712. SENSE OF THE SENATE THAT CONGRESS SHOULD**
4 **ADOPT A JOINT RESOLUTION PROPOSING AN**
5 **AMENDMENT TO THE CONSTITUTION THAT**
6 **WOULD EMPOWER CONGRESS AND THE**
7 **STATES TO SET REASONABLE LIMITS ON**
8 **CAMPAIGN EXPENDITURES.**

9 It is the sense of the Senate that Congress should
10 adopt a joint resolution proposing an amendment to the
11 Constitution that would—

12 (1) empower Congress to set reasonable limits
13 on campaign expenditures by, in support of, or in
14 opposition to any candidate in any primary, general,
15 or other election for Federal office; and

16 (2) empower the States to set reasonable limits
17 on campaign expenditures by, in support of, or in
18 opposition to any candidate in any primary, general,
19 or other election for State or local office.

20 **SEC. 713. SENSE OF THE SENATE.**

21 It is the sense of the Senate that every employee in
22 the executive or legislative branch of the Federal Govern-
23 ment shall follow appropriate officially prescribed proce-
24 dures in contacts and dealings with the Federal Bureau
25 of Investigation and the Internal Revenue Service.

1 **SEC. 714. CAMPAIGN ADVERTISING THAT REFERS TO AN**
2 **OPPONENT.**

3 Title III of FECA, as amended by this Act, is amend-
4 ed by adding at the end the following new section:

5 “CAMPAIGN ADVERTISING THAT REFERS TO AN
6 OPPONENT

7 “SEC. 329. (a) CANDIDATES.—A candidate or can-
8 didate’s authorized committee that places in the mail a
9 campaign advertisement or any other communication to
10 the general public that directly or indirectly refers to an
11 opponent or the opponents of the candidate in an election,
12 with or without identifying any opponent in particular,
13 shall file an exact copy of the communication with the
14 Commission and with the Secretary of State of the can-
15 didate’s State by no later than 12:00 p.m. on the day on
16 which the communication is first placed in the mail to the
17 general public.

18 “(b) PERSONS OTHER THAN CANDIDATES.—A per-
19 son other than a candidate or candidate’s authorized com-
20 mittee that places in the mail a campaign advertisement
21 or any other communication to the general public that—

22 “(1) advocates the election of a particular can-
23 didate in an election; and

24 “(2) directly or indirectly refers to an opponent
25 or the opponents of the candidate in the election,

1 with or without identifying any opponent in particu-
2 lar,
3 shall file an exact copy of the communication with the
4 Commission and with the Secretary of State of the can-
5 didate's State by no later than 12:00 p.m. on the day on
6 which the communication is first placed in the mail to the
7 general public.”.

8 **SEC. 715. LIMIT ON CONGRESSIONAL USE OF THE FRANK-**
9 **ING PRIVILEGE.**

10 Section 3210(a)(6)(A) of title 39, United States
11 Code, is amended to read as follows:

12 “(A) A Member of Congress may not mail any mass
13 mailing as franked mail during a year in which there will
14 be an election for the seat held by the Member during the
15 period between January 1 of that year and the date of
16 the general election for that office, unless the Member has
17 made a public announcement that the Member will not be
18 a candidate for reelection to that seat or for election to
19 any other Federal office.”.

20 **TITLE VIII—EFFECTIVE DATES;**
21 **AUTHORIZATIONS**

22 **SEC. 801. EFFECTIVE DATE.**

23 Except as otherwise provided in this Act, the amend-
24 ments made by, and the provisions of, this Act shall take
25 effect on the date of the enactment of this Act.

1 **SEC. 802. BUDGET NEUTRALITY.**

2 (a) DELAYED EFFECTIVENESS.—The provisions of
3 this Act (other than this section) shall not be effective
4 until the Director of the Office of Management and Budg-
5 et certifies that the estimated costs under section 252 of
6 the Balanced Budget and Emergency Deficit Control Act
7 of 1985 have been offset by the enactment of legislation
8 effectuating this Act.

9 (b) FUNDING.—Legislation effectuating this Act
10 shall not provide for general revenue increases, reduce ex-
11 penditures for any existing Federal program, or increase
12 the Federal budget deficit, but should be funded by dis-
13 allowing the Federal income tax deduction for expenses
14 paid or incurred for lobbying the Federal Government and
15 by repealing the tax exemption under section 527 of the
16 Internal Revenue Code of 1986 for the exempt function
17 income of the campaign committees of a candidate who
18 exceeds the voluntary Federal campaign spending limits
19 (whether or not the candidate agreed to the limits).

20 (c) CLARIFICATION OF RELATIONSHIP TO POTEN-
21 TIAL RECONCILIATION ACT PROVISIONS.—The amount of
22 increased revenue to the United States that is determined
23 to be attributable to the disallowance of a deduction from
24 income tax for lobbying expenses made by any law shall
25 be paid into the general fund of the Treasury, to reduce
26 the deficit and, to the extent provided by law, shall be used

1 to reduce the role of special interests in congressional elec-
2 tions by funding the provision of benefits to candidates
3 to encourage their agreement to campaign expenditure
4 limits.

5 **SEC. 803. SEVERABILITY.**

6 Except as provided in section 101(c), if any provision
7 of this Act (including any amendment made by this Act),
8 or the application of any such provision to any person or
9 circumstance, is held invalid, the validity of any other pro-
10 vision of this Act, or the application of such provision to
11 other persons and circumstances, shall not be affected
12 thereby.

13 **SEC. 804. EXPEDITED REVIEW OF CONSTITUTIONAL ISSUES.**

14 (a) **DIRECT APPEAL TO SUPREME COURT.**—An ap-
15 peal may be taken directly to the Supreme Court of the
16 United States from any interlocutory order or final judg-
17 ment, decree, or order issued by any court ruling on the
18 constitutionality of any provision of this Act or amend-
19 ment made by this Act.

20 (b) **ACCEPTANCE AND EXPEDITION.**—The Supreme
21 Court shall, if it has not previously ruled on the question
22 addressed in the ruling below, accept jurisdiction over, ad-
23 vance on the docket, and expedite the appeal to the great-
24 est extent possible.

1 **SEC. 805. REGULATIONS.**

2 The Federal Election Commission shall prescribe any
3 regulations required to carry out the provisions of this Act
4 within 9 months after the effective date of this Act.

 Passed the Senate June 17 (legislative day, June
15), 1993.

Attest:

Secretary.

S 3 ES—2

S 3 ES—3

S 3 ES—4

S 3 ES—5

S 3 ES—6

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