

104<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. 116

To amend the Federal Election Campaign Act of 1971 to provide for a voluntary system of spending limits and partial public financing of Senate primary and general election campaigns, to prohibit participation in Federal elections by multicandidate political committees, to establish a \$100 limit on individual contributions to candidates, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

JANUARY 4, 1995

Mr. WELLSTONE introduced the following bill; which was read twice and referred to the Committee on Governmental Affairs

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## A BILL

To amend the Federal Election Campaign Act of 1971 to provide for a voluntary system of spending limits and partial public financing of Senate primary and general election campaigns, to prohibit participation in Federal elections by multicandidate political committees, to establish a \$100 limit on individual contributions to candidates, and for other purposes.

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

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

2 **TABLE OF CONTENTS.**

3 (a) SHORT TITLE.—This Act may be cited as the  
4 “Senate Fair Elections and Grassroots Democracy Act of  
5 1995”.

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

9 (c) TABLE OF CONTENTS.—

- Sec. 1. Short title; amendment of Campaign Act; table of contents.
- Sec. 2. Findings and declarations of the Senate.

TITLE I—CONTROL OF CONGRESSIONAL CAMPAIGN SPENDING

Subtitle A—Senate Election Campaign Spending Limits and Benefits

- Sec. 101. Senate spending limits and benefits.
- Sec. 102. Ban on activities of political action committees in Federal elections.
- Sec. 103. Reporting requirements.
- Sec. 104. Disclosure by noneligible candidates.
- Sec. 105. Free broadcast time.

Subtitle B—General Provisions

- Sec. 131. Extension of reduced third-class mailing rates to eligible Senate committees.
- Sec. 132. Reporting requirements for certain independent expenditures.
- Sec. 133. Campaign advertising amendments.
- Sec. 134. Definitions.
- Sec. 135. Provisions relating to franked mass mailings.

TITLE II—INDEPENDENT EXPENDITURES

- Sec. 201. Clarification of definitions relating to independent expenditures.

TITLE III—EXPENDITURES

Subtitle A—Personal Loans; Credit

- Sec. 301. Personal contributions and loans.
- Sec. 302. Extensions of credit.

Subtitle B—Provisions Relating to Soft Money of Political Parties

- Sec. 311. Contributions to political party committees for grassroots Federal election campaign activities.
- Sec. 312. Provisions relating to National, State, and local party committees.
- Sec. 313. Restrictions on fundraising by candidates and officeholders.

- Sec. 314. Reporting requirements.  
 Sec. 315. Limitations on combined political activities of political committees of political parties.

#### TITLE IV—CONTRIBUTIONS

- Sec. 401. Reduction of contribution limits.  
 Sec. 402. Contributions through intermediaries and conduits; prohibition of certain contributions by lobbyists.  
 Sec. 403. Contributions by dependents not of voting age.  
 Sec. 404. Contributions to candidates from State and local committees of political parties to be aggregated.  
 Sec. 405. Limited exclusion of advances by campaign workers from the definition of the term “contribution”.

#### TITLE V—REPORTING REQUIREMENTS

- Sec. 501. Change in certain reporting from a calendar year basis to an election cycle basis.  
 Sec. 502. Personal and consulting services.  
 Sec. 503. Reduction in threshold for reporting of certain information by persons other than political committees.  
 Sec. 504. Computerized indices of contributions.

#### TITLE VI—PRESIDENTIAL DEBATES

- Sec. 601. Findings and purposes.  
 Sec. 602. Presidential and vice presidential candidate debates.

#### TITLE VII—MISCELLANEOUS

- Sec. 701. Prohibition of leadership committees.  
 Sec. 702. Polling data contributed to candidates.

#### TITLE VIII—EFFECTIVE DATES; AUTHORIZATIONS

- Sec. 801. Effective date.  
 Sec. 802. Sense of the Senate regarding funding of Senate Election Campaign Fund.  
 Sec. 803. Severability.  
 Sec. 804. Expedited review of constitutional issues.

### 1 **SEC. 2. FINDINGS AND DECLARATIONS OF THE SENATE.**

2 (a) NECESSITY FOR SPENDING LIMITS.—The Senate  
 3 finds and declares that—

4 (1) the current system of campaign finance has  
 5 led to public perceptions that political contributions  
 6 and their solicitation have unduly influenced the offi-  
 7 cial conduct of elected officials;

1           (2) permitting candidates for Federal office to  
2 raise and spend unlimited amounts of money con-  
3 stitutes a fundamental flaw in the current system of  
4 campaign finance; it has undermined public respect  
5 for the Congress as an institution and has given  
6 large private contributors undue influence with re-  
7 spect to public policymaking by the Congress;

8           (3) the failure to limit campaign expenditures  
9 has driven up the cost of election campaigns and  
10 made it difficult for qualified candidates without  
11 personal fortunes or access to large contributors to  
12 mount competitive congressional campaigns;

13           (4) the failure to limit campaign expenditures  
14 has caused individuals elected to the Senate to spend  
15 an increasing proportion of their time in office as  
16 elected officials raising funds, interfering with the  
17 ability of the Senate to carry out its constitutional  
18 responsibilities;

19           (5) the failure to limit campaign expenditures  
20 has damaged the Senate as an institution, due to the  
21 time lost to raising funds for campaigns;

22           (6) to prevent the appearance of corruption and  
23 to restore public trust in the Senate as an institu-  
24 tion, it is necessary to limit campaign expenditures,  
25 through a system that provides substantial public

1 benefits to candidates who agree to limit campaign  
2 expenditures; and

3 (7) serious and thoroughgoing reform of Fed-  
4 eral election law that imposes strict new rules on  
5 spending and contributions would—

6 (A) help eliminate access to wealth as a  
7 determinant of a citizen’s influence in the politi-  
8 cal process;

9 (B) help to restore meaning to the prin-  
10 ciple of “one person, one vote”;

11 (C) produce more competitive Federal elec-  
12 tions; and

13 (D) halt and reverse the escalating cost of  
14 Federal elections.

15 (b) NECESSITY FOR PROHIBITION OF POLITICAL AC-  
16 TION COMMITTEES.—The Senate finds and declares  
17 that—

18 (1) contributions by political action committees  
19 to individual candidates have created the perception  
20 that candidates are beholden to special interests,  
21 and leave candidates open to charges of corruption;

22 (2) contributions by political action committees  
23 to individual candidates have undermined the Senate  
24 as an institution; and

1           (3) to prevent the appearance of corruption and  
2           to restore public trust in the Senate as an institu-  
3           tion, it is necessary to ban participation by political  
4           action committees in Federal elections.

5           (c) NECESSITY FOR ATTRIBUTING COOPERATIVE EX-  
6           PENDITURES TO CANDIDATES.—The Senate finds and de-  
7           clares that—

8           (1) public confidence and trust in the system of  
9           campaign finance would be undermined should any  
10          candidate be able to circumvent a system of caps on  
11          expenditures through cooperative expenditures with  
12          outside individuals, groups, or organizations;

13          (2) cooperative expenditures by candidates with  
14          outside individuals, groups, or organizations would  
15          severely undermine the effectiveness of caps on cam-  
16          paign expenditures, unless they are included within  
17          such caps; and

18          (3) to maintain the integrity of the system of  
19          campaign finance, expenditures by any individual,  
20          group, or organization that have been made in co-  
21          operation with any candidate, authorized committee,  
22          or agent of any candidate must be attributed to that  
23          candidate's cap on campaign expenditures.

24          (d) NECESSITY FOR PROVIDING SUBSTANTIAL PUB-  
25          LIC FINANCING FOR SENATE ELECTIONS.—The Senate

1 finds and declares that the replacement of private cam-  
 2 paign contributions with partial or complete public financ-  
 3 ing for Senate elections would enhance American democ-  
 4 racy by eliminating real and potential conflicts of interest  
 5 and increasing the accountability of Members of Congress,  
 6 thereby helping to restore public confidence in the fairness  
 7 of the electoral and policymaking processes.

8 **TITLE I—CONTROL OF CON-**  
 9 **GRESSIONAL CAMPAIGN**  
 10 **SPENDING**

11 **Subtitle A—Senate Election Cam-**  
 12 **paign Spending Limits and Ben-**  
 13 **efits**

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

15 (a) IN GENERAL.—FECA is amended by adding at  
 16 the end the following new title:

17 **“TITLE V—EXPENDITURE LIMITS**  
 18 **AND BENEFITS FOR SENATE**  
 19 **ELECTION CAMPAIGNS**

20 **“SEC. 501. ELIGIBILITY.**

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

23 “(1) the candidate and the candidate’s author-  
 24 ized committees meet the threshold contribution and  
 25 ballot access requirements of subsection (b);

1           “(2) the candidate and the candidate’s author-  
2           ized committees do not make expenditures from per-  
3           sonal funds in an amount that exceeds the personal  
4           funds expenditure limit except as permitted under  
5           section 502(e);

6           “(3) the candidate and the candidate’s author-  
7           ized committees do not make expenditures in excess  
8           of the primary election expenditure limit, the runoff  
9           election expenditure limit, or the general election ex-  
10          penditure limit except as permitted under section  
11          502(e);

12          “(4) the candidate and the candidate’s author-  
13          ized committees—

14                 “(A) do not accept contributions for the  
15                 primary or runoff election in an amount that  
16                 exceed the primary election expenditure limit or  
17                 the runoff election expenditure limit except as  
18                 permitted under section 503(e); and

19                 “(B) do not accept contributions for the  
20                 general election except as permitted under sec-  
21                 tion 503(e);

22          “(5) the candidate’s authorized committees do  
23          not accept contributions from multicandidate politi-  
24          cal committees for the primary election or runoff  
25          election in an amount that exceeds the primary elec-

1       tion multicandidate political committee contribution  
2       limit or the runoff election multicandidate political  
3       committee contribution limit that may be in effect in  
4       accordance with section 502(f);

5           “(6)(A) with respect to a primary election, at  
6       least one other candidate has qualified for the same  
7       primary election ballot under the law of the can-  
8       didate’s State; and

9           “(B) with respect to a general election, at least  
10      one other candidate has qualified for the same gen-  
11      eral election ballot under the law of the candidate’s  
12      State;

13          “(7) the candidate and the candidate’s author-  
14      ized committees do not accept any contribution in  
15      violation of section 315;

16          “(8) the candidate and the candidate’s author-  
17      ized committees deposit all payments received under  
18      this title in an account insured by the Federal De-  
19      posit Insurance Corporation from which funds may  
20      be withdrawn by check or similar means of payment  
21      to third parties;

22          “(9) the candidate and the candidate’s author-  
23      ized committees furnish campaign records, evidence  
24      of contributions, and other appropriate information  
25      to the Commission;

1           “(10) the candidate and the candidate’s author-  
2           ized committees cooperate in the case of any exam-  
3           ination and audit by the Commission under section  
4           505;

5           “(11) the candidate and the candidate’s author-  
6           ized committees comply with all of the requirements  
7           of this Act that apply to eligible candidates; and

8           “(12) the candidate, not later than 7 days after  
9           becoming a candidate, files with the Commission a  
10          declaration that the candidate and the candidate’s  
11          authorized committees have complied with and will  
12          continue to comply with all of the requirements of  
13          this Act that apply to eligible Senate candidates and  
14          their authorized committees.

15          “(b) THRESHOLD CONTRIBUTION AND BALLOT AC-  
16          CESS REQUIREMENTS.—

17                 “(1) IN GENERAL.—The requirements of this  
18                 subsection are met if—

19                         “(A) the candidate and the candidate’s au-  
20                         thorized committees have received allowable  
21                         contributions during the applicable period in an  
22                         amount at least equal to 5 percent of the gen-  
23                         eral election expenditure limit from contributors  
24                         at least 60 percent of whom are residents of the  
25                         candidate’s State; and

1           “(B) the candidate has qualified for the  
2 ballot for a primary election, runoff election, or  
3 general election, respectively, under State law.

4           “(2) DEFINITIONS.—For purposes of this sec-  
5 tion—

6           “(A) the term ‘allowable contributions’—

7                   “(i) means contributions that are  
8 made as gifts of money by an individual  
9 pursuant to a written instrument identify-  
10 ing the individual as the contributor; and

11                   “(ii) does not include—

12                           “(I) contributions made directly  
13 or indirectly through an intermediary  
14 or conduit that are treated as being  
15 made by the intermediary or conduit  
16 under section 315(a)(8)(B); or

17                           “(II) contributions from any indi-  
18 vidual during the applicable period to  
19 the extent that such contributions ex-  
20 ceed \$100; and

21           “(B) the term ‘applicable period’ means—

22                   “(i) with respect to a candidate who is  
23 or who is seeking to become a candidate in  
24 a general election, the period beginning on  
25 January 1 of the calendar year preceding

1 the calendar year of the general election  
2 and ending on the date on which a can-  
3 didate submits a first request to receive  
4 benefits under section 503; or

5 “(ii) with respect to a candidate who  
6 is or who is seeking to become a candidate  
7 in a special election, the period beginning  
8 on the date the vacancy occurs in the office  
9 for which the election is held and ending  
10 on the date of the general election.

11 **“SEC. 502. EXPENDITURE AND CONTRIBUTION LIMITS.**

12 “(a) PERSONAL FUNDS EXPENDITURE LIMIT.—

13 “(1) IN GENERAL.—The personal funds expend-  
14 iture limit applicable to an eligible Senate candidate  
15 is an aggregate amount of expenditures equal to  
16 \$25,000 made during an election cycle by an eligible  
17 Senate candidate and the candidate’s authorized  
18 committees from the sources described in paragraph  
19 (2).

20 “(2) SOURCES.—A source is described in this  
21 paragraph if it is—

22 “(A) personal funds of the candidate and  
23 members of the candidate’s immediate family;  
24 or

1           “(B) personal debt incurred by the can-  
2           didate and members of the candidate’s imme-  
3           diate family.

4           “(b) PRIMARY ELECTION EXPENDITURE LIMIT.—  
5           The primary election expenditure limit applicable to an eli-  
6           gible Senate candidate is an amount equal to the lesser  
7           of—

8                   “(1) 67 percent of the general election expendi-  
9           ture limit; or

10                   “(2) \$2,500,000.

11           “(c) RUNOFF ELECTION EXPENDITURE LIMIT.—The  
12           expenditure limit applicable to an eligible Senate can-  
13           didate is 20 percent of the general election expenditure  
14           limit.

15           “(d) GENERAL ELECTION EXPENDITURE LIMIT.—

16                   “(1) IN GENERAL.—The general election ex-  
17           penditure limit applicable to an eligible Senate can-  
18           didate is an amount equal to the lesser of—

19                           “(A) \$4,500,000; or

20                           “(B) the greater of—

21                                   “(i) \$775,000; or

22                                   “(ii) \$325,500, plus—

23   “(I) 30 cents multiplied by the  
24           voting age population not in excess of  
25           4,000,000; and

1                   “(II) 25 cents multiplied by the  
2                   voting age population in excess of  
3                   4,000,000.

4                   “(2) STATE WITH ONE TELEVISION TRANSMIT-  
5                   TER.—In the case of an eligible Senate candidate in  
6                   a State that has no more than 1 transmitter for a  
7                   commercial Very High Frequency (VHF) television  
8                   station licensed to operate in the State, paragraph  
9                   (1)(B)(ii) shall be applied by substituting—

10                   “(A) ‘60 cents’ for ‘30 cents’ in subclause  
11                   (I); and

12                   “(B) ‘50 cents’ for ‘25 cents’ in subclause  
13                   (II).

14                   “(e) EXCEPTIONS.—

15                   “(1) LEGAL AND ACCOUNTING COMPLIANCE  
16                   FUND.—(A) An eligible Senate candidate and the  
17                   candidate’s authorized committees may accept con-  
18                   tributions and make expenditures without regard to  
19                   the primary election expenditure limit, runoff ex-  
20                   penditure limit, or general election expenditure limit  
21                   for the purpose of maintaining a legal and account-  
22                   ing compliance fund meeting the requirements of  
23                   subparagraph (B), out of which fund qualified legal  
24                   and accounting expenditures may be made.

1           “(B) A legal and accounting compliance fund  
2 meets the requirements of this subparagraph if—

3           “(i) the only amounts transferred to the  
4 fund are amounts received in accordance with  
5 the limitations, prohibitions, and reporting re-  
6 quirements of this Act;

7           “(ii) the aggregate amounts transferred to,  
8 and expenditures made from, the fund do not  
9 exceed the sum of—

10           “(I) the lesser of—

11           “(aa) 10 percent of the general  
12 election expenditure limit for the gen-  
13 eral election for which the fund was  
14 established; or

15           “(bb) \$300,000, plus—

16           “(II) the amount determined under  
17 subparagraph (D); and

18           “(iii) no funds received by the candidate  
19 pursuant to section 503(a)(3) are transferred to  
20 the fund.

21           “(C) For purposes of this paragraph, the term  
22 ‘qualified legal and accounting expenditure’ means  
23 the following:

1           “(i) An expenditure for costs of a legal or  
2           accounting service provided in connection  
3           with—

4                   “(I) any administrative or court pro-  
5                   ceeding initiated pursuant to this Act dur-  
6                   ing the election cycle for the primary elec-  
7                   tion, runoff election, or general election; or

8                   “(II) the preparation of any docu-  
9                   ments or reports required by this Act or  
10                  the Commission.

11           “(ii) An expenditure for a legal or account-  
12           ing service provided in connection with the pri-  
13           mary election, runoff election, or general elec-  
14           tion for which the legal and accounting compli-  
15           ance fund was established to ensure compliance  
16           with this Act with respect to the election cycle  
17           for the primary election, runoff election, or gen-  
18           eral election.

19           “(D)(i) If, after a general election, a candidate  
20           determines that the qualified legal and accounting  
21           expenditures will exceed the limitation under sub-  
22           paragraph (B)(ii)(I), the candidate may petition the  
23           Commission by filing with the Secretary of the Sen-  
24           ate a request for an increase in such limitation. The  
25           Commission shall authorize an increase in such limi-

1 tation in the amount (if any) by which the Commis-  
2 sion determines the qualified legal and accounting  
3 expenditures exceed that limitation. The Commis-  
4 sion's determination shall be subject to judicial re-  
5 view under section 507.

6 “(ii) Except as provided in section 315, any  
7 contribution received or expenditure made pursuant  
8 to this paragraph shall not be taken into account for  
9 any contribution or expenditure limit applicable to  
10 the candidate under this title.

11 “(E)(i) A candidate shall terminate a legal and  
12 accounting compliance fund as of the earlier of—

13 “(I) the date of the first primary election  
14 for the office following the general election for  
15 the office for which the fund was established; or

16 “(II) the date specified by the candidate.

17 “(ii) Any amount remaining in a legal and ac-  
18 counting compliance fund as of the date determined  
19 under clause (i) shall be transferred—

20 “(I) to a legal and accounting compliance  
21 fund for the election cycle for the next primary  
22 election, runoff election, or general election; or

23 “(II) to the Senate Election Campaign  
24 Fund.

1           “(2) PAYMENT OF TAXES.—An eligible Senate  
2 candidate and the candidate’s authorized committees  
3 may accept contributions and make expenditures  
4 without regard to the primary election expenditure  
5 limit, runoff expenditure limit, or general election  
6 expenditure limit for the purpose of funding and  
7 making expenditures for Federal, State, or local in-  
8 come taxes with respect to the candidate’s author-  
9 ized committees.

10           “(3) INDEPENDENT EXPENDITURE AMOUNT  
11 AND EXCESS EXPENDITURE AMOUNT.—An eligible  
12 Senate candidate who receives payment of an inde-  
13 pendent expenditure amount under section  
14 503(b)(1)(B) or an excess expenditure amount  
15 under section 503(b)(1)(C) may make expenditures  
16 from such payments to defray expenditures for the  
17 primary election, runoff election, or general election,  
18 respectively, without regard to the primary expendi-  
19 ture limit, runoff election expenditure limit, or gen-  
20 eral election expenditure limit.

21           “(4) UNMATCHED EXCESS EXPENDITURES.—  
22 (A) An eligible Senate candidate and the candidate’s  
23 authorized committees may accept contributions and  
24 make expenditures without regard to the personal  
25 funds expenditure limit, primary election expenditure

1 limit, runoff election expenditure limit, or general  
2 election expenditure limit if any one of the eligible  
3 Senate candidate's opponents who is not an eligible  
4 Senate candidate raises aggregate contributions or  
5 makes or becomes obligated to make aggregate ex-  
6 penditures that exceed 200 percent of the primary  
7 election expenditure limit, runoff expenditure limit,  
8 or general election expenditure limit, respectively,  
9 applicable to the eligible Senate candidate.

10 “(B) An eligible Senate candidate and the can-  
11 didate's authorized committees may accept contribu-  
12 tions without regard to the primary election expendi-  
13 ture limit, runoff expenditure limit, or general elec-  
14 tion expenditure limit in anticipation of their being  
15 needed for the purpose of making expenditures  
16 under subparagraph (A) if—

17 “(i) any opposing candidate in the primary  
18 election, runoff election, or general election who  
19 is not an eligible Senate candidate raises aggre-  
20 gate contributions or makes or becomes obli-  
21 gated to make aggregate expenditures for the  
22 primary election, runoff election, or general  
23 election that exceed 75 percent of the primary  
24 election expenditure limit, runoff election ex-

1           penditure limit, or general election expenditure  
2           limit applicable to the candidate; or

3           “(ii) any opposing candidate in the general  
4           election who is the nominee of a major party is  
5           not an eligible Senate candidate.

6           “(C) The amount of the contributions that may  
7           be accepted and expenditures that may be made by  
8           reason of subparagraphs (A) and (B) shall not ex-  
9           ceed 100 percent of the primary election expenditure  
10          limit, runoff election expenditure limit, or general  
11          election expenditure limit, respectively.

12          “(f) MULTICANDIDATE POLITICAL COMMITTEE CON-  
13          TRIBUTION LIMITS.—

14                 “(1) MULTICANDIDATE POLITICAL COMMITTEE  
15          PRIMARY ELECTION CONTRIBUTION LIMIT.—The  
16          multicandidate political committee primary election  
17          contribution limit applicable to an eligible Senate  
18          candidate is an amount equal to 10 percent of the  
19          primary election spending limit.

20                 “(2) MULTICANDIDATE POLITICAL COMMITTEE  
21          RUNOFF ELECTION CONTRIBUTION LIMIT.—The  
22          multicandidate political committee runoff election  
23          contribution limit applicable to an eligible Senate  
24          candidate is an amount equal to 10 percent of the  
25          runoff election spending limit.

1           “(3) PERIODS WHEN PROVISIONS ARE IN EF-  
2           FECT.—This subsection and other provisions in this  
3           title relating to multicandidate political committees  
4           shall be of no effect except during any period in  
5           which the prohibition under section 324 is not in ef-  
6           fect.

7           “(g) INDEXING.—The \$2,500,000 amount under sub-  
8           section (b)(2) and the amount otherwise determined under  
9           subsection (d)(1) shall be increased as of the beginning  
10          of each calendar year based on the increase in the price  
11          index determined under section 315(c), except that, for  
12          purposes of those provisions, the base period shall be cal-  
13          endar year 1995.

14          “(h) EXPENDITURES.—For purposes of this title, the  
15          term ‘expenditure’ has the meaning stated in section  
16          301(9), except that in determining any expenditures made  
17          by, or on behalf of, a candidate or a candidate’s authorized  
18          committees, section 301(9)(B) shall be applied without re-  
19          gard to clause (ii) or (vi) thereof.

20          **“SEC. 503. BENEFITS.**

21          “(a) IN GENERAL.—An eligible Senate candidate  
22          shall be entitled to—

23                  “(1) free broadcast time under title VI;

24                  “(2) the mailing rates provided in section  
25          3626(e) of title 39, United States Code; and

1           “(3) payments in the amounts determined  
2 under subsection (b).

3           “(b) AMOUNT OF PAYMENTS.—

4           “(1) IN GENERAL.—For purposes of subsection  
5 (a)(3), the amounts determined under this sub-  
6 section are—

7                   “(A) the public financing amount;

8                   “(B) the independent expenditure amount;

9                   and

10                   “(C) the excess expenditure amount.

11           “(2) PUBLIC FINANCING AMOUNT.—For pur-  
12 poses of paragraph (1), the public financing amount  
13 is—

14                   “(A) in the case of an eligible Senate can-  
15 didate who is a major party candidate—

16                           “(i) during the primary election pe-  
17 riod, an amount equal to the amount of  
18 contributions received during that period  
19 from individuals residing in the candidate’s  
20 State (other than the candidate and mem-  
21 bers of the candidate’s immediate family)  
22 in the aggregate amount of \$100 or less,  
23 up to 50 percent of the primary election  
24 spending limit;

1           “(ii) during the runoff election period,  
2           an amount equal to the amount of con-  
3           tributions received during that period from  
4           individuals residing in the candidate’s  
5           State (other than the candidate and mem-  
6           bers of the candidate’s immediate family)  
7           in the aggregate amount of \$100 or less,  
8           up to 50 percent of the runoff election  
9           spending limit, less the amount of any un-  
10          expended campaign funds from the pri-  
11          mary election, which the candidate shall  
12          transfer to the runoff election; and

13           “(iii) during the general election pe-  
14          riod, an amount equal to the general elec-  
15          tion expenditure limit applicable to the  
16          candidate, less the amount of any unex-  
17          pended campaign funds from the primary  
18          election or runoff election, which the can-  
19          didate shall transfer to the general elec-  
20          tion; and

21           “(B) in the case of an eligible Senate can-  
22          didate who is not a major party candidate—

23           “(i) during the primary election pe-  
24          riod, an amount equal to the amount of  
25          contributions received during that period

1 from individuals residing in the candidate's  
2 State (other than the candidate and mem-  
3 bers of the candidate's immediate family)  
4 in the aggregate amount of \$100 or less,  
5 up to 50 percent of the primary election  
6 expenditure limit;

7 “(ii) during the runoff election period,  
8 an amount equal to the amount of con-  
9 tributions received during that period from  
10 individuals residing in the candidate's  
11 State (other than the candidate and mem-  
12 bers of the candidate's immediate family)  
13 in the aggregate amount of \$100 or less,  
14 up to 50 percent of the runoff election ex-  
15 penditure limit, less the amount of any un-  
16 expended campaign funds from the pri-  
17 mary election, which the candidate shall  
18 transfer to the runoff election; and

19 “(iii) during the general election pe-  
20 riod, an amount equal to the amount of  
21 contributions received during that period  
22 from individuals residing in the candidate's  
23 State (other than the candidate and mem-  
24 bers of the candidate's immediate family)  
25 in the aggregate amount of \$100 or less,

1 up to 50 percent of the general election ex-  
2 penditure limit, less the amount of any un-  
3 expended campaign funds from the pri-  
4 mary election or runoff election, which the  
5 candidate shall transfer to the general elec-  
6 tion.

7 “(3) INDEPENDENT EXPENDITURE AMOUNT.—  
8 For purposes of paragraph (1), the independent ex-  
9 penditure amount is the total amount of independent  
10 expenditures made, or obligated to be made, during  
11 the primary election period, runoff election period,  
12 or general election period, respectively, by 1 or more  
13 persons in opposition to, or on behalf of an opponent  
14 of, an eligible Senate candidate that are required to  
15 be reported by such persons under section 304(c)  
16 with respect to each such period, respectively, and  
17 are certified by the Commission under section  
18 304(c).

19 “(4) EXCESS EXPENDITURE AMOUNT.—For  
20 purposes of paragraph (1), the excess expenditure  
21 amount is the amount determined as follows:

22 “(A) In the case of an eligible Senate can-  
23 didate of an eligible Senate candidate of major  
24 party who has an opponent in the primary elec-  
25 tion, runoff election, or general election, respec-

1           tively, who receives contributions, or makes (or  
2           obligates to make) expenditures, for such elec-  
3           tion in excess of the primary election expendi-  
4           ture limit, the runoff election expenditure limit,  
5           or the general election expenditure limit, respec-  
6           tively, an amount equal to the sum of—

7                   “(i) if the excess is not greater than  
8                   133 $\frac{1}{3}$  percent of the primary election ex-  
9                   penditure limit, the runoff election expendi-  
10                  iture limit, or the general election expendi-  
11                  ture limit, respectively, an amount equal to  
12                  one-third of such limit applicable to the eli-  
13                  gible Senate candidate for the election;  
14                  plus

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

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

22                  “(B) In the case of an eligible Senate can-  
23                  didate who is not a candidate of a major party  
24                  who has an opponent in the primary election,  
25                  runoff election, or general election, respectively,

1           who receives contributions, or makes (or obli-  
2           gates to make) expenditures, for such election  
3           in excess of the primary election expenditure  
4           limit, the runoff election expenditure limit, or  
5           the general election expenditure limit, respec-  
6           tively, an amount equal to 50 percent of the  
7           amount of the excess of the contributions re-  
8           ceived or expenditures made or obligated to be  
9           made by an opponent over the primary election  
10          expenditure limit, the runoff election expendi-  
11          ture limit, or the general election expenditure  
12          limit, respectively, but not exceeding the  
13          amount of contributions received by the eligible  
14          Senate candidate during the primary election  
15          period, runoff election period, or general elec-  
16          tion period, respectively, from individuals resid-  
17          ing in the candidate's State (other than the  
18          candidate and members of the candidate's im-  
19          mediate family) in the aggregate amount of  
20          \$100 or less, up to 50 percent of the excess pri-  
21          mary election expenditure limit, the runoff elec-  
22          tion expenditure limit, or the general excess ex-  
23          penditure limit, respectively.

24          “(c) USE OF PAYMENTS.—

1           “(1) PERMITTED USE.—Payments received by  
2           an eligible Senate candidate under subsection (a)(3)  
3           shall be used to defray expenditures incurred with  
4           respect to the general election primary election pe-  
5           riod, runoff election period, and period for the can-  
6           didate.

7           “(2) PROHIBITED USE.—Payments received by  
8           an eligible Senate candidate under subsection (a)(3)  
9           shall not be used—

10                   “(A) except as provided in subparagraph  
11                   (D), to make any payments, directly or indi-  
12                   rectly, to such candidate or to any member of  
13                   the immediate family of the candidate;

14                   “(B) to make any expenditure other than  
15                   expenditures to further the primary election,  
16                   runoff election, or general election of the can-  
17                   didate;

18                   “(C) to make any expenditures that con-  
19                   stitute a violation of any law of the United  
20                   States or of the State in which the expenditure  
21                   is made; or

22                   “(D) subject to section 315(i), to repay  
23                   any loan to any person except to the extent the  
24                   proceeds of such loan were used to further the

1 primary election, runoff election, or general  
2 election of the candidate.

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

4 “(a) IN GENERAL.—

5 “(1) IN GENERAL.—The Commission shall cer-  
6 tify to any candidate that meets the eligibility re-  
7 quirements of section 501 that the candidate is an  
8 eligible Senate candidate entitled to benefits under  
9 this title. The Commission shall revoke such a cer-  
10 tification if it determines that a candidate fails to  
11 continue to meet those requirements.

12 “(2) REQUESTS TO RECEIVE BENEFITS.—(A) A  
13 candidate to whom a certification has been issued  
14 may from time to time file with the Commission a  
15 request to receive benefits under section 503.

16 “(B) A request under subparagraph (A) shall—

17 “(i) contain such information and be made  
18 in accordance with such procedures as the Com-  
19 mission may provide by regulation; and

20 “(ii) contain a verification signed by the  
21 candidate and the treasurer of the principal  
22 campaign committee of the candidate stating  
23 that the information furnished in support of the  
24 request, to the best of their knowledge, is cor-

1 rect and fully satisfies the requirements of this  
2 title.

3 “(C) Not later than 3 business days after a  
4 candidate files a request under subparagraph (A),  
5 the Commission shall certify to the Secretary of the  
6 Treasury the amount of benefits to which the can-  
7 didate is entitled.

8 “(b) DETERMINATIONS BY COMMISSION.—All deter-  
9 minations (including certifications under subsection (a))  
10 made by the Commission under this title shall be final and  
11 conclusive, except to the extent that they are subject to  
12 examination and audit by the Commission under section  
13 505 and judicial review under section 507.

14 **“SEC. 505. EXAMINATION AND AUDITS; REPAYMENTS; CIVIL**  
15 **PENALTIES.**

16 “(a) EXAMINATION AND AUDITS.—

17 “(1) RANDOM AUDITS.—After each general  
18 election, the Commission shall conduct an examina-  
19 tion and audit of the campaign accounts of 10 per-  
20 cent of all candidates for the office of United States  
21 Senator to determine, among other things, whether  
22 such candidates have complied with the expenditure  
23 limits and conditions of eligibility of this title, and  
24 other requirements of this Act. Such candidates  
25 shall be designated by the Commission through the

1 use of an appropriate statistical method of random  
2 selection. If the Commission selects a candidate, the  
3 Commission shall examine and audit the campaign  
4 accounts of all other candidates in the general elec-  
5 tion for the office the selected candidate is seeking.

6 “(2) REASON TO INVESTIGATE.—The Commis-  
7 sion may conduct an examination and audit of the  
8 campaign accounts of any candidate in a general  
9 election for the office of United States Senator if the  
10 Commission determines that there exists reason to  
11 investigate whether the candidate may have violated  
12 any provision of this title.

13 “(b) EXCESS PAYMENTS; REVOCATION OF STA-  
14 TUS.—

15 “(1) EXCESS PAYMENTS.—If the Commission  
16 determines that payments were made to an eligible  
17 Senate candidate under this title in excess of the ag-  
18 gregate amounts to which such candidate was enti-  
19 tled, the Commission shall so notify such candidate,  
20 and such candidate shall pay an amount equal to the  
21 excess.

22 “(2) REVOCATION OF STATUS.—If the Commis-  
23 sion revokes the certification of a candidate as an el-  
24 igible Senate candidate under section 504(a)(1), the  
25 Commission shall notify the candidate, and the can-

1        didate shall pay an amount equal to the payments  
2        received under this title.

3        “(c) MISUSE OF BENEFITS.—If the Commission de-  
4        termines that any amount of any benefit made available  
5        to an eligible Senate candidate under this title was not  
6        used as provided for in this title, the Commission shall  
7        so notify such candidate and such candidate shall pay the  
8        amount of such benefit.

9        “(d) EXCESS EXPENDITURES.—If the Commission  
10       determines that any eligible Senate candidate who has re-  
11       ceived benefits under this title has made expenditures (ex-  
12       cept as permitted under section 502(e)) that in the aggre-  
13       gate exceed—

14                “(1) the primary election expenditure limit;

15                “(2) the runoff election expenditure limit; or

16                “(3) the general election expenditure limit,

17       the Commission shall so notify the candidate and the can-  
18       didate shall pay an amount equal to the amount of the  
19       excess expenditures.

20        “(e) CIVIL PENALTIES FOR EXCESS EXPENDITURES  
21        AND CONTRIBUTIONS.—

22                “(1) IN GENERAL.—If the Commission deter-  
23       mines that a candidate has committed a violation de-  
24       scribed in subsection (c), the Commission may as-  
25       sess a civil penalty against the candidate in an

1 amount not greater than 200 percent of the amount  
2 involved.

3 “(2) LOW AMOUNT OF EXCESS EXPENDI-  
4 TURES.—An eligible Senate candidate who makes  
5 expenditures that exceed the primary election ex-  
6 penditure limit, runoff election expenditure, or gen-  
7 eral election expenditure limit by 2.5 percent or less  
8 shall pay an amount equal to the amount of the ex-  
9 cess expenditures.

10 “(3) MEDIUM AMOUNT OF EXCESS EXPENDI-  
11 TURES.—An eligible Senate candidate who makes  
12 expenditures that exceed the primary election ex-  
13 penditure limit, runoff election expenditure, or gen-  
14 eral election expenditure limit by more than 2.5 per-  
15 cent and less than 5 percent shall pay an amount  
16 equal to 3 times the amount of the excess expendi-  
17 tures.

18 “(4) LARGE AMOUNT OF EXCESS EXPENDI-  
19 TURES.—Any eligible Senate candidate who makes  
20 expenditures that exceed the primary election ex-  
21 penditure limit, runoff election expenditure, or gen-  
22 eral election expenditure limit by 5 percent or more  
23 shall pay an amount equal to 3 times the amount of  
24 the excess expenditures plus a civil penalty in an  
25 amount determined by the Commission.

1       “(f) UNEXPENDED FUNDS.— Any amount received  
2 by an eligible Senate candidate under this title may be  
3 retained for a period not exceeding 120 days after the date  
4 of the primary election, runoff election, or general election  
5 for the liquidation of all obligations to pay expenditures  
6 for the primary election, runoff election, or general elec-  
7 tion incurred during the primary election period, runoff  
8 election period, or general election period. At the end of  
9 such 120-day period, any unexpended funds received  
10 under this title, except those that are transferred as re-  
11 quired by section 503(b)(2) (A) (ii) or (iii) or (B) (ii) or  
12 (iii), shall be promptly repaid.

13       “(g) LIMIT ON PERIOD FOR NOTIFICATION.—No no-  
14 tification shall be made by the Commission under this sec-  
15 tion with respect to an election more than 3 years after  
16 the date of such election.

17       “(h) DEPOSITS.—The Secretary of the Treasury shall  
18 deposit all payments received under this section into the  
19 Senate Election Campaign Fund.

20 **“SEC. 506. CRIMINAL PENALTIES.**

21       “(a) ACCEPTANCE OR USE OF BENEFITS EXPENDI-  
22 TURES IN EXCESS OF LIMITS.—

23               “(1) OFFENSE.—No person shall knowingly  
24               and willfully—

1           “(A) accept benefits under this title in ex-  
2           cess of the aggregate benefits to which the can-  
3           didate on whose behalf such benefits are accept-  
4           ed is entitled;

5           “(B) use such benefits for any purpose not  
6           provided for in this title; or

7           “(C) make expenditures in excess of—

8                   “(i) the primary election expenditure  
9                   limit;

10                   “(ii) the runoff election expenditure  
11                   limit; or

12                   “(iii) the general election expenditure  
13                   limit,

14           except as permitted under section 502(e).

15           “(2) PENALTY.—A person who violates para-  
16           graph (1) shall be fined not more than \$25,000, im-  
17           prisoned not more than 5 years, or both. An officer,  
18           employee, or agent of a political committee who  
19           knowingly consents to any expenditure in violation of  
20           paragraph (1) shall be fined not more than \$25,000,  
21           imprisoned not more than 5 years, or both.

22           “(b) USE OF BENEFITS.—

23                   “(1) OFFENSE.—It is unlawful for a person  
24                   who receives any benefit under this title, or to whom  
25                   any portion of any such benefit is transferred, know-

1 ingly and willfully to use, or to authorize the use of,  
2 the benefit or such portion other than in the manner  
3 provided in this title.

4 “(2) PENALTY.—A person who violates para-  
5 graph (1) shall be fined not more than \$10,000, im-  
6 prisoned not more than 5 years, or both.

7 “(c) FALSE INFORMATION.—

8 “(1) OFFENSE.—It is unlawful for a person  
9 knowingly and willfully—

10 “(A) to furnish any false, fictitious, or  
11 fraudulent evidence, books, or information (in-  
12 cluding any certification, verification, notice, or  
13 report) to the Commission under this title, or to  
14 include in any evidence, books, or information  
15 so furnished any misrepresentation of a mate-  
16 rial fact, or to falsify or conceal any evidence,  
17 books, or information relevant to a certification  
18 by the Commission or an examination and audit  
19 by the Commission under this title; or

20 “(B) to fail to furnish to the Commission  
21 any records, books, or information requested by  
22 it for purposes of this title.

23 “(2) PENALTY.—A person who violates para-  
24 graph (1) shall be fined not more than \$10,000, im-  
25 prisoned not more than 5 years, or both.

1 “(d) KICKBACKS AND ILLEGAL PAYMENTS.—

2 “(1) OFFENSE.—It is unlawful for a person  
3 knowingly and willfully to give or to accept any kick-  
4 back or any illegal payment in connection with any  
5 benefits received under this title by an eligible Sen-  
6 ate candidate.

7 “(2) PENALTY.—(A) A person who violates  
8 paragraph (1) shall be fined not more than \$10,000,  
9 imprisoned not more than 5 years, or both.

10 “(B) In addition to the penalty provided by  
11 subparagraph (A), a person who accepts any kick-  
12 back or illegal benefit in connection with any bene-  
13 fits received by an eligible Senate candidate pursu-  
14 ant to the provisions of this title, or received by the  
15 authorized committees of such a candidate, shall pay  
16 to the Secretary, for deposit into the Senate Election  
17 Campaign Fund, an amount equal to 125 percent of  
18 the kickback or benefit received.

19 **“SEC. 507. JUDICIAL REVIEW.**

20 “(a) JUDICIAL REVIEW.—Any agency action by the  
21 Commission made under the provisions of this title shall  
22 be subject to review by the United States Court of Appeals  
23 for the District of Columbia Circuit upon petition filed in  
24 such court within 30 days after the agency action by the  
25 Commission for which review is sought. It shall be the

1 duty of the Court of Appeals to expeditiously take action  
2 on all petitions filed pursuant to this title.

3 “(b) APPLICATION OF TITLE 5.—Chapter 7 of title  
4 5, United States Code, shall apply to judicial review of  
5 any agency action by the Commission.

6 “(c) AGENCY ACTION.—For purposes of this section,  
7 the term ‘agency action’ has the meaning stated in section  
8 551(13) of title 5, United States Code.

9 **“SEC. 508. PARTICIPATION BY COMMISSION IN JUDICIAL**  
10 **PROCEEDINGS.**

11 “(a) APPEARANCES.—The Commission may appear  
12 in and defend against any action instituted under this sec-  
13 tion and under section 507 either by attorneys employed  
14 in its office or by counsel whom it may appoint without  
15 regard to the provisions of title 5, United States Code,  
16 governing appointments in the competitive service, and  
17 whose compensation it may fix without regard to the pro-  
18 visions of chapter 51 and subchapter III of chapter 53  
19 of such title.

20 “(b) INSTITUTION OF ACTIONS.—The Commission  
21 may, through attorneys and counsel described in sub-  
22 section (a), institute actions in the district courts of the  
23 United States to seek recovery of any amounts determined  
24 under this title to be payable to the Secretary.

1       “(c) INJUNCTIVE RELIEF.—The Commission may,  
2 through attorneys and counsel described in subsection (a),  
3 petition the courts of the United States for such injunctive  
4 relief as is appropriate in order to implement any provision  
5 of this title.

6       “(d) APPEALS.—The Commission may, on behalf of  
7 the United States, appeal from, and to petition the Su-  
8 preme Court for certiorari to review, judgments, or de-  
9 crees entered with respect to actions in which it appears  
10 pursuant to the authority provided in this section.

11 **“SEC. 509. REPORTS TO CONGRESS; REGULATIONS.**

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

15               “(1) the expenditures (shown in such detail as  
16 the Commission determines appropriate) made by  
17 each eligible Senate candidate and the authorized  
18 committees of such candidate;

19               “(2) the amounts certified by the Commission  
20 under section 504 as benefits available to each eligi-  
21 ble Senate candidate;

22               “(3) the amount of repayments, if any, required  
23 under section 505 and the reasons for each repay-  
24 ment required; and



1 amounts in the general fund of the Treasury not  
2 otherwise appropriated, amounts equal to—

3 “(i) any contributions by persons which  
4 are specifically designated as being made to the  
5 Fund;

6 “(ii) amounts collected under section  
7 505(h); and

8 “(iii) any other amounts that may be ap-  
9 propriated to or deposited into the Fund under  
10 this title.

11 “(B) The Secretary of the Treasury shall, from  
12 time to time, transfer to the Fund an amount not  
13 in excess of the amounts described in subparagraph  
14 (A).

15 “(C) Amounts in the Fund shall remain avail-  
16 able without fiscal year limitation.

17 “(3) AVAILABILITY.—Amounts in the Fund  
18 shall be available only for the purposes of—

19 “(A) making payments required under this  
20 title; and

21 “(B) making expenditures in connection  
22 with the administration of the Fund.

23 “(4) ACCOUNTS.—The Secretary shall maintain  
24 such accounts in the Fund as may be required by

1 this title or which the Secretary determines to be  
2 necessary to carry out the provisions of this title.

3 “(b) PAYMENTS UPON CERTIFICATION.—Upon re-  
4 ceipt of a certification from the Commission under section  
5 504, the Secretary shall promptly pay the amount certified  
6 by the Commission to the candidate out of the Senate  
7 Election Campaign Fund.

8 **“SEC. 511. AUTHORIZATION OF APPROPRIATIONS.**

9 “There are authorized to be appropriated to the Com-  
10 mission such sums as are necessary for the purpose of car-  
11 rying out its functions under this title.”.

12 (b) EFFECTIVE DATES.—(1) Except as provided in  
13 this subsection, the amendment made by subsection (a)  
14 shall apply to elections occurring after December 31,  
15 1995.

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

18 (A) no expenditure made before January 1,  
19 1994, shall be taken into account, except that there  
20 shall be taken into account any such expenditure for  
21 goods or services to be provided after such date; and

22 (B) all cash, cash items, and Government secu-  
23 rities on hand as of January 1, 1994, shall be taken  
24 into account in determining whether the contribution  
25 limit is met, except that there shall not be taken into

1 account amounts used during the 60-day period be-  
 2 ginning on January 1, 1994, to pay for expenditures  
 3 which were incurred (but unpaid) before such date.

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

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

11 (a) IN GENERAL.—Title III of FECA (2 U.S.C. 301  
 12 et seq.) is amended by adding at the end the following  
 13 new section:

14 “BAN ON FEDERAL ELECTION ACTIVITIES BY POLITICAL  
 15 ACTION COMMITTEES

16 “SEC. 324. (a) Notwithstanding any other provision  
 17 of this Act, no person other than an individual or a politi-  
 18 cal committee may make contributions, solicit or receive  
 19 contributions, or make expenditures for the purpose of in-  
 20 fluencing an election for Federal office.

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

23 “(1) no contributions may be made by such in-  
 24 dividuals—

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

1           “(B) to any candidate for election to the  
2           office of United States Senator or the can-  
3           didate’s authorized committees,

4           unless such individuals certify that such contribu-  
5           tions are not being made at the direction of, or oth-  
6           erwise controlled or influenced by, the employer; and

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

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

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

15           (b) DEFINITION OF POLITICAL COMMITTEE.—(1)  
16           Paragraph (4) of section 301 of FECA (2 U.S.C. 431(4))  
17           is amended to read as follows:

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

19           “(A) the principal campaign committee of  
20           a candidate;

21           “(B) any national or State committee of a  
22           political party; and

23           “(C) any local committee of a political  
24           party which—

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

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

8           “(iii) makes contributions or expendi-  
9           tures aggregating in excess of \$1,000 dur-  
10          ing a calendar year.”

11          (2) Section 316(b)(2) of FECA (2 U.S.C.  
12 441b(b)(2)) is amended by striking subparagraph (C).

13          (c) CANDIDATE’S COMMITTEES.—Section 315(a) of  
14 FECA (2 U.S.C. 441a(a)) is amended by adding at the  
15 end the following new paragraph:

16          “(9) For the purposes of the limitations provided by  
17 paragraphs (1) and (2), any political committee which is  
18 established or financed or maintained or controlled by any  
19 candidate or Federal officeholder shall be deemed to be  
20 an authorized committee of such candidate or office-  
21 holder.”.

22          (d) RULES APPLICABLE WHEN BAN NOT IN EF-  
23 FECT.—For purposes of the Federal Election Campaign  
24 Act of 1971, during any period beginning after the effec-

1 tive date in which the prohibition under section 324 of  
2 such Act (as added by subsection (a)) is not in effect—

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

5 (2) in the case of a candidate for election, or  
6 nomination for election, to the United States Senate  
7 (and such candidate's authorized committees), sec-  
8 tion 315(a)(2)(A) of FECA (2 U.S.C.  
9 441a(a)(2)(A)) shall be applied by substituting  
10 "\$250" for "\$5,000"; and

11 (3) it shall be unlawful for a multicandidate po-  
12 litical committee to make a contribution to a can-  
13 didate for election, or nomination for election, to the  
14 United States Senate (or an authorized committee)  
15 to the extent that the making of the contribution  
16 will cause the amount of contributions received by  
17 the candidate and the candidate's authorized com-  
18 mittees from multicandidate political committees to  
19 exceed the lesser of—

20 (A) \$825,000; or

21 (B) the greater of—

22 (i) \$375,000; or

23 (ii) 20 percent of the sum of the gen-  
24 eral election expenditure limit under sec-  
25 tion 502(b) of FECA plus the primary

1 election spending limit under section  
2 502(d)(1)(A) of FECA (without regard to  
3 whether the candidate is an eligible Senate  
4 candidate (as defined in section 301(19))  
5 of FECA).

6 In the case of an election cycle in which there is a  
7 runoff election, the limit determined under para-  
8 graph (3) shall be increased by an amount equal to  
9 20 percent of the runoff election expenditure limit  
10 under section 501(d)(1)(A) of FECA (without re-  
11 gard to whether the candidate is such an eligible  
12 candidate). The \$825,000 and \$375,000 amounts in  
13 paragraph (3) shall be increased as of the beginning  
14 of each calendar year based on the increase in the  
15 price index determined under section 315(c) of  
16 FECA, except that for purposes of paragraph (3),  
17 the base period shall be the calendar year in which  
18 the first general election after the date of the enact-  
19 ment of paragraph (3) occurs. A candidate or au-  
20 thorized committee that receives a contribution from  
21 a multicandidate political committee in excess of the  
22 amount allowed under paragraph (3) shall return  
23 the amount of such excess contribution to the con-  
24 tributor.

1 (e) EFFECTIVE DATES.—(1) Except as provided in  
2 paragraph (2), the amendments made by this section shall  
3 apply to elections (and the election cycles relating thereto)  
4 occurring after December 31, 1995.

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

7 (A) contributions made or received on or before  
8 the date of the enactment of this Act; or

9 (B) contributions made to, or received by, a  
10 candidate after such date, to the extent such con-  
11 tributions are not greater than the excess (if any)  
12 of—

13 (i) such contributions received by any op-  
14 ponent of the candidate on or before such date,  
15 over

16 (ii) such contributions received by the can-  
17 didate on or before such date.

18 **SEC. 103. REPORTING REQUIREMENTS.**

19 Title III of FECA is amended by adding after section  
20 304 the following new section:

21 “REPORTING REQUIREMENTS FOR SENATE CANDIDATES

22 “SEC. 304A. (a) CANDIDATE OTHER THAN ELIGI-  
23 BLE SENATE CANDIDATE.—(1) Each candidate for the of-  
24 fice of United States Senator who does not file a certifi-  
25 cation with the Secretary of the Senate under section  
26 501(c) shall file with the Secretary of the Senate a dec-

1 laration as to whether such candidate intends to make ex-  
2 penditures for the general election in excess of the general  
3 election expenditure limit applicable to an eligible Senate  
4 candidate under section 502(b). Such declaration shall be  
5 filed at the time provided in section 501(c)(2).

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

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

10 “(B) who either raises aggregate contributions,  
11 or makes or obligates to make aggregate expendi-  
12 tures, for the general election which exceed 75 per-  
13 cent of the general election expenditure limit appli-  
14 cable to an eligible Senate candidate under section  
15 502(b),

16 shall file a report with the Secretary of the Senate within  
17 1 business day after such contributions have been raised  
18 or such expenditures have been made or obligated to be  
19 made (or, if later, within 1 business day after the date  
20 of qualification for the general election ballot), setting  
21 forth the candidate’s total contributions and total expendi-  
22 tures for such election as of such date. Thereafter, such  
23 candidate shall file additional reports (until such contribu-  
24 tions or expenditures exceed 200 percent of such limit)  
25 with the Secretary of the Senate within 1 business day

1 after each time additional contributions are raised, or ex-  
2 penditures are made or are obligated to be made, which  
3 in the aggregate exceed an amount equal to 10 percent  
4 of such limit and after the total contributions or expendi-  
5 tures exceed  $133\frac{1}{3}$ ,  $166\frac{2}{3}$ , and 200 percent of such limit.

6 “(3) The Commission—

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

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

19 “(4) Notwithstanding the reporting requirements  
20 under this subsection, the Commission may make its own  
21 determination that a candidate in a general election who  
22 is not an eligible Senate candidate has raised aggregate  
23 contributions, or made or has obligated to make aggregate  
24 expenditures, in the amounts which would require a report  
25 under paragraph (2). The Commission shall, within 2

1 business days after making each such determination, no-  
2 tify each eligible Senate candidate in the general election  
3 involved about such determination, and shall, when such  
4 contributions or expenditures exceed the general election  
5 expenditure limit under section 502(b), certify (pursuant  
6 to the provisions of subsection (d)) such candidate's eligi-  
7 bility for payment of any amount under section 503(a).

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

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

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

1 after making such determination shall notify each eligible  
2 Senate candidate in the general election involved about  
3 each such determination.

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

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

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

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

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

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

1       “(3) The Commission shall, as soon as practicable,  
2 make a determination as to whether the amounts included  
3 in the report under paragraph (1) were made for purposes  
4 of influencing the election of the individual to the office  
5 of United States Senator.

6       “(d) CERTIFICATIONS.—Notwithstanding section  
7 505(a), the certification required by this section shall be  
8 made by the Commission on the basis of reports filed in  
9 accordance with the provisions of this Act, or on the basis  
10 of such Commission’s own investigation or determination.

11       “(e) COPIES OF REPORTS AND PUBLIC INSPEC-  
12 TION.—The Secretary of the Senate shall transmit a copy  
13 of any report or filing received under this section or of  
14 title V as soon as possible (but no later than 4 working  
15 hours of the Commission) after receipt of such report or  
16 filing, and shall make such report or filing available for  
17 public inspection and copying in the same manner as the  
18 Commission under section 311(a)(4), and shall preserve  
19 such reports and filings in the same manner as the Com-  
20 mission under section 311(a)(5).

21       “(f) DEFINITIONS.—For purposes of this section, any  
22 term used in this section which is used in title V shall  
23 have the same meaning as when used in title V.”.

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

2 Section 318 of FECA (2 U.S.C. 441d), as amended  
3 by section 133, is amended by adding at the end the fol-  
4 lowing:

5 “(e) If a broadcast, cablecast, or other communica-  
6 tion is paid for or authorized by a candidate in the general  
7 election for the office of United States Senator who is not  
8 an eligible Senate candidate, or the authorized committee  
9 of such candidate, such communication shall contain the  
10 following sentence: ‘This candidate has not agreed to vol-  
11 untary campaign spending limits.’”.

12 **SEC. 105. FREE BROADCAST TIME.**

13 (a) AMENDMENT OF COMMUNICATIONS ACT.—Title  
14 III of the Communications Act of 1934 (47 U.S.C. 301  
15 et seq.) is amended by inserting after section 315 the fol-  
16 lowing new section:

17 “FREE BROADCAST TIME FOR ELIGIBLE SENATE  
18 CANDIDATES

19 “SEC. 315A. (a) IN GENERAL.—In addition to broad-  
20 cast time that a licensee makes available to a candidate  
21 under section 315(a), a licensee shall make available at  
22 no charge, to each eligible Senate candidates in each State  
23 within its broadcast area, 90 minutes of broadcast time  
24 during a prime time access period (as defined in section  
25 601 of the Federal Election Campaign Act of 1971).

1       “(b) APPEARANCES ON NEWS OR PUBLIC SERVICE  
 2 PROGRAMS.—An appearance by a candidate on a news or  
 3 public service program at the invitation of a broadcasting  
 4 station or other organization that presents such a program  
 5 shall not be counted toward time made available pursuant  
 6 to subsection (a).”.

7       (b) AMENDMENT OF FECA.—FECA, as amended by  
 8 section 101, is amended by adding at the end the following  
 9 new title:

10       **“TITLE VI—DISSEMINATION OF**  
 11           **POLITICAL INFORMATION**

12       **“SEC. 601. DEFINITIONS.**

13       “In this title:

14           “(1) The term ‘free broadcast time’ means time  
 15           provided by a broadcasting station during a prime  
 16           time access period pursuant to section 315A of the  
 17           Communications Act of 1934.

18           “(2) The term ‘minor party’ means a political  
 19           party other than a major party—

20                   “(A) whose candidate for the Senate in a  
 21                   State received more than 5 percent of the popu-  
 22                   lar vote in the most recent general election; or

23                   “(B) which files with the Commission, not  
 24                   later than 90 days before the date of a general  
 25                   or special election in a State, the number of sig-

1           natures of registered voters in the State that is  
2           equal to 5 percent of the popular vote for the  
3           office of Senator in the most recent general or  
4           special election in the State.

5           “(3) The term ‘prime time access period’ means  
6           the time between 6:00 p.m. and 8:00 p.m. of a week-  
7           day during the period beginning on the date that is  
8           60 days before the date of a general election or spe-  
9           cial election for the Senate and ending on the day  
10          before the date of the election.

11 **“SEC. 602. USE OF FREE BROADCAST TIME.**

12          “An eligible Senate candidate shall ensure that—

13               “(1) free broadcast time is used in a manner  
14               that promotes a rational discussion and debate of is-  
15               sues with respect to the elections involved;

16               “(2) in programs in which free broadcast time  
17               is used, not more than 25 percent of the time of the  
18               broadcast consists of presentations other than a can-  
19               didate’s own remarks;

20               “(3) free broadcast time is used in segments of  
21               not less than 1 minute; and

22               “(4) not more than 15 minutes of free broad-  
23               cast time is used by the candidate in a 24-hour pe-  
24               riod.

1 **“SEC. 603. REPORTS.**

2 “(a) CANDIDATE REPORTS TO THE COMMISSION.—  
3 An eligible Senate candidate that uses free broadcast time  
4 under section 602 shall include with the candidate’s post-  
5 general election report under section 304(a)(2)(A)(ii) or,  
6 in the case of a special election, with the candidate’s first  
7 report under section 304(a)(2) filed after the special elec-  
8 tion, a statement of the amount of free broadcast time  
9 that the candidate used during the general election period  
10 or special election period.

11 “(b) COMMISSION REPORTS TO CONGRESS.—The  
12 Commission shall submit to Congress, not later than June  
13 1 of each year that follows a year in which a general elec-  
14 tion for the Senate is held, a report setting forth the  
15 amount of free broadcast time used by eligible Senate can-  
16 didates under section 602.

17 **“SEC. 604. JUDICIAL PROCEEDINGS.**

18 “(a) IN GENERAL.—The Commission may appear in  
19 any action filed under this section, either by attorneys em-  
20 ployed in its office or by counsel whom it may appoint  
21 without regard to the provisions of title 5, United States  
22 Code, governing appointments in the competitive service,  
23 and whose compensation it may fix without regard to the  
24 provisions of chapter 51 and title III of chapter 53 of that  
25 title.



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

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

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

7           “(D) The terms ‘eligible Senate candidate’ and  
8 ‘principal campaign committee’ have the meanings  
9 given those terms in section 301 of the Federal  
10 Election Campaign Act of 1971.”; and

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

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

16           “(A) the general election period (as defined in  
17 section 301 of the Federal Election Campaign Act of  
18 1971); and

19           “(B) that number of pieces of mail equal to the  
20 number of individuals in the voting age population  
21 (as certified under section 315(e) of such Act) of the  
22 State.”.

1 **SEC. 132. REPORTING REQUIREMENTS FOR CERTAIN INDE-**  
2 **PENDENT EXPENDITURES.**

3 Section 304(c) of FECA (2 U.S.C. 434(c)) is amend-  
4 ed—

5 (1) in paragraph (2), by striking out the undes-  
6 igned matter after subparagraph (C);

7 (2) by redesignating paragraph (3) as para-  
8 graph (5); and

9 (3) by inserting after paragraph (2), as amend-  
10 ed by paragraph (1), the following new paragraphs:

11 “(3)(A) Any independent expenditure (including  
12 those described in subsection (b)(6)(B)(iii) of this section)  
13 aggregating \$1,000 or more made after the 20th day, but  
14 more than 24 hours, before any election shall be reported  
15 within 24 hours after such independent expenditure is  
16 made.

17 “(B) Any independent expenditure aggregating  
18 \$5,000 or more made at any time up to and including  
19 the 20th day before any election shall be reported within  
20 48 hours after such independent expenditure is made. An  
21 additional statement shall be filed each time independent  
22 expenditures aggregating \$5,000 are made with respect to  
23 the same election as the initial statement filed under this  
24 section.

25 “(C) Such statement shall be filed with the Secretary  
26 of the Senate and the Secretary of State of the State in-

1 volved and shall contain the information required by sub-  
2 section (b)(6)(B)(iii) of this section, including whether the  
3 independent expenditure is in support of, or in opposition  
4 to, the candidate involved. The Secretary of the Senate  
5 shall as soon as possible (but not later than 4 working  
6 hours of the Commission) after receipt of a statement  
7 transmit it to the Commission. Not later than 48 hours  
8 after the Commission receives a report, the Commission  
9 shall transmit a copy of the report to each candidate seek-  
10 ing nomination or election to that office.

11 “(D) For purposes of this section, the term ‘made’  
12 includes any action taken to incur an obligation for pay-  
13 ment.

14 “(4)(A) If any person intends to make independent  
15 expenditures totaling \$5,000 during the 20 days before  
16 an election, such person shall file a statement no later  
17 than the 20th day before the election.

18 “(B) Such statement shall be filed with the Secretary  
19 of the Senate and the Secretary of State of the State in-  
20 volved, and shall identify each candidate whom the ex-  
21 penditure will support or oppose. The Secretary of the  
22 Senate shall as soon as possible (but not later than 4  
23 working hours of the Commission) after receipt of a state-  
24 ment transmit it to the Commission. Not later than 48  
25 hours after the Commission receives a statement under

1 this paragraph, the Commission shall transmit a copy of  
2 the statement to each candidate identified.

3 “(5) The Commission may make its own determina-  
4 tion that a person has made, or has incurred obligations  
5 to make, independent expenditures with respect to any  
6 Federal election which in the aggregate exceed the applica-  
7 ble amounts under paragraph (3) or (4). The Commission  
8 shall notify each candidate in such election of such deter-  
9 mination within 24 hours of making it.

10 “(6) At the same time as a candidate is notified  
11 under paragraph (3), (4), or (5) with respect to expendi-  
12 tures during a general election period, the Commission  
13 shall certify eligibility to receive benefits under section  
14 503(a).

15 “(7) The Secretary of the Senate shall make any  
16 statement received under this subsection available for pub-  
17 lic inspection and copying in the same manner as the Com-  
18 mission under section 311(a)(4), and shall preserve such  
19 statements in the same manner as the Commission under  
20 section 311(a)(5).”.

21 **SEC. 133. CAMPAIGN ADVERTISING AMENDMENTS.**

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

23 (1) in the matter before paragraph (1) of sub-  
24 section (a), by striking “an expenditure” and insert-  
25 ing “a disbursement”;

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

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

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

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

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

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

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

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

23           “(2) If a broadcast or cablecast communication de-  
24           scribed in paragraph (1) is broadcast or cablecast by



1 **SEC. 134. 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 eligible under section 502 to receive bene-  
7 fits 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, but does not include an open primary elec-  
11 tion.

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

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

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

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

22 “(A) a candidate’s spouse;

23 “(B) a child, stepchild, parent, grandparent,  
24 brother, half-brother, sister or half-sister of the can-  
25 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 under State  
6           law for the ballot in a general election in an open primary  
7           in which all the candidates for the office participated and  
8           which resulted in the candidate and at least one other can-  
9           didate qualifying for the ballot in the general election,  
10          such candidate shall be treated as a candidate of a major  
11          party for purposes 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       “(30) The term ‘personal funds expenditure limit’  
2 means the limit applicable to an eligible Senate candidate  
3 under section 502(a).

4       “(31) The term ‘primary election expenditure limit’  
5 means the limit applicable to an eligible Senate candidate  
6 under section 502(b).

7       “(32) The term ‘runoff election expenditure limit’  
8 means the limit applicable to an eligible Senate candidate  
9 under section 502(c).

10       “(33) The term ‘general election expenditure limit’  
11 means the limit applicable to an eligible Senate candidate  
12 under section 502(d).

13       “(34) The term ‘multicandidate political committee  
14 primary election contribution limit’ means the limit appli-  
15 cable to an eligible Senate candidate under section  
16 502(e)(1).

17       “(35) The term ‘multicandidate political committee  
18 runoff election contribution limit’ means the limit applica-  
19 ble to an eligible Senate candidate under section  
20 502(e)(2).

21       “(36) The terms ‘Senate Election Campaign Fund’  
22 and ‘Fund’ mean the Senate Election Campaign Fund es-  
23 tablished under section 510.”.

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. 135. PROVISIONS RELATING TO FRANKED MASS**  
 5 **MAILINGS.**

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

8 (1) in subparagraph (A), by striking “It is the  
 9 intent of Congress that a Member of, or a Member-  
 10 elect to, Congress” and inserting “A Member of, or  
 11 Member-elect to, the House”; and

12 (2) in subparagraph (C)—

13 (A) by striking “if such mass mailing is  
 14 postmarked fewer than 60 days immediately be-  
 15 fore the date” and inserting “if such mass mail-  
 16 ing is postmarked during the calendar year”;  
 17 and

18 (B) by inserting “or reelection” imme-  
 19 diately before the period.

20 **TITLE II—INDEPENDENT**  
 21 **EXPENDITURES**

22 **SEC. 201. CLARIFICATION OF DEFINITIONS RELATING TO**  
 23 **INDEPENDENT EXPENDITURES.**

24 (a) INDEPENDENT EXPENDITURE DEFINITION  
 25 AMENDMENT.—Section 301 of FECA (2 U.S.C. 431) is

1 amended by striking paragraphs (17) and (18) and insert-  
2 ing the following:

3 “(17)(A) The term ‘independent expenditure’ means  
4 an expenditure for an advertisement or other communica-  
5 tion that—

6 “(i) contains express advocacy; and

7 “(ii) is made without the participation or co-  
8 operation of a candidate or a candidate’s representa-  
9 tive.

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

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

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

22 “(iii) An expenditure if there is any arrange-  
23 ment, coordination, or direction with respect to the  
24 expenditure between the candidate or the candidate’s  
25 agent and the person making the expenditure.

1           “(iv) An expenditure if, in the same election  
2 cycle, the person making the expenditure is or has  
3 been—

4           “(I) authorized to raise or expend funds on  
5 behalf of the candidate or the candidate’s au-  
6 thorized committees; or

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

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

18          “(vi) An expenditure if the person making the  
19 expenditure retains the professional services of any  
20 individual or other person also providing services in  
21 the same election cycle to the candidate in connec-  
22 tion with the candidate’s pursuit of nomination for  
23 election, or election, to Federal office, including any  
24 services relating to the candidate’s decision to seek  
25 Federal office.

1           “(vii) An expenditure if the person making the  
2           expenditure has consulted at any time during the  
3           same election cycle about the candidate’s plans,  
4           projects, or needs relating to the candidate’s pursuit  
5           of nomination for election, or election, to Federal of-  
6           fice, with—

7                   “(I) any officer, director, employee or  
8                   agent of a party committee that has made or  
9                   intends to make expenditures or contributions,  
10                  pursuant to subsections (a), (d), or (h) of sec-  
11                  tion 315 in connection with the candidate’s  
12                  campaign; or

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

19 For purposes of this subparagraph, the person making the  
20 expenditure shall include any officer, director, employee,  
21 or agent of such person.

22           “(18) The term ‘express advocacy’ means, when a  
23 communication is taken as a whole, an expression of sup-  
24 port for or opposition to a specific candidate, to a specific  
25 group of candidates, or to candidates of a particular politi-

1 cal party, or a suggestion to take action with respect to  
 2 an election, such as to vote for or against, make contribu-  
 3 tions to, or 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 **TITLE III—EXPENDITURES**

### 18 **Subtitle A—Personal Loans; Credit**

#### 19 **SEC. 301. PERSONAL CONTRIBUTIONS AND LOANS.**

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

22 “(i) LIMITATIONS ON PAYMENTS TO CANDIDATES.—

23 (1) If a candidate or a member of the candidate’s imme-  
 24 diate family made any loans to the candidate or to the  
 25 candidate’s authorized committees during any election

1 cycle, no contributions received after the date of the gen-  
2 eral election for such election cycle may be used to repay  
3 such loans.

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

8 **SEC. 302. EXTENSIONS OF CREDIT.**

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

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

12 (2) by striking the period at the end of clause

13 (iii) and inserting “; or”; and

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

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

23 “(I) in an amount of more than \$500;

24 and

1           “(II) for a period greater than the pe-  
2           riod, not in excess of 60 days, for which  
3           credit is generally extended in the normal  
4           course of business after the date on which  
5           such goods or services are furnished or the  
6           date of the mailing in the case of advertis-  
7           ing by a mailing.”.

8           **Subtitle B—Provisions Relating to**  
9           **Soft Money of Political Parties**

10       **SEC. 311. CONTRIBUTIONS TO POLITICAL PARTY COMMIT-**  
11                               **TEES FOR GRASSROOTS FEDERAL ELECTION**  
12                               **CAMPAIGN ACTIVITIES.**

13           (a) IN GENERAL.—Section 315(a)(1)(C) of FECA (2  
14 U.S.C. 441a(a)(1)(C)) is amended by striking “\$5,000.”  
15 and inserting “5,000, plus an additional \$5,000 that may  
16 be contributed to a political committee established and  
17 maintained by a State political party for the sole purpose  
18 of conducting grassroots Federal election campaign activi-  
19 ties coordinated by the Congressional Campaign Commit-  
20 tee and Senatorial Campaign Committee of the party.”.

21           (b) INCREASE IN OVERALL LIMIT.—Paragraph (3) of  
22 section 315(a) of FECA (2 U.S.C. 441a(a)(3)) is amended  
23 by adding at the end the following new sentence: “The  
24 limitation under this paragraph shall be increased (but not  
25 by more than \$5,000) by the amount of contributions

1 made by an individual during a calendar year to political  
2 committees which are taken into account for purposes of  
3 paragraph (1)(C).”.

4 (c) DEFINITION.—Section 301(a) of FECA (2 U.S.C.  
5 431(a)), as amended by section 134, is amended by adding  
6 at the end the following new paragraph:

7 “(37) The term ‘grassroots Federal election cam-  
8 paign activity’ means—

9 “(A) voter registration and get-out-the-vote  
10 activities;

11 “(B) campaign activities, including broadcast-  
12 ing, newspaper, magazine, billboard, mass mail, and  
13 newsletter communications, and similar kinds of  
14 communications or public advertising that—

15 “(i) are generic campaign activities; or

16 “(ii) identify a Federal candidate regard-  
17 less of whether a State or local candidate is also  
18 identified;

19 “(C) the preparation and dissemination of cam-  
20 paign materials that are part of a generic campaign  
21 activity or that identify a Federal candidate, regard-  
22 less of whether a State or local candidate is also  
23 identified;

24 “(D) development and maintenance of voter  
25 files;

1           “(E) any other activity affecting (in whole or in  
2           part) an election for Federal office; and

3           “(F) activities conducted for the purpose of  
4           raising funds to pay for activities described in sub-  
5           paragraphs (A), (B), (C), (D), and (E),

6           to the extent that any such activity is allocable to Federal  
7           elections under a regulation issued by the Commission.”.

8   **SEC. 312. PROVISIONS RELATING TO NATIONAL, STATE,**  
9                                   **AND LOCAL PARTY COMMITTEES.**

10           (a) EXPENDITURES BY STATE COMMITTEES IN CON-  
11           NECTION WITH PRESIDENTIAL CAMPAIGNS.—Section  
12           315(d) of FECA (2 U.S.C. 441a(d)) is amended by insert-  
13           ing at the end the following new paragraph:

14           “(4) A State committee of a political party, including  
15           subordinate committees of that State committee, shall not  
16           make expenditures in connection with the general election  
17           campaign of a candidate for President of the United  
18           States who is affiliated with such party which, in the ag-  
19           gregate, exceed an amount equal to 4 cents multiplied by  
20           the voting age population of the State, as certified under  
21           subsection (e). This paragraph shall not authorize a com-  
22           mittee to make expenditures for audio broadcasts (includ-  
23           ing television broadcasts) in excess of the amount which  
24           could have been made without regard to this paragraph.”.

1 (b) CONTRIBUTION AND EXPENDITURE EXCEP-  
2 TIONS.—(1) Section 301(8)(B) of FECA (2 U.S.C.  
3 431(8)(B)) is amended—

4 (A) in clause (xi), by striking “direct mail” and  
5 inserting “mail”; and

6 (B) by repealing clauses (x) and (xii).

7 (2) Section 301(9)(B) of FECA (2 U.S.C.  
8 431(9)(B)) is amended by repealing clauses (viii) and (ix).

9 (c) SOFT MONEY OF COMMITTEES OF POLITICAL  
10 PARTIES.—(1) Title III of FECA, as amended by section  
11 102(a), is amended by inserting after section 324 the fol-  
12 lowing new section:

13 “POLITICAL PARTY COMMITTEES

14 “SEC. 325. (a) Any amount solicited, received, or ex-  
15 pended directly or indirectly by a national, State, district,  
16 or local committee of a political party (including any sub-  
17 ordinate committee) with respect to an activity which, in  
18 whole or in part, is in connection with an election to Fed-  
19 eral office shall be subject in its entirety to the limitations,  
20 prohibitions, and reporting requirements of this Act.

21 “(b) For purposes of subsection (a):

22 “(1) Any activity which is solely for the purpose  
23 of influencing an election for Federal office is in  
24 connection with an election for Federal office.

1           “(2) A grassroots Federal election campaign ac-  
2           tivity shall be treated as in connection with an elec-  
3           tion for Federal office.

4           “(3) The following shall not be treated as in  
5           connection with a Federal election:

6                   “(A) Any amount described in section  
7                   301(8)(B)(viii).

8                   “(B) Any amount contributed to a can-  
9                   didate for other than Federal office.

10                   “(C) Any amount received or expended in  
11                   connection with a State or local political con-  
12                   vention.

13                   “(D) Campaign activities, including broad-  
14                   casting, newspaper, magazine, billboard, mass  
15                   mail, and newsletter communications, and simi-  
16                   lar kinds of communications or public advertis-  
17                   ing that are exclusively on behalf of State or  
18                   local candidates and are conducted in a year  
19                   that is not a Presidential election year.

20                   “(E) Research pertaining solely to State  
21                   and local candidates and issues.

22                   “(F) Any other activity which is solely for  
23                   the purpose of influencing, and which solely af-  
24                   fects, an election for non-Federal office.

1           “(4) For purposes of this subsection, the term  
2           ‘Federal election period’ means the period—

3                   “(A) beginning on January 1 of any even-  
4                   numbered calendar year; and

5                   “(B) ending on the date during such year  
6                   on which regularly scheduled general elections  
7                   for Federal office occur.

8           In the case of a special election, the Federal election  
9           period shall include at least the 60-day period end-  
10          ing on the date of the election.

11          “(c) SOLICITATION BY COMMITTEES.—A Congres-  
12          sional or Senatorial Campaign Committee of a political  
13          party may not solicit or accept contributions not subject  
14          to the limitations, prohibitions, and reporting require-  
15          ments of this Act.

16          “(d) AMOUNTS RECEIVED FROM STATE AND LOCAL  
17          CANDIDATE COMMITTEES.—(1) For purposes of sub-  
18          section (a), any amount received by a national, State, dis-  
19          trict, or local committee of a political party (including any  
20          subordinate committee) from a State or local candidate  
21          committee shall be treated as meeting the requirements  
22          of subsection (a) and section 304(d) if—

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

1 any limitation or prohibition as to source or dollar  
2 amount, and

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

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

8 “(ii) certifies to the other committee that  
9 such requirements were met.

10 “(2) Notwithstanding paragraph (1), any committee  
11 receiving any contribution described in paragraph (1) from  
12 a State or local candidate committee shall be required to  
13 meet the reporting requirements of this Act with respect  
14 to receipt of the contribution from such candidate commit-  
15 tee.

16 “(3) For purposes of this subsection, a State or local  
17 candidate committee is a committee established, financed,  
18 maintained, or controlled by a candidate for other than  
19 Federal office.”.

20 (2) Section 315(d) of FECA (2 U.S.C. 441a(d)), as  
21 amended by subsection (a), is amended by adding at the  
22 end the following new paragraph:

23 “(5)(A) The national committee of a political  
24 party, the congressional campaign committees of a  
25 political party, and a State or local committee of a

1 political party, including a subordinate committee of  
2 any of the preceding committees, shall not make ex-  
3 penditures during any calendar year for activities  
4 described in section 325(b)(2) with respect to such  
5 State which, in the aggregate, exceed an amount  
6 equal to 30 cents multiplied by the voting age popu-  
7 lation of the State (as certified under subsection  
8 (e)).

9 “(B) Expenditures authorized under this para-  
10 graph shall be in addition to other expenditures al-  
11 lowed under this subsection, except that this para-  
12 graph shall not authorize a committee to make ex-  
13 penditures to which paragraph (3) or (4) applies in  
14 excess of the limit applicable to such expenditures  
15 under paragraph (3) or (4).

16 “(C) No adjustment to the limitation under this  
17 paragraph shall be made under subsection (c) before  
18 1992 and the base period for purposes of any such  
19 adjustment shall be 1990.

20 “(D) For purposes of this paragraph—

21 “(i) a local committee of a political party  
22 shall only include a committee that is a political  
23 committee (as defined in section 301(4)); and

24 “(ii) a State committee shall not be re-  
25 quired to record or report under this Act the

1 expenditures of any other committee which are  
2 made independently from the State commit-  
3 tee.”.

4 (3) Section 301(4) of FECA (2 U.S.C. 431(4)) is  
5 amended by adding at the end the following new sentence:

6 “For purposes of subparagraph (C), any pay-  
7 ments for get-out-the-vote activities on behalf of  
8 candidates for office other than Federal office  
9 shall be treated as payments exempted from the  
10 definition of expenditure under paragraph (9)  
11 of this section.”.

12 (d) GENERIC ACTIVITIES.—Section 301 of FECA (2  
13 U.S.C. 431), as amended by section 311(c), is amended  
14 by adding at the end the following new paragraph:

15 “(38) The term ‘generic campaign activity’ means a  
16 campaign activity the purpose or effect of which is to pro-  
17 mote a political party rather than any particular Federal  
18 or non-Federal candidate.”.

19 **SEC. 313. RESTRICTIONS ON FUNDRAISING BY CANDIDATES**  
20 **AND OFFICEHOLDERS.**

21 (a) STATE FUNDRAISING ACTIVITIES.—Section 315  
22 of FECA (2 U.S.C. 441a), as amended by section 301,  
23 is amended by adding at the end the following new sub-  
24 section:

1       “(k) LIMITATIONS ON FUNDRAISING ACTIVITIES OF  
2 FEDERAL CANDIDATES AND OFFICEHOLDERS AND CER-  
3 TAIN POLITICAL COMMITTEES.—(1) For purposes of this  
4 Act, a candidate for Federal office (or an individual hold-  
5 ing Federal office) may not solicit funds to, or receive  
6 funds on behalf of, any Federal or non-Federal candidate  
7 or political committee—

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

12           “(B) which are to be expended in connection  
13 with any election for other than Federal office unless  
14 such funds are not in excess of amounts permitted  
15 with respect to Federal candidates and political com-  
16 mittees under this Act, and are not from sources  
17 prohibited by this Act with respect to elections to  
18 Federal office.

19       “(2)(A) The aggregate amount which a person de-  
20 scribed in subparagraph (B) may solicit from a  
21 multicandidate political committee for State committees  
22 described in subsection (a)(1)(C) (including subordinate  
23 committees) for any calendar year shall not exceed the dol-  
24 lar amount in effect under subsection (a)(2)(B) for the  
25 calendar year.

1       “(B) A person is described in this subparagraph if  
2 such person is a candidate for Federal office, an individual  
3 holding Federal office, or any national, State, district, or  
4 local committee of a political party (including subordinate  
5 committees).

6       “(3) The appearance or participation by a candidate  
7 or individual in any activity (including fundraising) con-  
8 ducted by a committee of a political party or a candidate  
9 for other than Federal office shall not be treated as a so-  
10 licitation for purposes of paragraph (1) if—

11           “(A) such appearance or participation is other-  
12 wise permitted by law; and

13           “(B) such candidate or individual does not so-  
14 licit or receive, or make expenditures from, any  
15 funds resulting from such activity.

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

20       “(5) 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           (b) TAX-EXEMPT ORGANIZATIONS.—Section 315 of  
5           FECA (2 U.S.C. 441a), as amended by subsection (a),  
6           is amended by adding at the end the following new sub-  
7           section:

8           “(l) TAX-EXEMPT ORGANIZATIONS.—(1) If during  
9           any period an individual is a candidate for, or holds, Fed-  
10           eral office, such individual may not during such period so-  
11           licit contributions to, or on behalf of, any organization  
12           which is described in section 501(c) of the Internal Reve-  
13           nue Code of 1986 if a significant portion of the activities  
14           of such organization include voter registration or get-out-  
15           the-vote campaigns.

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

19                   “(A) holds a Federal office; or

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

1 **SEC. 314. REPORTING REQUIREMENTS.**

2 (a) REPORTING REQUIREMENTS.—Section 304 of  
3 FECA (2 U.S.C. 434) is amended by adding at the end  
4 the following new subsection:

5 “(d) POLITICAL COMMITTEES.—(1) The national  
6 committee of a political party and any congressional cam-  
7 paign committee, and any subordinate committee of ei-  
8 ther, shall report all receipts and disbursements during  
9 the reporting period, whether or not in connection with  
10 an election for Federal office.

11 “(2) A political committee (not described in para-  
12 graph (1)) to which section 325 applies shall report all  
13 receipts and disbursements in connection with a Federal  
14 election (as determined under section 325) and all pay-  
15 ments for combined activities under 326;

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

20 “(4) If any receipt or disbursement to which this sub-  
21 section applies exceeds \$50, the political committee shall  
22 include identification of the person from whom, or to  
23 whom, such receipt or disbursement was made.

24 “(5) Reports required to be filed by this subsection  
25 shall be filed for the same time periods required for politi-  
26 cal committees under subsection (a).”.

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

5 “(C) The exclusions provided in clauses (v)  
6 and (viii) of subparagraph (B) shall not apply  
7 for purposes of any requirement to report con-  
8 tributions under this Act, and all such contribu-  
9 tions in excess of \$50 shall be reported.”.

10 (c) REPORTING OF EXEMPT EXPENDITURES.—Sec-  
11 tion 301(9) of the Federal Election Campaign Act of 1971  
12 (2 U.S.C. 431(9)) is amended by inserting at the end the  
13 following:

14 “(C) The exclusions provided in clause (iv)  
15 of subparagraph (B) shall not apply for pur-  
16 poses of any requirement to report expenditures  
17 under this Act, and all such expenditures in ex-  
18 cess of \$50 shall be reported.”.

19 (d) CONTRIBUTIONS AND EXPENDITURES OF POLITI-  
20 CAL COMMITTEES.—Section 301(4) of FECA (2 U.S.C.  
21 431(4)) is amended by adding at the end the following:  
22 “For purposes of this paragraph, the receipt of contribu-  
23 tions or the making of, or obligating to make, expenditures  
24 shall be determined by the Commission on the basis of  
25 facts and circumstances, in whatever combination, dem-

1 onstrating a purpose of influencing any election for Fed-  
2 eral office, including, but not limited to, the representa-  
3 tions made by any person soliciting funds about their in-  
4 tended uses; the identification by name of individuals who  
5 are candidates for Federal office or of any political party,  
6 in general public political advertising; and the proximity  
7 to any primary, runoff, or general election of general pub-  
8 lic political advertising designed or reasonably calculated  
9 to influence voter choice in that election.”.

10 (e) REPORTS BY STATE COMMITTEES.—Section 304  
11 of FECA (2 U.S.C. 434), as amended by subsection (a),  
12 is amended by adding at the end the following new sub-  
13 section:

14 “(e) FILING OF STATE REPORTS.—In lieu of any re-  
15 port required to be filed by this Act, the Commission may  
16 allow a State committee of a political party to file with  
17 the Commission a report required to be filed under State  
18 law if the Commission determines such reports contain  
19 substantially the same information.”.

20 **SEC. 315. LIMITATIONS ON COMBINED POLITICAL ACTIVI-**  
21 **TIES OF POLITICAL COMMITTEES OF POLITI-**  
22 **CAL PARTIES.**

23 Title III of FECA (2 U.S.C. 431 et seq.), as amended  
24 by section 312(c), is amended by adding at the end the  
25 following new section:

1 “LIMITATIONS ON COMBINED POLITICAL ACTIVITIES OF  
2 POLITICAL COMMITTEES OF POLITICAL PARTIES

3 “SEC. 326. (a)(1) Political party committees that  
4 make payments for combined political activity shall allo-  
5 cate a portion of such payments to Federal accounts con-  
6 taining contributions subject to the limitations and prohi-  
7 bitions of this Act, as provided for in this section.

8 “(2) National party committees shall allocate as fol-  
9 lows:

10 “(A) At least 65 percent of the costs of voter  
11 registration drives, development and maintenance of  
12 voter files, get-out-the-vote activities, and adminis-  
13 trative expenses shall be paid from a Federal ac-  
14 count in Presidential election years. At least 60 per-  
15 cent of the costs of voter drives and administrative  
16 expenses shall be paid from a Federal account in all  
17 other years.

18 “(B) The costs of fundraising activities which  
19 shall be paid from a Federal account shall equal the  
20 ratio of funds received into the Federal account to  
21 the total receipts from each fundraising program or  
22 event.

23 “(C) The costs of activities subject to limitation  
24 under section 315(d) which involve both Federal and  
25 non-Federal candidates, shall be paid from a Federal

1 account according to the time or space devoted to  
2 Federal candidates.

3 “(3) State and local party committees shall allocate  
4 as follows:

5 “(A) At least 50 percent of the costs of voter  
6 registration drives, development and maintenance of  
7 voter files, get-out-the-vote activities, and adminis-  
8 trative expenses shall be paid from a Federal ac-  
9 count in Presidential election years. In all other  
10 years, the costs of voter drives and administrative  
11 expenses which shall be paid from a Federal account  
12 shall be determined by the ballot composition for the  
13 election cycle, but, in no event, shall the amount  
14 paid from the Federal account be less than 33 per-  
15 cent.

16 “(B) The costs of fundraising activities which  
17 shall be paid from a Federal account shall equal the  
18 ratio of funds received into the Federal account to  
19 the total receipts from each fundraising program or  
20 event.

21 “(C) The costs of activities exempt from the  
22 definition of ‘contribution’ or ‘expenditure’ under  
23 section 301, when conducted in conjunction with  
24 both Federal and non-Federal elections, shall be

1 paid from a Federal account according to the time  
2 or space devoted to Federal candidates or elections.

3 “(D) The costs of activities subject to limitation  
4 under section 315 (a) or (d) which involve both Fed-  
5 eral and non-Federal candidates, shall be paid from  
6 a Federal account according to the time or space de-  
7 voted to Federal candidates.

8 “(b) For purposes of this subsection:

9 “(1) The term ‘combined political activity’  
10 means any activity that is both—

11 “(A) in connection with an election for  
12 Federal office; and

13 “(B) in connection with an election for any  
14 non-Federal office.

15 “(2) Any activity which is undertaken solely in  
16 connection with a Federal election is not combined  
17 political activity.

18 “(3) Except as provided in paragraph (4), com-  
19 bined political activity shall include—

20 “(A) State and local party activities ex-  
21 empt from the definitions of ‘contribution’ and  
22 ‘expenditure’ under section 301 and activities  
23 subject to limitation under section 315 which  
24 involve both Federal and non-Federal can-  
25 didates, except that payments for activities sub-

1           subject to limitation under section 315 are not sub-  
2           ject to the limitation of subsection (a)(1);

3           “(B) voter drives including voter registra-  
4           tion, voter identification and get-out-the-vote  
5           drives or any other activities that urge the gen-  
6           eral public to register, vote for or support non-  
7           Federal candidates, candidates of a particular  
8           party, or candidates associated with a particu-  
9           lar issue, without mentioning a specific Federal  
10          candidate;

11          “(C) fundraising activities where both Fed-  
12          eral and non-Federal funds are collected  
13          through such activities; and

14          “(D) administrative expenses not directly  
15          attributable to a clearly identified Federal or  
16          non-Federal candidate, except that payments  
17          for administrative expenses are not subject to  
18          the limitation of subsection (a)(1).

19          “(4) The following payments are exempt from  
20          the definition of combined political activity:

21                  “(A) Any amount described in section  
22                  301(8)(B)(viii).

23                  “(B) Any payments for legal or accounting  
24                  services, if such services are for the purpose of  
25                  ensuring compliance with this Act.

1           “(5) The term ‘ballot composition’ means the  
2           number of Federal offices on the ballot compared to  
3           the total number of offices on the ballot during the  
4           next election cycle for the State. In calculating the  
5           number of offices for purposes of this paragraph, the  
6           following offices shall be counted, if on the ballot  
7           during the next election cycle: President, United  
8           States Senator, United States Representative, Gov-  
9           ernor, State Senator, and State Representative. No  
10          more than three additional statewide partisan can-  
11          didates shall be counted, if on the ballot during the  
12          next election cycle. No more than three additional  
13          local partisan candidates shall be counted, if such of-  
14          fices are on the ballot in the majority of the State’s  
15          counties during the next election cycle.

16          “(6) The term ‘time or space devoted to Fed-  
17          eral candidates’ means with respect to a particular  
18          communication, the portion of the communication  
19          devoted to Federal candidates compared to the en-  
20          tire communication, except that no less than one-  
21          third of any communication shall be considered de-  
22          voted to a Federal candidate.”.

1       **TITLE IV—CONTRIBUTIONS**

2       **SEC. 401. REDUCTION OF CONTRIBUTION LIMITS.**

3       Section 315(a)(1)(A) of FECA (2 U.S.C.  
4 441a(a)(1)(A)) is amended by striking “\$1,000” and in-  
5 serting “\$100”.

6       **SEC. 402. CONTRIBUTIONS THROUGH INTERMEDIARIES**  
7                   **AND CONDUITS; PROHIBITION OF CERTAIN**  
8                   **CONTRIBUTIONS BY LOBBYISTS.**

9       (a) IN GENERAL.—Section 315(a)(8) of FECA (2  
10 U.S.C. 441a(a)(8)) is amended to read as follows:

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

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

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

14              “(VI) an organization prohibited from  
15 making contributions under section 316, or  
16 an officer, employee, or agent of such an  
17 organization acting on the organization’s  
18 behalf.

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

21               “(I) a candidate or representative of a can-  
22 didate receiving contributions to the candidate’s  
23 principal campaign committee or authorized  
24 committee;

1           “(II) a professional fundraiser com-  
2           pensated for fundraising services at the usual  
3           and customary rate;

4           “(III) a volunteer hosting a fundraising  
5           event at the volunteer’s home, in accordance  
6           with section 301(8)(B); or

7           “(IV) an individual who transmits a con-  
8           tribution from the individual’s spouse.

9           “(ii) The term ‘representative’ means an indi-  
10          vidual who is expressly authorized by the candidate  
11          to engage in fundraising, and who occupies a signifi-  
12          cant position within the candidate’s campaign orga-  
13          nization, provided that the individual is not de-  
14          scribed in subparagraph (B)(ii).

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

17               “(I) contributions delivered to a particular  
18               candidate or the candidate’s authorized commit-  
19               tee or agent; and

20               “(II) contributions directly or indirectly ar-  
21               ranged to be made to a particular candidate or  
22               the candidate’s authorized committee or agent,  
23               in a manner that identifies directly or indirectly  
24               to the candidate or authorized committee or  
25               agent the person who arranged the making of

1 the contributions or the person on whose behalf  
2 such person was acting.

3 “(iv) The term ‘acting on the organization’s be-  
4 half’ includes the following activities by an officer,  
5 employee or agent of a person described in subpara-  
6 graph (B)(ii)(IV):

7 “(I) Soliciting or directly or indirectly ar-  
8 ranging the making of a contribution to a par-  
9 ticular candidate in the name of, or by using  
10 the name of, such a person.

11 “(II) Soliciting or directly or indirectly ar-  
12 ranging the making of a contribution to a par-  
13 ticular candidate using other than incidental re-  
14 sources of such a person.

15 “(III) Soliciting contributions for a par-  
16 ticular candidate by substantially directing the  
17 solicitations to other officers, employees, or  
18 agents of such a person.

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

20 “(i) bona fide joint fundraising efforts con-  
21 ducted solely for the purpose of sponsorship of  
22 a fundraising reception, dinner, or other similar  
23 event, in accordance with rules prescribed by  
24 the Commission, by—

25 “(I) 2 or more candidates;

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

5           “(III) a special committee formed by  
6           2 or more candidates, or a candidate and  
7           a national, State, or local committee of a  
8           political party acting on their own behalf;

9           “(ii) fundraising efforts for the benefit of  
10          a candidate that are conducted by another can-  
11          didate; or

12          “(iii) bona fide fundraising efforts con-  
13          ducted by and solely on behalf of an individual  
14          for the purpose of sponsorship of a fundraising  
15          reception, dinner, or other similar event, but  
16          only if all contributions are made directly to a  
17          candidate or a representative of a candidate.

18          When a contribution is made to a candidate through an  
19          intermediary or conduit, the intermediary or conduit shall  
20          report the original source and the intended recipient of  
21          the contribution to the Commission and to the intended  
22          recipient.”.

23          (b) PROHIBITION OF CERTAIN CONTRIBUTIONS BY  
24          LOBBYISTS.—Section 315 of FECA (2 U.S.C. 441a), as

1 amended by section 313(b), is amended by adding at the  
2 end the following new subsection:

3 “(m)(1) A lobbyist shall not make a contribution to  
4 or solicit a contribution on behalf of a legislative branch  
5 official before whom the lobbyist has appeared or with  
6 whom the lobbyist has made a lobbying contact, in the  
7 lobbyist’s representational capacity, during the 12-month  
8 period preceding the date on which the contribution is  
9 made or solicited.

10 “(2) A lobbyist who makes a contribution to or solic-  
11 its a contribution on behalf of a legislative branch official  
12 shall not appear before or make a lobbying contact with  
13 that legislative branch official, in the lobbyist’s representa-  
14 tional capacity, during the 12-month period after the date  
15 on which the contribution is made or solicited.”.

16 (c) DEFINITIONS.—Section 301(a) of FECA (2  
17 U.S.C. 431(a)), as amended by section 312(d), is amended  
18 by adding at the end the following new paragraphs:

19 “(39) The term ‘lobbyist’ means—

20 “(A) a person required to register under section  
21 308 of the Federal Regulation of Lobbying Act (2  
22 U.S.C. 267) or the Foreign Agents Registration Act  
23 of 1938 (22 U.S.C. 611 et seq.);

1           “(B) a person required under any other law to  
2 register as a lobbyist (as the term ‘lobbyist’ may be  
3 defined in any such law); and

4           “(C) any other person that receives compensa-  
5 tion in return for making a lobbying contact with  
6 Congress on any legislative matter, including a mem-  
7 ber, officer, or employee of any organization that re-  
8 ceives such compensation.

9           “(40)(A) The term ‘lobbying contact’—

10           “(i) means an oral or written communication  
11 with a legislative branch official made by a lobbyist  
12 on behalf of another person with regard to—

13           “(I) the formulation, modification, or  
14 adoption of Federal legislation (including a leg-  
15 islative proposal);

16           “(II) the formulation, modification, or  
17 adoption of a Federal rule, regulation, Execu-  
18 tive order, or any other program, policy or posi-  
19 tion of the United States Government; or

20           “(III) the administration or execution of a  
21 Federal program or policy (including the nego-  
22 tiation, award, or administration of a Federal  
23 contract, grant, loan, permit, or license) but—

24           “(ii) does not include a communication that  
25 is—

1           “(I) made by a public official acting in an  
2 official capacity;

3           “(II) made by a representative of a media  
4 organization who is primarily engaged in gath-  
5 ering and disseminating news and information  
6 to the public;

7           “(III) made in a speech, article, publica-  
8 tion, or other material that is widely distributed  
9 to the public or through the media;

10           “(IV) a request for an appointment, a re-  
11 quest for the status of a Federal action, or an-  
12 other similar ministerial contact, if there is no  
13 attempt to influence a legislative branch official  
14 at the time of the contact;

15           “(V) made in the course of participation in  
16 an advisory committee subject to the Federal  
17 Advisory Committee Act (5 U.S.C. App.);

18           “(VI) testimony given before a committee,  
19 subcommittee, or office of Congress, or submit-  
20 ted for inclusion in the public record of a hear-  
21 ing conducted by the committee, subcommittee,  
22 or office;

23           “(VII) information provided in writing in  
24 response to a specific written request from a  
25 legislative branch official;

1           “(VIII) required by subpoena, civil inves-  
2           tigative demand, or otherwise compelled by stat-  
3           ute, regulation, or other action of Congress or  
4           a Federal agency;

5           “(IX) made to an agency official with re-  
6           gard to a judicial proceeding, criminal or civil  
7           law enforcement inquiry, investigation, or pro-  
8           ceeding, or filing required by law;

9           “(X) made in compliance with written  
10          agency procedures regarding an adjudication  
11          conducted by the agency under section 554 of  
12          title 5, United States Code, or substantially  
13          similar provisions;

14          “(XI) a written comment filed in a public  
15          docket and other communication that is made  
16          on the record in a public proceeding;

17          “(XII) a formal petition for agency action,  
18          made in writing pursuant to established agency  
19          procedures; or

20          “(XIII) made on behalf of a person with  
21          regard to the person’s benefits, employment,  
22          other personal matters involving only that per-  
23          son, or disclosures pursuant to a whistleblower  
24          statute.

25          “(41) The term ‘legislative branch official’ means—

1 “(A) a member of Congress;

2 “(B) an elected officer of Congress;

3 “(C) an employee of a member of the House of  
4 Representatives, of a committee of the House of  
5 Representatives, or on the leadership staff of the  
6 House of Representatives, other than a clerical or  
7 secretarial employee;

8 “(D) an employee of a Senator, of a Senate  
9 committee, or on the leadership staff of the Senate,  
10 other than a clerical or secretarial employee; and

11 “(E) an employee of a joint committee of the  
12 Congress, other than a clerical or secretarial em-  
13 ployee.”.

14 **SEC. 403. CONTRIBUTIONS BY DEPENDENTS NOT OF VOT-**  
15 **ING AGE.**

16 (a) IN GENERAL.—Section 315 of FECA (2 U.S.C.  
17 441a), as amended by section 402(b), is amended by add-  
18 ing at the end the following new subsection:

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

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

22 “(2) has not, as of the time of such contribu-  
23 tion, attained the legal age for voting for elections  
24 to Federal office in the State in which such individ-  
25 ual resides,

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

6 **SEC. 404. CONTRIBUTIONS TO CANDIDATES FROM STATE**  
7 **AND LOCAL COMMITTEES OF POLITICAL PAR-**  
8 **TIES TO BE AGGREGATED.**

9 (a) IN GENERAL.—Section 315(a) of FECA (2  
10 U.S.C. 441a(a)) is amended by adding at the end the fol-  
11 lowing new paragraph:

12 “(9) A candidate for Federal office may not accept,  
13 with respect to an election, any contribution from a State  
14 or local committee of a political party (including any sub-  
15 ordinate committee of such committee), if such contribu-  
16 tion, when added to the total of contributions previously  
17 accepted from all such committees of that political party,  
18 exceeds a limitation on contributions to a candidate under  
19 this section.”.

20 (b) CONFORMING AMENDMENT.—Section 315(a)(5)  
21 of FECA (2 U.S.C. 441a(a)(5)) is amended—

22 (1) by adding “and” at the end of subpara-  
23 graph (A);

24 (2) by striking subparagraph (B); and

1           (3) by redesignating subparagraph (C) as sub-  
2           paragraph (B).

3 **SEC. 405. LIMITED EXCLUSION OF ADVANCES BY CAM-**  
4                           **PAIGN WORKERS FROM THE DEFINITION OF**  
5                           **THE TERM “CONTRIBUTION”.**

6           Section 301(8)(B) of FECA (2 U.S.C. 431(8)(B)) is  
7 amended—

8           (1) in clause (xiii), by striking “and” after the  
9           semicolon at the end;

10           (2) in clause (xiv), by striking the period at the  
11           end and inserting: “; and”; and

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

14           “(xv) any advance voluntarily made on behalf of  
15           an authorized committee of a candidate by an indi-  
16           vidual in the normal course of such individual’s re-  
17           sponsibilities as a volunteer for, or employee of, the  
18           committee, if the advance is reimbursed by the com-  
19           mittee within 10 days after the date on which the  
20           advance is made, and the aggregate value of ad-  
21           vances on behalf of a committee does not exceed  
22           \$500 with respect to an election.”.

1                   **TITLE V—REPORTING**  
2                   **REQUIREMENTS**

3   **SEC. 501. CHANGE IN CERTAIN REPORTING FROM A CAL-**  
4                   **ENDAR YEAR BASIS TO AN ELECTION CYCLE**  
5                   **BASIS.**

6           Paragraphs (2) through (7) of section 304(b) of  
7 FECA (2 U.S.C. 434(b)(2)–(7)) are amended by inserting  
8 after “calendar year” each place it appears the following:  
9 “(election cycle, in the case of an authorized committee  
10 of a candidate for Federal office)”.

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

12           Section 304(b)(5)(A) of FECA (2 U.S.C.  
13 434(b)(5)(A)) is amended by adding before the semicolon  
14 at the end the following: “, except that if a person to  
15 whom an expenditure is made is merely providing personal  
16 or consulting services and is in turn making expenditures  
17 to other persons (not including employees) who provide  
18 goods or services to the candidate or his or her authorized  
19 committees, the name and address of such other person,  
20 together with the date, amount and purpose of such ex-  
21 penditure shall also be disclosed”.

1 **SEC. 503. REDUCTION IN THRESHOLD FOR REPORTING OF**  
 2 **CERTAIN INFORMATION BY PERSONS OTHER**  
 3 **THAN POLITICAL COMMITTEES.**

4 Section 304(b)(3)(A) of FECA (2 U.S.C.  
 5 434(b)(3)(A)) is amended by striking “\$200” and insert-  
 6 ing “\$50”.

7 **SEC. 504. COMPUTERIZED INDICES OF CONTRIBUTIONS.**

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

10 (1) by striking “and” at the end of paragraph  
 11 (9);

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

14 (3) by adding at the end the following new  
 15 paragraph:

16 “(11) maintain computerized indices of con-  
 17 tributions of \$50 or more.”.

18 **TITLE VI—PRESIDENTIAL**  
 19 **DEBATES**

20 **SEC. 601. FINDINGS AND PURPOSES.**

21 (a) FINDINGS.—The Congress finds that—

22 (1) American voters are increasingly frustrated  
 23 with the lack of significant political debate in presi-  
 24 dential elections in the United States, and voting  
 25 participation in the United States is lower than in

1 any other advanced industrialized country, due in  
2 part to such frustration;

3 (2) the right of eligible citizens to participate in  
4 the election process as informed voters, provided in  
5 and derived from the first and fourteenth amend-  
6 ments to the Constitution, has consistently been pro-  
7 tected and promoted by the Federal Government;

8 (3) United States presidential debates spon-  
9 sored by nonpartisan organizations offer important  
10 fora for free, open, and substantive exchanges of  
11 candidates' ideas, and should include all significant  
12 candidates, including non-major and independent  
13 candidates; and

14 (4) throughout United States history, signifi-  
15 cant minor party and independent candidates have  
16 often been a source for new ideas and new pro-  
17 grams, offering American voters an opportunity to  
18 engage in a diverse and open political discourse on  
19 critical issues of the day.

20 (b) PURPOSES.—The purposes of this title are to  
21 make participation in presidential debates a requirement  
22 for receipt of Federal general election campaign funds and  
23 to allow all candidates who meet the criteria outlined in  
24 this Act to participate in such debates.

1 **SEC. 602. PRESIDENTIAL AND VICE PRESIDENTIAL CAN-**  
2 **DIDATE DEBATES.**

3 Section 9003 of the Internal Revenue Code of 1986  
4 is amended by adding at the end the following new sub-  
5 section:

6 “(e) PRESIDENTIAL AND VICE PRESIDENTIAL CAN-  
7 DIDATE DEBATES.—

8 “(1) AGREEMENT TO DEBATE.—In addition to  
9 meeting the requirements of subsection (a), (b), or  
10 (c), in order to be eligible to receive any payments  
11 under section 9006, the candidates for the office of  
12 President and Vice President in a Presidential elec-  
13 tion shall agree in writing that—

14 “(A) the Presidential candidate, if eligible  
15 under paragraph (3), will participate in not less  
16 than 3 Presidential candidate debates, which  
17 shall be held in the September and October pre-  
18 ceding a Presidential general election at least 2  
19 weeks before the election; and

20 “(B) the Vice Presidential candidate, if eli-  
21 gible under paragraph (3), will participate in  
22 not less than 1 Vice Presidential candidate de-  
23 bate, which shall be held prior to the third  
24 Presidential candidate debate.

25 “(2) DEBATE REQUIREMENTS.—

1           “(A) IN GENERAL.—Each debate under  
2 paragraph (1) shall—

3           “(i) be sponsored by a nonpartisan or-  
4 ganization that has no affiliation with any  
5 political party;

6           “(ii) include all candidates that meet  
7 the criteria stated in paragraph (3) (except  
8 any such candidate who elects not to re-  
9 ceive payments under section 9006), who  
10 shall appear and participate in a regulated  
11 exchange of questions and answers on po-  
12 litical, social, economic, and other issues;  
13 and

14           “(iii) be of at least 90 minutes’ dura-  
15 tion, of which not less than 30 minutes are  
16 devoted to questions and answers or dis-  
17 cussion directly between the candidates, as  
18 determined by the sponsor of the debate.

19           “(B) ANNOUNCEMENT OF TIME, LOCA-  
20 TION, AND FORMAT.—The sponsor of debates  
21 shall announce the time, location, and format of  
22 the debate prior to the first Monday in Septem-  
23 ber before the Presidential election.

24           “(3) CRITERIA FOR PARTICIPATION IN PRESI-  
25 DENTIAL CANDIDATE DEBATES.—A candidate is eli-

1 gible to participate in a debate under paragraph (1)  
2 if—

3 “(A) the candidate has qualified for the  
4 election ballot as the candidate of a political  
5 party or as an independent candidate to the of-  
6 fice of President or Vice President in not less  
7 than 40 States;

8 “(B) the candidate met the requirements  
9 of section 9033(b) (3) and (4); or

10 “(C) the candidate raised not less than  
11 \$500,000 on or after January 1 of the calendar  
12 year immediately preceding the calendar year of  
13 the Presidential election, as disclosed in a re-  
14 port filed pursuant to section 304 of the Fed-  
15 eral Election Campaign Act of 1971 (2 U.S.C.  
16 434).

17 “(4) ENFORCEMENT.—If the Commission, act-  
18 ing on its own or at the complaint of any person, de-  
19 termines that a Presidential or Vice Presidential  
20 candidate that has received payments under section  
21 9006 failed to participate in a debate under para-  
22 graph (1) and was responsible at least in part for  
23 that failure, the candidate shall pay to the Secretary  
24 an amount equal to the amount of the payments  
25 made to the candidate under section 9006.”.

1       **TITLE VII—MISCELLANEOUS**

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

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

5               (1) by amending paragraph (3) to read as fol-  
6 lows:

7       “(3)(A) No political committee that supports or has  
8 supported more than one candidate may be designated as  
9 an authorized committee, except that—

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

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

21       “(B) As used in this paragraph, the term ‘support’  
22 does not include a contribution by any authorized commit-  
23 tee in amounts of \$1,000 or less to an authorized commit-  
24 tee of any other candidate.”; 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, maintain, or  
5 control any political committee other than a principal cam-  
6 paign committee of the candidate, authorized committee,  
7 party committee, or other political committee designated  
8 in accordance with paragraph (3). A candidate for more  
9 than one Federal office may designate a separate principal  
10 campaign committee for each Federal office.

11           “(B) For one year after the effective date of this  
12 paragraph, any such political committee may continue to  
13 make contributions. At the end of that period such politi-  
14 cal committee shall disburse all funds by one or more of  
15 the following means: making contributions to an entity  
16 qualified under section 501(c)(3) of the Internal Revenue  
17 Code of 1986; making a contribution to the treasury of  
18 the United States; contributing to the national, State or  
19 local committees of a political party; or making contribu-  
20 tions not to exceed \$250 to candidates for elective office.”.

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

22           Section 301(8) of FECA (2 U.S.C. 431(8)), as  
23 amended by section 314(b), is amended by inserting at  
24 the end the following new subparagraph:

1           “(D) A contribution of polling data to a can-  
 2           didate shall be valued at the fair market value of the  
 3           data on the date the poll was completed, depreciated  
 4           at a rate not more than 1 percent per day from such  
 5           date to the date on which the contribution was  
 6           made.”.

7           **TITLE VIII—EFFECTIVE DATES;**  
 8           **AUTHORIZATIONS**

9           **SEC. 801. EFFECTIVE DATE.**

10           Except as otherwise provided in this Act, the amend-  
 11           ments made by, and the provisions of, this Act shall take  
 12           effect on the date of the enactment of this Act but shall  
 13           not apply with respect to activities in connection with any  
 14           election occurring before January 1, 1994.

15           **SEC. 802. SENSE OF THE SENATE REGARDING FUNDING OF**  
 16           **SENATE ELECTION CAMPAIGN FUND.**

17           It is the sense of the Senate that—

18           (1) the current Presidential checkoff should be  
 19           increased to \$5.00, its designation changed to the  
 20           “Federal Election Campaign Checkoff”, and individ-  
 21           uals should be permitted to contribute an additional  
 22           \$5.00 to the fund in additional taxes if they so de-  
 23           sire;

24           (2) the Internal Revenue Service and the Fed-  
 25           eral Election Commission should be required to de-

1       velop and implement a plan to publicize the fund  
2       and the checkoff to increase citizen participation;  
3       and

4               (3) funds to pay for the increase in the checkoff  
5       to \$5.00 should come from the repeal of the tax de-  
6       duction for business lobbying activity.

7       **SEC. 803. SEVERABILITY.**

8       Except as provided in sections 101(c) and 121(b), if  
9       any provision of this Act (including any amendment made  
10      by this Act), or the application of any such provision to  
11      any person or circumstance, is held invalid, the validity  
12      of any other provision of this Act, or the application of  
13      such provision to other persons and circumstances, shall  
14      not be affected thereby.

15      **SEC. 804. EXPEDITED REVIEW OF CONSTITUTIONAL ISSUES.**

16       (a) DIRECT APPEAL TO SUPREME COURT.—An ap-  
17      peal may be taken directly to the Supreme Court of the  
18      United States from any interlocutory order or final judg-  
19      ment, decree, or order issued by any court ruling on the  
20      constitutionality of any provision of this Act or amend-  
21      ment made by this Act.

22       (b) ACCEPTANCE AND EXPEDITION.—The Supreme  
23      Court shall, if it has not previously ruled on the question  
24      addressed in the ruling below, accept jurisdiction over, ad-

1 vance on the docket, and expedite the appeal to the great-  
2 est extent possible.

○

S 116 IS—2

S 116 IS—3

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S 116 IS—5

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